

PUBLIC EDUCATION EMPLOYEE AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jordan D. Teuscher

Senate Sponsor: _____

LONG TITLE

General Description:

This bill provides for the appointment of a public education employee ombudsman.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires the State Board of Education to appoint a public education employee ombudsman (ombudsman);
- ▶ requires the ombudsman to provide training and information to public education employees on employment issues;
- ▶ requires the ombudsman to develop a website for public education employees; and
- ▶ requires the ombudsman to report annually to the Legislature.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

53E-3-525, Utah Code Annotated 1953

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



28 Section 1. Section **53E-3-525** is enacted to read:

29 **53E-3-525. State board to appoint public education employee ombudsman --**

30 **Duties of ombudsman.**

31 (1) As used in this section:

32 (a) "Local education agency" means a school district, a charter school, or the Utah
33 Schools for the Deaf and the Blind.

34 (b) "Public education employee" means an individual who is employed by a local
35 education agency in this state.

36 (2) There is created within the state board the position of public education employee
37 ombudsman.

38 (3) The state board shall appoint an ombudsman who has:

39 (a) recognized executive and administrative capacity; and

40 (b) experience in laws and policies affecting public education employees.

41 (4) The ombudsman shall:

42 (a) develop and maintain expertise in laws and policies governing a public education
43 employee's employment with a local education agency;

44 (b) provide training and information to public education employees regarding:

45 (i) the role and duties of the ombudsman;

46 (ii) the coverage against legal liability provided to a public education employee:

47 (A) by the Risk Management Fund created in Section [63A-4-201](#), if the public
48 education employee is employed by a local education agency that participates in the Risk
49 Management Fund;

50 (B) under Title 63G, Chapter 7, Governmental Immunity Act of Utah; and

51 (C) under Title 52, Chapter 6, Reimbursement of Legal Fees and Costs to Officers and
52 Employees Act;

53 (iii) for a public education employee who is employed by a school district or the Utah
54 Schools for the Deaf and the Blind, the requirements of Title 53G, Chapter 11, Part 5, School
55 District and Utah Schools for the Deaf and the Blind Employee Requirements;

56 (iv) for a public education employee who is employed by a charter school, the
57 requirements of Section [53G-5-407](#); and

58 (v) any other laws and policies that the ombudsman considers appropriate;

59 (c) develop a website to provide public education employees with the information
60 described in Subsection (4)(b) in a form that is easily accessible;

61 (d) as appropriate, make recommendations to the state board regarding rules to be
62 made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, that the
63 ombudsman considers necessary to carry out the duties under this section;

64 (e) submit annually, by July 1, to the Education Interim Committee, a report
65 describing:

66 (i) the work of the ombudsman; and

67 (ii) any recommendations for statutory changes to improve the effectiveness of the
68 ombudsman in performing the duties under this section; and

69 (f) perform any other duties required by law.