

Policy

EMPLOYEE INDEMNIFICATION

The Board of Education recognizes that officers and employees of this district are exposed to certain risks in the course of the performance of their duties and will provide insurance coverage against losses that may be incurred by such risks.

The Board of Education shall in accordance with law, insure employees of the school district against injury and death arising out of or in the course of their employment

The Board of Education shall provide indemnification any person holding any office, position or employment under the jurisdiction of the Board, including any student teacher/intern, or person assigned to other professional pre-teaching field experience, for damages, losses, and costs incurred as a result of a civil or administrative action or other legal proceeding brought against any such persons for any acts or omissions arising out of and in the course of their employment, student teaching, or other assignments to professional field experience with this Board. This indemnification will be against expenses, including attorney's fees (not to exceed \$175.00 per hour), judgments, penalties, fines, and amounts in settlement actually and reasonable incurred by the individual in connection with the action, suit, or proceeding, together with costs of appeal, if any, and will hold harmless and protect such person from any financial loss resulting from such action. No employee will be held harmless or have his/her defense costs defrayed in a disciplinary proceeding instituted against him/her by the Board or when the employee is appealing an action taken by the Board. Indemnification for exemplary or punitive damages is not required and will be governed by the standards and procedures set forth in N.J.S.A. 59:10-4. The Board may arrange for and maintain appropriate insurance to cover all such damages, losses and expenses.

The Board of Education shall provide indemnification to any person holding any office, position or employment under the jurisdiction of the Board, including any student teacher/intern, or any person assigned to other professional pre-teaching field experience, for the costs of defense against any criminal or quasi-criminal action for any such act or omission when such prosecution is dismissed or results in a final disposition favorable to the officer or employee. This indemnification will include original hearing or trial and all appeals. No employee will be held harmless or have his/her defense costs defrayed as a result of a criminal or quasi-criminal complaint filed against the employee by or on behalf of the Board. The Board may arrange for and maintain appropriate insurance to cover all such damages, losses and expenses.

The Board of Education shall insure against any liability arising out of the use of motor vehicles in the course of the conduct of automobile driver training courses and against any liability arising from the use of a motor vehicle by a person duly appointed by the Board to transport students and while in the course of such transportation.

The Board of Education may insure against any major liability arising from the use of a motor vehicle by an employee or student of the district in the performance of district business.

First Reading: July 25, 2016
Second Reading: August 29, 2016
Adopted: August 29, 2016

<u>Legal References:</u>	<u>N.J.S.A.</u> 18A:12-20	Indemnity of members of boards of education against cost of defense of civil and criminal action
	<u>N.J.S.A.</u> 18A:16-6	Indemnity of officers and employees against civil action
	<u>N.J.S.A.</u> 18A:16-6.1	Indemnity of officers and employees in certain criminal actions public schools
	<u>N.J.S.A.</u> 18A:18A-3.2	Group legal insurance
	<u>N.J.S.A.</u> 18A:18A-42(e)	Multi-year contracts
	<u>N.J.S.A.</u> 18A:18B-1	Self insurance, definitions
	<u>N.J.S.A.</u> 18A:18B-2	Insurance authorization
	<u>N.J.S.A.</u> 18A:20-25 through-33	Insurance of property; use of proceeds
	<u>N.J.S.A.</u> 18A:39-6	School transportation; liability insurance
	<u>N.J.S.A.</u> 18A:39-6.1	School transportation; liability insurance rates
	<u>N.J.S.A.</u> 18A:39-20.1	Compliance required for assigning bus drivers
	<u>N.J.S.A.</u> 40A:10-52	Joint insurance
	<u>N.J.S.A.</u> 52:18A-60-4	Indemnity of employees against civil action

Possible

<u>Cross References:</u>	1330	Use of school facilities
	3440	Inventories
	5141	Health
	5141.3	Health examinations and immunizations