

BOARD MEMBER INDEMNIFICATION

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

To protect the individual members of the Board, the Director, administrators, employees and other agents, and the educational interest 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 Breakthrough Academy for their official actions in the service to Breakthrough Academy.

This policy is intended to provide the board members 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, Director, 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 because of negligence or other act resulting in accidental injury to a person or accidental damage to or destruction of property, provided the above-reference 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, Director, employees, and agents from liability for civil rights suits in accord with NH RSA 31:106, NHSBA Code BIE.

Legal 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*

BACS Board Approved 3-18-2025