

Lincoln Fillmore proposes the following substitute bill:

School and Classroom Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Lincoln Fillmore

House Sponsor: Tiara Auxier

LONG TITLE

General Description:

This bill enacts provisions related to curriculum development.

Highlighted Provisions:

This bill:

- directs the State Board of Education to develop open educational resources aligned with Utah core standards; and
- provides for reporting on curriculum development and implementation.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

ENACTS:

53E-4-409, Utah Code Annotated 1953

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

Section 1. Section **53E-4-409** is enacted to read:

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

(1) As used in this section:

(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.

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

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

(a) contract with one or more qualified entities to develop comprehensive open

- 30 educational resources for elementary grades that:
- 31 (i) align with Utah core standards;
- 32 (ii) meet the instructional needs of students in kindergarten through grade 8 suitable
- 33 for the age of students at the grade level for which the materials are developed;
- 34 (iii) reflect Utah values and priorities;
- 35 (iv) provide accessibility to students with disabilities in compliance with federal and
- 36 state law;
- 37 (v) are available in digital and, where appropriate, print formats;
- 38 (vi) are free from bias;
- 39 (vii) do not contain obscene or harmful material;
- 40 (viii) are age appropriate for the grade level; and
- 41 (ix) promote American values and civic understanding.
- 42 (b) ensure the open educational resources include:
- 43 (i) comprehensive instructional materials for all core subject areas;
- 44 (ii) teacher resources, including:
- 45 (A) scopes and sequences;
- 46 (B) topics by grade level;
- 47 (C) text selection guides;
- 48 (D) unit and lesson-level implementation guides;
- 49 (E) daily lesson plans;
- 50 (F) formative, interim, and summative assessments; and
- 51 (G) professional development materials;
- 52 (iii) student materials and resources, including:
- 53 (A) student-facing instructional materials such as graphic organizers;
- 54 (B) guided practice materials;
- 55 (C) independent practice materials;
- 56 (D) digital learning resources;
- 57 (E) project and performance tasks; and
- 58 (F) other classroom supports; and
- 59 (iv) implementation guides to support LEAs in the adoption and use of the materials;
- 60 (c) establish quality standards and review processes for materials developed under this
- 61 section;
- 62 (d) ensure that:
- 63 (i) the state owns all intellectual property rights, including copyright, in the open

- 64 educational resources developed under this section; and
- 65 (ii) the open educational resources are openly licensed under a Creative Commons or
- 66 equivalent license to allow an LEA to use, adapt, customize, and distribute the
- 67 materials without charge;
- 68 (e) make the open educational resources available through a centralized digital platform
- 69 accessible to all LEAs and the public; and
- 70 (f) ensure that the open educational resources developed under this section are clearly
- 71 labeled and identified as open educational resources in all formats and platforms to
- 72 provide transparency to parents and other stakeholders.
- 73 (3) In developing open educational resources under this section, the state board shall:
- 74 (a) consult with LEAs, teachers, curriculum specialists, and other education stakeholders;
- 75 (b) establish a review committee that:
- 76 (i) includes individuals representing:
- 77 (A) LEAs;
- 78 (B) parents;
- 79 (C) teachers;
- 80 (D) curriculum specialists; and
- 81 (E) other education stakeholders; and
- 82 (ii) reviews all open educational resources before the resources are made available for
- 83 LEA adoption;
- 84 (iii) provide opportunities for public comment on draft open educational resources
- 85 before final release;
- 86 (c) establish timelines for phased development and implementation;
- 87 (d) provide opportunities for pilot programs and field testing before statewide release;
- 88 and
- 89 (e) ensure ongoing review and updates to maintain alignment with Utah core standards
- 90 and educational best practices.
- 91 (4)(a) The state board may not require an LEA to adopt or use the open educational
- 92 resources developed under this section.
- 93 (b) An LEA that chooses to adopt the open educational resources developed under this
- 94 section shall use the LEA's existing curriculum approval process.
- 95 (5) The state board shall:
- 96 (a) make rules in accordance with Title 63G, Chapter 3, Utah Administrative
- 97 Rulemaking Act, to:

- 98 (i) establish standards and procedures for contracting under this section;
- 99 (ii) establish quality standards and suitability rubrics for open educational resources
- 100 developed under this section;
- 101 (iii) establish procedures for LEA access to and use of the open educational resources;
- 102 (iv) establish procedures for ongoing review, updates, and maintenance of the open
- 103 educational resources; and
- 104 (v) establish standards and procedures for the review committee described in
- 105 Subsection (3)(b);
- 106 (b) upon request, report to the Education Interim Committee regarding:
- 107 (i) progress on curriculum development under this section, including timelines and
- 108 milestones;
- 109 (ii) expenditures from appropriations under this section;
- 110 (iii) LEA adoption and use of the open educational resources;
- 111 (iv) feedback from LEAs, teachers, and other stakeholders, including parents;
- 112 (v) plans and progress for updates, maintenance, and expansion of the open
- 113 educational resources; and
- 114 (vi) the review process and recommendations from the review committee described
- 115 in Subsection (3)(b).

116 Section 2. **Effective Date.**

117 This bill takes effect on July 1, 2026.