

BIE – BOARD MEMBER INDEMNIFICATION

The members of the Board and its directors, administrators, employees and agents act as agents for Spark Academy, a Chartered Public School. None of these individuals shall be placed in a position of personal liability for the performance of the responsibilities vested in them by parents/guardians or the state or federal government.

In order to protect the individual members of the Board, its directors, administrators, employees and other agents, and the educational interests of the community, the Board shall purchase, from chartered public school funds, in the absence of governmental immunity or in coordination with governmental immunity, adequate insurance to indemnify Board members and agents of Spark Academy for their official actions in the service to Spark Academy.

It is the intent of this policy to provide the members of the Board with the full protection of NH RSA 31:104 which protects board members from civil damages for any vote, resolution, or decision made by that member acting in their official capacity in good faith and within the scope of their authority.

This policy reflects the vote of the Board of Trustees to indemnify and save harmless its members, directors, administrators, officers, employees and agents from personal financial loss and expense including reasonable legal fees and costs, if any, arising out of any claim, demand, suit, or judgment by reason of negligence or other act resulting in accidental injury to a person or accidental damage to or destruction of property, provided the above-referenced individuals at the time of the accident resulting in the injury, damage or destruction were acting in the scope of their employment or office. It is also the intent of the Board to indemnify and save harmless its members, officers, directors, employees and agents from liability for civil rights suits in accordance with NH RSA 31:106, NHSBA Code BIE.

Statutory References:

RSA 31:104, Liability of Municipal Executives

RSA 31:105, Indemnification for Damages

RSA 31:106, Indemnification of Civil Rights Suits

RSA 31:107, Purchase of Insurance

RSA 507:B, Liability for Negligence

Board Approved: 8/14/2019