

Effective 5/10/2016

63A-4-204.5 Charter school participation in Risk Management Fund.

- (1) A charter school established under the authority of Title 53A, Chapter 1a, Part 5, The Utah Charter Schools Act, may participate in the Risk Management Fund upon the approval of the state risk manager and the governing body of the charter school.
- (2)
 - (a) For purposes of administration, the state risk manager shall treat each charter school participating in the fund as a state agency.
 - (b) Each charter school participating in the fund shall comply with the provisions of this part that affect state agencies.
- (3)
 - (a) Each year, the risk manager shall prepare, in writing, the information required by Subsection (3)(b) regarding the coverage against legal liability provided a charter school employee of this state:
 - (i) by the Risk Management Fund;
 - (ii) under Title 63G, Chapter 7, Utah Governmental Immunity Act of Utah; and
 - (iii) under Title 52, Chapter 6, Reimbursement of Legal Fees and Costs to Officers and Employees Act.
 - (b)
 - (i) The information described in Subsection (3)(a) shall include:
 - (A) the eligibility requirements, if any, to receive the coverage;
 - (B) the basic nature of the coverage for a charter school employee, including what is not covered; and
 - (C) whether the coverage is primary or in excess of any other coverage the risk manager knows is commonly available to a charter school employee in this state.
 - (ii) The information described in Subsection (3)(a) may include:
 - (A) comparisons the risk manager considers beneficial to a charter school employee between:
 - (I) the coverage described in Subsection (3)(a); and
 - (II) other coverage the risk manager knows is commonly available to a charter school employee in this state; and
 - (B) any other information the risk manager considers appropriate.
 - (c) By no later than July 1 of each year, the risk manager shall provide the information prepared under this Subsection (3) to each charter school that participates in the Risk Management Fund.
 - (d) A charter school that participates in the Risk Management Fund shall provide a copy of the information described in Subsection (3)(c) to each charter school employee within the charter school no later than the first day of each school year.
 - (e) If a charter school hires an employee after the first day of the school year, no later than 10 days after the day on which the employee is hired, the charter school shall provide the information described in Subsection (3)(c) to the employee.

Amended by Chapter 189, 2016 General Session