

STAFF WELFARE/PROTECTION

Code **GBG** Issued **2/13**

Purpose: To establish basic structure for the defense of district employees in certain legal actions.

The district is obligated by law to defend employees in legal actions resulting from acts done or omitted in good faith in the course of their employment. This requirement applies to civil or criminal actions or special proceedings in the courts of this state or of the United States.

Any employee needing legal assistance in a legal action arising out of his/her employment must submit a request in writing to the superintendent. The superintendent will bring the request to the board's attention to determine whether legal assistance will be provided to the employee appropriate and consistent with the intent of the law.

The S.C. Attorney General has issued an opinion stating that this obligation to defend does not extend to certain actions.

Adopted 2/4/13

Legal references:

- A. S.C. Code of Laws, 1976, as amended:
 - 1. Section 59-17-110 – Duty of school districts to defend actions or proceedings against their employees.

- B. Attorney General's Opinion:
 - 1. September 14, 1995 – To Rep. Worley from Charles Condon.