

1 **Educator Organization Amendments**

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Logan J. Monson

Senate Sponsor:

2 **LONG TITLE**3 **General Description:**4 This bill creates the Legislative Education Support and Professional Development
5 Commission.6 **Highlighted Provisions:**

7 This bill:

8

- 9 ▶ defines terms;

10 - ▶ creates the Legislative Education Support and Professional Development Commission
11 (commission);

12 - ▶ outlines the commission's membership;

13 - ▶ establishes the commission's duties, including studying alternatives to current
14 professional liability insurance models for teachers and gaps in educator support systems;

15 - ▶ requires the commission to submit a report with recommendations;

16 - ▶ provides for staffing and administrative support; and

17 - ▶ establishes a repeal date for the commission.

18 **Money Appropriated in this Bill:**

19 None

20 **Other Special Clauses:**

21 None

22 **Utah Code Sections Affected:**23 **AMENDS:**24 **63A-4-101.5**, as last amended by Laws of Utah 2022, Chapter 16925 **63I-1-236**, as last amended by Laws of Utah 2024, Chapters 320, 506 and 50726 **ENACTS:**27 **36-36-101**, Utah Code Annotated 195328 **36-36-102**, Utah Code Annotated 195329 **36-36-103**, Utah Code Annotated 1953

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

32 Section 1. Section **36-36-101** is enacted to read:

33 **CHAPTER 36. Legislative Education Support and Professional Development**

34 **Commission**

35 **36-36-101 . Definitions.**

36 (1) "Commission" means the Legislative Education Support and Professional Development
37 Commission.

38 (2) "LEA" means the same as that term is defined in Section 53E-1-102.

39 Section 2. Section **36-36-102** is enacted to read:

40 **36-36-102 . Legislative Education Support and Professional Development**

41 **Commission created -- Membership -- Terms.**

42 (1) There is created the Legislative Education Support and Professional Development
43 Commission to:

44 (a) study gaps in communication, coordination, and support among the state board, the
45 Legislature, LEAs, and individual educators;

46 (b) examine alternatives to current professional liability insurance coverage models
47 available to teachers;

48 (c) evaluate professional development and support services available to educators
49 outside of existing membership-based organizations;

50 (d) assess opportunities for innovation in educator recognition, professional
51 advancement, and accountability; and

52 (e) make recommendations to the Education Interim Committee regarding legislative
53 solutions to address the issues described in Subsections (1)(a) through (d).

54 (2) The commission membership shall include:

55 (a) three members of the Senate, whom the president of the Senate appoints, with at least
56 one from each political party;

57 (b) three members of the House of Representatives, whom the speaker of the House of
58 Representatives appoints, with at least one from each political party;

59 (c) the state superintendent or the state superintendent's designee;

60 (d) one member of the State Board of Education, whom the chair of the State Board of
61 Education appoints;

62 (e) one member who is a superintendent of a school district, whom the Utah School

63 Superintendents Association appoints:

64 (f) one member who is a director of a charter school, whom the chair of the State Board
65 of Education appoints;
66 (g) two members who are currently employed as teachers in the state, whom the
67 president of the Senate and the speaker of the House of Representatives jointly
68 appoint;
69 (h) one member who is a member of a local school board, whom the Utah School
70 Boards Association appoints;
71 (i) the director of the Division of Risk Management or the director's designee; and
72 (j) one member with expertise in educator professional development or educator
73 professional organizations, whom the president of the Senate and the speaker of the
74 House of Representatives jointly appoint.

75 (3) The president of the Senate shall designate one member of the Senate appointed under
76 Subsection (2)(a) to serve as a cochair of the commission.

77 (4) The speaker of the House of Representatives shall designate one member of the House
78 of Representatives appointed under Subsection (2)(b) to serve as a cochair of the
79 commission.

80 (5)(a) Except as provided in Subsection (5)(b), a member of the commission described
81 in Subsection (2) shall serve a term that ends on the commission's repeal date
82 described in Section 63I-1-236.

83 (b) When a vacancy occurs in the commission membership for any reason, the
84 appointing authority for the vacant position shall appoint a replacement for the
85 unexpired term within 30 days after the day on which the vacancy occurs.

86 (6) The Office of Legislative Research and General Counsel shall provide staff support to
87 the commission.

88 Section 3. Section **36-36-103** is enacted to read:

89 **36-36-103 . Duties and powers of commission -- Quorum -- Compensation.**

90 (1) The commission shall:

91 (a) hold the commission's first meeting before October 1, 2026;
92 (b) study the issues described in Subsections 36-36-102(1)(a) through (d);
93 (c) examine gaps in communication, coordination, and support among the state board,
94 the Legislature, LEAs, and individual educators, including:
95 (i) current mechanisms for educators to communicate concerns, ideas, and feedback
96 to:

- (A) the State Board of Education;
- (B) the state superintendent;
- (C) legislative committees; and
- (D) local school boards and LEA administration;

(ii) barriers that prevent effective communication between the entities described in Subsection (1)(c)(i);

(iii) the frequency and effectiveness of current communication channels;

(iv) whether educators feel adequately represented in education policy decisions at the state and local level; and

(v) best practices from other states for facilitating educator input in policy development;

(d) examine professional development and support services available to educators, including:

(i) current professional development opportunities provided by:

- (A) the state board;
- (B) LEAs;
- (C) institutions of higher education;
- (D) professional organizations; and
- (E) private providers;

(ii) gaps in professional development services, particularly for educators who are not members of professional organizations;

(iii) teacher leadership and advancement opportunities outside of administrative positions;

(iv) mentorship and peer support programs for early-career and experienced educators;

(v) innovative professional development models from other states or sectors; and

(vi) potential state-supported professional development programs or networks;

(e) examine educator recognition, accountability, and innovation, including:

(i) current programs that recognize and reward effective teaching and innovative classroom practices;

(ii) gaps in recognition and incentive systems for educators;

(iii) measures of teacher effectiveness beyond student test scores;

(iv) opportunities to promote innovation and experimentation in instructional methods;

131 (v) accountability mechanisms that focus on student growth and professional
132 excellence; and

133 (vi) potential state-supported programs for educator recognition or grants for
134 classroom innovation;

135 (f) in coordination with the Division of Risk Management, examine professional liability
136 insurance coverage for teachers, including:

137 (i) current models of professional liability insurance coverage available to teachers,
138 including coverage provided through membership in professional organizations;

139 (ii) alternative models for providing professional liability insurance coverage to
140 teachers, including:

141 (A) state-sponsored coverage programs;
142 (B) group purchasing arrangements;
143 (C) coverage through LEAs; and
144 (D) private market options;

145 (iii) the costs, benefits, and feasibility of each alternative model described in
146 Subsection (1)(g)(ii); and

147 (iv) potential risks and liabilities that teachers face in the course of employment;

148 (g) consult with:

149 (i) the State Board of Education;
150 (ii) representatives of LEAs;
151 (iii) teachers who are members of professional organizations and teachers who are
152 not members of professional organizations;
153 (iv) representatives of educator professional development organizations;
154 (v) insurance industry professionals; and
155 (vi) other stakeholders the commission cochairs determine are relevant to the
156 commission's work;

157 (h) identify potential state resources, programs, or agencies that could provide or
158 coordinate services to support educators;

159 (i) identify statutory or regulatory changes needed to implement the commission's
160 recommendations; and

161 (j) before November 1, 2027, submit a written report to the Education Interim
162 Committee that includes:

163 (i) the commission's findings;
164 (ii) recommendations for legislative action; and

(iii) any proposed legislation the commission develops.

(2) The commission may:

(a) meet as often as the commission cochairs determine is necessary to fulfill the commission's duties;

(b) establish subcommittees to study specific issues related to the commission's duties;
and

(c) request information, data, or assistance from;

(i) the State Board of Education;

(ii) the state superintendent;

(iii) LEAs:

(iv) the Division of Risk Management:

(v) the Utah Education and Telehealth Network; and

(vi) other state agencies or entities the commission determines are relevant.

(3)(a) A majority of the members of the commission constitutes a quorum.

(b) The commission shall take an action by majority vote of a quorum of the commission.

(4)(a) A member of the commission who is a legislator shall receive compensation and expenses in accordance with Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

(b) A member of the commission who is not a legislator and who is an employee of the state may not receive compensation in addition to the member's regular state compensation for the member's service on the commission

(c) A member of the commission who is not a legislator and who is not an employee of the state may receive:

(i) per diem compensation at the rate established by the Division of Finance under Section 63A-3-107 for each day the member attends a meeting of the commission; and

(ii) reimbursement for travel expenses incurred in attending a meeting of the commission at the rates established by the Division of Finance under Section 63A-3-107 and rules made by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

Section 4. Section **63A-4-101.5** is amended to read:

63A-4-101.5 . Risk manager -- Appointment -- Duties.

(1) As used in this section, "K-12 personnel" means a public employee of a local education

199 agency, as that term is defined in Section 53E-1-102.

200 [(4)] (2)(a) There is created within the department the Division of Risk Management.

201 (b) The executive director shall, with the approval of the governor, appoint a risk
202 manager as the division director, who shall be qualified by education and experience
203 in the management of general property and casualty insurance.

204 [(2)] (3) The risk manager shall:

205 (a) except as provided in Subsection [(4)] (5), acquire and administer the following
206 purchased by the state or any captive insurance company created by the risk manager:

207 (i) all property and casualty insurance;

208 (ii)(A) professional liability insurance for K-12 personnel; and

209 (B) other professional liability insurance for public employees not covered under
210 Subsection (3)(a)(ii)(A) if the risk manager determines there is sufficient
211 demand;

212 [(iii)] (iii) reinsurance of property [and] insurance, casualty insurance, and professional
213 liability insurance; and

214 [(iii)] (iv) subject to Section 34A-2-203, workers' compensation insurance;

215 (b) make rules, in accordance with Title 63G, Chapter 3, Utah Administrative
216 Rulemaking Act:

217 (i) prescribing reasonable and objective underwriting and risk control standards for:

218 (A) all covered entities of the Risk Management Fund; [and]

219 (B) management of the professional liability insurance described in Subsection
220 (3)(a)(ii); and

221 [(B)] (C) any captive insurance company created by the risk manager;

222 (ii) prescribing the risks to be covered by the Risk Management Fund and the extent
223 to which these risks will be covered;

224 (iii) prescribing the properties, risks, deductibles, and amount limits eligible for
225 payment out of the Risk Management Fund;

226 (iv) prescribing procedures for making claims and proof of loss; and

227 (v) establishing procedures for the resolution of disputes relating to coverage or
228 claims, which may include binding arbitration;

229 (c) implement a risk management and loss prevention program for covered entities for
230 the purpose of reducing risks, accidents, and losses to assist covered entities in
231 fulfilling their responsibilities for risk control and safety;

232 (d) coordinate and cooperate with any covered entity having responsibility to manage

233 and protect state properties, including:

234 (i) the state fire marshal;

235 (ii) the director of the Division of Facilities Construction and Management;

236 (iii) the Department of Public Safety;

237 (iv) institutions of higher education;

238 (v) school districts; and

239 (vi) charter schools;

240 (e) maintain records necessary to fulfill the requirements of this section;

241 (f) manage the Risk Management Fund and any captive insurance company created by

242 the risk manager in accordance with economically and actuarially sound principles to

243 produce adequate reserves for the payment of contingencies, including unpaid and

244 unreported claims, and may purchase any insurance or reinsurance considered

245 necessary to accomplish this objective; and

246 (g) inform the covered entity's governing body and the governor when any covered

247 entity fails or refuses to comply with reasonable risk control recommendations made

248 by the risk manager.

249 [§3] (4) Before the effective date of any rule, the risk manager shall provide a copy of the

250 rule to each covered entity affected by it.

251 [§4] (5) The risk manager may not use a captive insurance company created by the risk

252 manager to purchase:

253 (a) workers' compensation insurance;

254 (b) health insurance; or

255 (c) life insurance.

256 Section 5. Section **63I-1-236** is amended to read:

257 **63I-1-236 . Repeal dates: Title 36.**

258 (1) Title 36, Chapter 17, Legislative Process Committee, is repealed January 1, 2028.

259 (2) Section 36-29-111, Public Safety Data Management Task Force, is repealed July 1,

260 2029.

261 (3) Title 36, Chapter 28, Veterans and Military Affairs Commission, is repealed January 1,

262 2030.

263 (4) Section 36-29-112, Justice Court Reform Task Force, is repealed July 1, 2025.

264 (5) Title 36, Chapter 36, Legislative Education Support and Professional Development

265 Commission, is repealed March 15, 2028.

266 Section 6. **Effective Date.**

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This bill takes effect on May 6, 2026.