

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;
- provides for reporting on curriculum development and implementation; and
- repeals certain plan requirements.

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

REPEALS:

53E-3-521, as enacted by Laws of Utah 2020, Chapter 174

53G-7-218, as last amended by Laws of Utah 2025, Chapter 394

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.

- 30 (b) "Utah core standards" means the standards described in Section 53E-4-202.
- 31 (2) Notwithstanding any other provision in this part, and subject to legislative
- 32 appropriation, the state board shall:
- 33 (a) identify or contract with one or more qualified entities, or work with current state
- 34 educational professionals to develop comprehensive open educational resources for
- 35 elementary grades that:
- 36 (i) align with Utah core standards;
- 37 (ii) meet the instructional needs of students in kindergarten through grade 8 suitable
- 38 for the age of students at the grade level for which the materials are developed;
- 39 (iii) reflect Utah values and priorities;
- 40 (iv) provide accessibility to students with disabilities in compliance with federal and
- 41 state law;
- 42 (v) are available in digital and, where appropriate, print formats;
- 43 (vi) are free from bias;
- 44 (vii) do not contain obscene or harmful material;
- 45 (viii) are age appropriate for the grade level; and
- 46 (ix) promote American values and civic understanding.
- 47 (b) ensure the open educational resources may include:
- 48 (i) comprehensive instructional materials for all core subject areas;
- 49 (ii) teacher resources, including:
- 50 (A) scopes and sequences;
- 51 (B) topics by grade level;
- 52 (C) text selection guides;
- 53 (D) unit and lesson-level implementation guides;
- 54 (E) daily lesson plans;
- 55 (F) assessment item banks; and
- 56 (G) professional development materials;
- 57 (iii) student materials and resources, including:
- 58 (A) student-facing instructional materials such as graphic organizers;
- 59 (B) guided practice materials;
- 60 (C) independent practice materials;
- 61 (D) digital learning resources;
- 62 (E) project and performance tasks; and
- 63 (F) other classroom supports; and

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

98 (5)(a) The state board shall make rules in accordance with Title 63G, Chapter 3, Utah
99 Administrative Rulemaking Act to implement this section.

100 (b) upon request, report to the Education Interim Committee regarding the progress and
101 implementation of this section.

102 Section 2. **Repealer.**

103 This bill repeals:

104 Section **53E-3-521, Requirements for early mathematics plan.**

105 Section **53G-7-218, Establishment of early learning plan.**

106 Section 3. **Effective Date.**

107 This bill takes effect on July 1, 2026.