

☐ **Required**
☒ **Local**
☐ **Notice**

SCHOOL BOARD LEGAL STATUS

The legal status of the Board is that of a corporate body established pursuant to the laws of New York State. The Board of Education recognizes its statutory obligation to indemnify its own members and its employees. Any liability of the district is a liability of the Board of Education as a corporation and not that of the members of the Board as individuals.

The Board of Education is a seven member Board elected by district residents. Each member of the Board serves for three years. The terms of office of Board members shall not all expire in the same year. Board members are responsible for school district management and policy-making. The authority and power of the Board rests with the complete Board and not with any individual member.

In accordance with Section 18 of the Public Officers Law, the school district shall provide members of the Board and school district employees with a legal defense at district expense, in any civil action or proceeding, state or federal, arising out of an alleged act or omission which occurs or allegedly occurs while such an individual is acting within the scope of his/her public employment or duties. In addition, the district will indemnify or save harmless such persons in the amount of any judgement obtained against them in any such action or proceeding.

This defense and indemnification is subject to the definitions, limitations, qualifications, terms, conditions and intent of Section 18 of the Public Officers Law.

The benefits of Section 18 of Public Officers Law provided to members of the governing body shall supplement and be available in addition to defense and indemnification protection conferred by another enactment in existence on the effective date of this policy.

Ref: Education Law §§1701; 1702; 1703; 1804(1); 2101(2); 2105
Public Officers Law §18

Reviewed: Nov. 16, 2022

Adoption date: Nov. 16, 2022