

**Billings School District 2**

**THE BOARD OF TRUSTEES**

Trustee Indemnification and Trustee Insurance

When acting in their official capacity at a regular or special meeting of the Board or a committee of the Board, Trustees are individually immune from suit for damages, as provided in MCA 2-9-305. An additional trustee, as provided for in MCA 20-3-352(2), who is chosen as a nonvoting chair of the Board of the elementary district is entitled to all the immunization, defenses and indemnifications as described in MCA 20-3-322, MCA.

The District shall maintain sufficient insurance to protect the Board and its individual members against liability arising from actions of the Board or its individual members while each is acting on behalf of the District and within the trustee's authority.

<u>Legal References:</u>	§ 20-3-331, MCA	Purchase of insurance – self-insurance plan
	§ 20-3-332, MCA	Personal immunity and liability of trustees
	§20-3-35(2), MCA	Request and determination of number of high school district additional trustee positions-nonvoting trustee
	§2-9-305,MCA	Immunization, defense and indemnification of employees

Policy History:

First Reading: January 19, 2004 – Board of Trustees  
Second Reading: February 16, 2004 – Board of Trustees  
Third Reading: March 15, 2004 – Board of Trustees  
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