

LEGAL DEFENSE OF EMPLOYEES

In some instances legal action is brought against School Board members and school district employees. In most situations, the insurance policy carried by the school district provides protection. In order to provide for any situation in which insurance might not take care of the liability, the Board has approved the following resolution:

BE IT RESOLVED BY THE SCHOOL BOARD

1. Shall provide legal counsel for and pay the fees for services rendered and costs advanced by such counsel in defense of the members of its School Board, past and present, and any employees of the school district, past and present, in any action at all commenced against any of such persons by any plaintiff alleged to have been injured in any manner by any of such persons, whether or not the alleged tort is one recognized as common law or created by federal or state statute or municipal ordinance.
2. Shall pay all such expenses to the ultimate conclusion of such action at law including any judgment which may be rendered in favor of such plaintiff.
3. Shall furnish such defense and pay such expenses in judgment only if the insurance carrier of the school district declines to furnish the defense or pay such judgment, or both, for any or all of the defendants, or if the School Board determines that school district employees have acted within the scope of the authority delegated to them and with respect to both Board members and school district employees that they have acted in good faith.

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