

DOVER SCHOOL DISTRICT	POLICY CODE: BIE
DATE OF ADOPTION: OCTOBER 10, 2005	PAGE 1 OF 1

SCHOOL BOARD MEMBER INDEMNIFICATION

Because they are members of an agency of government whose powers and duties can be exercised by a decision of the majority of School Board membership only when the School Board is in session, the members of the 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.

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

The School Board will present to the City Council for approval appropriate indemnification resolutions prescribed in RSA 31:104, 105, 106, and 107, and will purchase insurance to protect the district against its potential liability for such indemnification, structuring such insurance to preserve statutory immunities wherever possible.

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