

## **BOARD MEMBER INDEMNIFICATION**

***Category: Recommended***

The members of the Mascoma Valley Regional School Board and its employees and agents act as agents of the District. None of these individuals should be placed in a position of personal liability for the performance of the responsibilities vested in them by the voters of the District and the state and federal governments.

In order to protect the individual members of the Board, its employees and other agents, and the educational interest of the community, the Board will purchase, from public school funds, in the absence of governmental immunity or in coordination with governmental immunity, adequate insurance to indemnify Board members and agents of the District for their official actions in the service of the School District.

Nothing herein, however, shall be construed as obligating the Board to defend, indemnify, or hold harmless any person who violates the oath of office, or otherwise engages in criminal activity, official misconduct, fraud, intentional or willful and wanton misconduct, or acts beyond the authority properly vested in the individual.

**Legal References:**

- RSA 31:104, Powers and Duties of Towns: Liability of Municipal Executives
- RSA 31:105, Powers and Duties of Towns: Indemnification for Damages
- RSA 31:106, Powers and Duties of Towns: Indemnification: Civil Rights Act
- RSA 31:107, Powers and Duties of Towns: Purchase of Insurance
- RSA Ch. 92, Tenure and Oath of Office in Certain Cases
- RSA 194:1, What Constitutes a District (*replace "town" with "district" in town statutes*).

***Legal References Disclaimer:*** *These references are not intended to be considered part of this policy, nor should they be taken as a comprehensive statement of the legal basis for the Board to enact this policy, nor as a complete recitation of related legal authority. Instead, they are provided as additional resources for those interested in the subject matter of the policy.*