

SCHOOL BOARD MEMBER INDEMNIFICATION

The school board is an agency of government whose powers and duties can only be executed by a decision of the majority of board membership when the board is officially in session. The members of the board, and its employees, act as agents of the board. 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 agents, and the educational interests of the community, the board will purchase, in the absence of the governmental immunity, or in coordination with governmental immunity, from public school funds, adequate insurance to indemnify board members and agents of the board for their official actions in the service of the school district.

The board will present to the legislative body 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.

Statutory References:

RSA 31:104, 105, 106, and 107

RSA 412:13

RSA 507:B

ADOPTION: October 1994