

# PELHAM SCHOOL DISTRICT POLICY

## BIE – BOARD MEMBER INDEMNIFICATION

*Category: Recommended*

The members of the 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.

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### **District Policy History:**

*Adopted: July, 1998*

*Revised: November, 1999*

*Revised: April 5, 2006*

*Revised: August 31, 2022*

### **Legal References:**

*RSA 31:104, 105, 106, and 107 RSA 507:B*

*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).*