

# SB0119S03 compared with SB0119S01

~~{Omitted text}~~ shows text that was in SB0119S01 but was omitted in SB0119S03

inserted text shows text that was not in SB0119S01 but was inserted into SB0119S03

**DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.**

1 **School and Classroom Amendments**  
2026 GENERAL SESSION  
STATE OF UTAH  
**Chief Sponsor: Lincoln Fillmore**  
House Sponsor:

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- 2  
3 **LONG TITLE**  
4 **General Description:**  
5 This bill enacts provisions related to ~~{school enrollment and}~~ curriculum development.  
6 **Highlighted Provisions:**  
7 This bill:  
8 ▶ ~~{requires students to meet personal care independence standards before enrolling in public~~  
9 ~~school;}~~  
10 ▶ ~~{creates exemptions from enrollment requirements for students with qualifying~~  
11 ~~conditions;}~~  
12 ▶ directs the State Board of Education to develop open educational resources aligned with Utah  
13 core standards;and  
14 ▶ provides for reporting on curriculum development and implementation~~{;}~~ .  
15 ▶ ~~{establishes an additional conditional use of the Public Education Economic Stabilization~~  
16 ~~Restricted Account; and}~~  
17 ▶ ~~{makes conforming changes.}~~  
18 **Money Appropriated in this Bill:**

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12 None

13 **Other Special Clauses:**

14 This bill provides a special effective date.

15 **Utah Code Sections Affected:**

16 ENACTS:

17 **53E-4-409** , Utah Code Annotated 1953

27 ~~{53G-7-228 , Utah Code Annotated 1953}~~

AMENDS:

23 ~~{53F-9-204 , as last amended by Laws of Utah 2025, Chapters 413, 433}~~

24 ~~{53G-7-203 , as last amended by Laws of Utah 2025, Chapter 394}~~

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19 *Be it enacted by the Legislature of the state of Utah:*

20 Section 1. Section 1 is enacted to read:

21 **53E-4-409. Open educational resources -- Development and implementation.**

32 (1) As used in this section:

33 (a) "Open educational resources" means teaching, learning, and research materials that are in the public domain or released under an open license that permits free use, adaptation, and distribution.

36 (b) "Utah core standards" means the standards described in Section 53E-4-202.

37 (2) Notwithstanding any other provision in this part, and subject to legislative appropriation, the state board shall:

39 (a) contract with one or more qualified entities to develop comprehensive open educational resources for elementary grades that:

41 (i) align with Utah core standards;

42 (ii) meet the instructional needs of students in kindergarten through grade 8 suitable for the age of students at the grade level for which the materials are developed;

44 (iii) reflect Utah values and priorities;

45 (iv) provide accessibility to students with disabilities in compliance with federal and state law;

47 (v) are available in digital and, where appropriate, print formats;

48 (vi) are free from bias;

49 (vii) do not contain obscene or harmful material;

50 (viii) are age appropriate for the grade level; and

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- 51 (ix) promote American values and civic understanding.
- 52 (b) ensure the open educational resources include:
- 53 (i) comprehensive instructional materials for all core subject areas;
- 54 (ii) teacher resources, including:
- 55 (A) scopes and sequences;
- 56 (B) topics by grade level;
- 57 (C) text selection guides;
- 58 (D) unit and lesson-level implementation guides;
- 59 (E) daily lesson plans;
- 60 (F) formative, interim, and summative assessments; and
- 61 (G) professional development materials;
- 62 (iii) student materials and resources, including:
- 63 (A) student-facing instructional materials such as graphic organizers;
- 64 (B) guided practice materials;
- 65 (C) independent practice materials;
- 66 (D) digital learning resources;
- 67 (E) project and performance tasks; and
- 68 (F) other classroom supports; and
- 69 (iv) implementation guides to support LEAs in the adoption and use of the materials;
- 70 (c) establish quality standards and review processes for materials developed under this section;
- 72 (d) ensure that:
- 73 (i) the state owns all intellectual property rights, including copyright, in the open educational resources  
developed under this section; and
- 75 (ii) the open educational resources are openly licensed under a Creative Commons or equivalent license  
to allow an LEA to use, adapt, customize, and distribute the materials without charge;
- 78 (e) make the open educational resources available through a centralized digital platform accessible to all  
LEAs and the public; and
- 80 (f) ensure that the open educational resources developed under this section are clearly labeled and  
identified as open educational resources in all formats and platforms to provide transparency to  
parents and other stakeholders.
- 83 (3) In developing open educational resources under this section, the state board shall:

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- 84 (a) consult with LEAs, teachers, curriculum specialists, and other education stakeholders;  
85 (b) establish a review committee that:  
86 (i) includes individuals { ~~representating~~ representing:  
87 (A) LEAs;  
88 (B) parents;  
89 (C) teachers;  
90 (D) curriculum specialists; and  
91 (E) other education stakeholders; and  
92 (ii) reviews all open educational resources before the resources are made available for LEA adoption;  
94 (iii) provide opportunities for public comment on draft open educational resources before final release;  
96 (c) establish timelines for phased development and implementation;  
97 (d) provide opportunities for pilot programs and field testing before statewide release; and  
99 (e) ensure ongoing review and updates to maintain alignment with Utah core standards and educational  
101 best practices.  
(4)  
(a) The state board may not require an LEA to adopt or use the open educational resources developed  
under this section.  
103 (b) An LEA that chooses to adopt the open educational resources developed under this section shall use  
the LEA's existing curriculum approval process.  
105 (5) The state board shall:  
106 (a) make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to:  
108 (i) establish standards and procedures for contracting under this section;  
109 (ii) establish quality standards and suitability rubrics for open educational resources developed under  
this section;  
111 (iii) establish procedures for LEA access to and use of the open educational resources;  
112 (iv) establish procedures for ongoing review, updates, and maintenance of the open educational  
resources; and  
114 (v) establish standards and procedures for the review committee described in Subsection (3)(b);  
116 (b) upon request, report to the Education Interim Committee regarding:  
117 (i) progress on curriculum development under this section, including timelines and milestones;  
119 (ii) expenditures from appropriations under this section;

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- 120 (iii) LEA adoption and use of the open educational resources;  
121 (iv) feedback from LEAs, teachers, and other stakeholders, including parents;  
122 (v) plans and progress for updates, maintenance, and expansion of the open educational resources; and  
124 (vi) the review process and recommendations from the review committee described in Subsection (3)  
(b).

126 ~~{Section 2. Section 53F-9-204 is amended to read:}~~

### 127 **53F-9-204. Public Education Economic Stabilization Restricted Account.**

- 128 (1) There is created within the Uniform School Fund a restricted account known as the "Public  
Education Economic Stabilization Restricted Account."  
130 (2)  
132 (a) Except as provided in Subsection (2)(b), the account shall be funded from the following revenue  
sources:  
134 (i) 15% of the difference between, as determined by the Office of the Legislative Fiscal Analyst:  
(A) the estimated amount of ongoing Income Tax Fund and Uniform School Fund revenue available for  
the Legislature to appropriate for the next fiscal year; and  
136 (B) the amount of ongoing appropriations from the Income Tax Fund and Uniform School Fund in the  
current fiscal year; and  
138 (ii) other appropriations as the Legislature may designate.  
139 (b) If the appropriation described in Subsection (2)(a) would cause the ongoing appropriations to the  
account to exceed 11% of Uniform School Fund appropriations described in Section 53F-9-201.1  
for the same fiscal year, the Legislature shall appropriate only those funds necessary to ensure that  
the ongoing appropriations to the account equal 11% of Uniform School Fund appropriations for  
that fiscal year.  
144 (3) Subject to the availability of ongoing appropriations to the account, in accordance with  
145 Utah Constitution, Article X, Section 5, Subsection (4), the ongoing appropriation to the account  
shall be used to fund:  
147 (a) except for a year described in Subsection (3)(b)~~[or]~~ (c), or (d), one-time appropriations to the  
public education system, including at least \$65,000,000 to the Catalyst Center Grant Program  
described in Section 53E-3-507.1;  
150 (b) the Minimum School Program for a year in which Income Tax Fund revenue and Uniform School  
Fund revenue are insufficient to fund:

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- 152 (i) ongoing appropriations to the public education system; and  
153 (ii) enrollment growth and inflation estimates, as defined in Section 53F-9-201.1;[-and]  
154 (c) the Minimum School Program for a year in which changes in federal tax policy cause Income  
Tax Fund revenue to decrease by an amount equal to or greater than the amount required to fund  
enrollment growth and inflation estimates, as defined in Section 53F-9-201.1; or  
158 [(e)] (d) the minimum basic local amount as defined in Section 53F-2-301 for a year in which the  
minimum basic tax rate, as defined in Section 53F-2-301, is insufficient to generate the amount  
described in Subsection 53F-2-301(2)(a).  
161 (4)  
(a) The account shall earn interest.  
162 (b) All interest earned on account money shall be deposited in the account.  
163 (5) On or before December 31, 2023, and every three years thereafter, the Office of the Legislative  
Fiscal Analyst shall:  
165 (a) review the percentages described in Subsections (2)(a)(i) and (2)(b); and  
166 (b) recommend to the Executive Appropriations Committee any changes based on the review described  
in Subsection (5)(a).  
168 (6) In preparing budget bills for a given fiscal year, the Executive Appropriations Committee shall  
make the one-time appropriations described in Subsection (3)(a) by appropriating at least the lesser  
of 10% of the total amount of the one-time appropriations to:  
172 (a) the cost of providing 32 paid professional hours for teachers in accordance with Section 53F-7-203;  
174 (b) the amount to make the distribution required under Section 53F-2-527;  
175 (c) the cost of the Stipends for Future Educators Grant Program described in Section 53F-5-223; and  
177 (d) the cost of the Rural School Sports Facilities Grant Program described in Section 53F-10-303.  
179 (7) No later than October 15 of each year, the state board shall report to the Office of the Legislative  
Fiscal Analyst an estimated cost for each of the one-time appropriations described in Subsection (6).  
182 ~~{Section 3. Section 53G-7-203 is amended to read: }~~  
183 **53G-7-203. Kindergartens -- Establishment -- Funding -- Assessment.**  
184 (1) Kindergartens are an integral part of the state's public education system.  
185 (2)  
(a) Each LEA governing board shall provide kindergarten classes free of charge for kindergarten  
children residing within the district or attending [the] a charter school.

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- 187 (b) Each LEA governing board shall:
- 188 (i) provide a half-day kindergarten option for a student that comprises the minimum standards for half-  
day kindergarten that the state board establishes, in accordance with Subsection (4)(a)(iii), if the  
student's parent requests a half-day option; [~~and~~]
- 191 (ii)
- (A) inform parents of the availability of the option to register for a designated full-curriculum half-  
day kindergarten option at the time of all kindergarten registration, by email, posters, or other  
announcements when a parent requests kindergarten registration; and
- 195 (B) provide the option to register for a designated half-day kindergarten option at the time of  
registration;
- 197 (iii) provide a dedicated kindergarten class specifically designated as a half-day kindergarten class when  
enrollment of half-day kindergarten students at an individual school or a regional school exceeds a  
minimum of 18 students;
- 200 (iv) when enrollment of half-day kindergarten students at an individual school exceeds a minimum  
of 18 students, designate the school as a half-day kindergarten provider for the improvement of  
recruiting teachers that prefer half-day teaching;
- 204 (v) inform parents regarding the additional educational resources and opportunities available to parents  
who select the half-day kindergarten option; and
- 206 (vi) ensure that a half-day kindergarten student who is registered in a class that includes full-day  
kindergarten students receives instruction that at least meets the minimum standards for half-day  
kindergarten that the state board establishes, in accordance with Subsection (4)(a)(iii).
- 210 (c) Nothing in this Subsection (2):
- 211 (i) allows an LEA governing board to require a student to participate in a full-day kindergarten  
program;
- 213 (ii) modifies the non-compulsory status of kindergarten under Chapter 6, Part 2, Compulsory Education;  
or
- 215 (iii) requires a student who only attends a half day of kindergarten to participate in dual enrollment  
under Section 53G-6-702.
- 217 (3) Kindergartens established under Subsection (2) shall receive state money under Title 53F, Public  
Education System -- Funding.
- 219 (4)

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(a) The state board shall:

- 220 (i) develop and collect data from a kindergarten assessment that the board selects by rule;  
222 (ii) make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
regarding the administration of and reporting regarding the assessment described in Subsection  
(4)(a)(i); and  
225 (iii) establish minimum standards for half-day kindergarten.

226 (b) An LEA shall:

- 227 (i) administer the assessment described in Subsection (4)(a) to each kindergarten student; and  
229 (ii) report to the state board the results of the assessment described in Subsection (4)(b)(i) in relation to  
each kindergarten student in the LEA.  
231 (5) The state board shall require LEAs to report average daily membership for all kindergarten students  
who attend kindergarten on a schedule that is equivalent in length to the schedule for grades 1  
through 3 with the October 1 data described in Section 53F-2-302.

235 [~~(6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board  
shall make rules to:~~]

237 [~~(a) beginning with the 2025-2026 school year, require a student to be toilet trained before being  
enrolled in public school;~~]

239 [~~(b) establish requirements for an LEA's enrollment process to include assurances from a parent that the  
parent's student is toilet trained; and]~~]

241 [~~(c) create exemptions from the requirement in Subsection (6)(a) for a student who is not able to  
be toilet trained before enrolling because of a condition that is subject to federal child find  
requirements or described in an IEP or Section 504 accommodation plan.]~~]

245 Section 4. Section 4 is enacted to read:

246 **53G-7-228. Personal care independence standards -- School enrollment.**

In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state  
board shall make rules to:

249 (1) beginning with the 2026-2027 school year, require a student to demonstrate personal care  
independence by being toilet trained before being enrolled in a public school;

251 (2) establish requirements for an LEA's enrollment process to include assurances from a parent that the  
parent's student meets the personal care independence requirements described in Subsection (1); and

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(3) create exemptions from the requirement in Subsection (1) for a student who is not able to meet personal care independence requirements because of a condition that is subject to federal child find requirements found in Section 20 U.S.C. 1412(a)(3), Individuals with Disabilities Education Act, and 34 C.F.R. Sec. 300.111 or described in an IEP or Section 504 accommodation plan.

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Section 2. **Effective date.**

Effective Date.

This bill takes effect on July 1, 2026.

2-23-26 2:19 PM