

## **School Board Member Compensation/Expenses/Insurance/Liability**

The taxability and tax status of all compensation, expense reimbursement, and other payments that the district makes to, or on behalf of, the members of the Board of Education is determined by applicable state and federal law. Board members must follow the Board's policy or administratively established procedures for claiming and substantiating all amounts for which payment or reimbursement is requested.

### **Compensation**

Board members will serve without compensation for their services unless compensation has been authorized by a written resolution adopted by a majority vote of the Board in a public meeting; except that no Board member may have their compensation increased during the term in office to which they have been elected or appointed.

Any compensation provided to Board members must not exceed \$150 per day for not more than 5 days of service per week, excluding federal and state holidays. Board members may only receive compensation for days when official Board duties—meaning Board meetings and other official activities and duties, including those that are conducted with a majority of the Board present—are performed.

### **Reimbursement**

Upon submitting vouchers and supporting bills for expenses incurred in carrying out specific services previously authorized by the Board, Board members may be reimbursed from district funds in accordance with the Board's policy on expense authorization and reimbursement and in amounts approved by a majority vote of the Board in a public meeting.

### **Insurance and liability**

The Board will purchase liability insurance and errors-and-omissions insurance to protect its members individually and collectively for claims made against them as a result of their membership on the Board.

The Board will rely on the Colorado Governmental Immunity Act, C.R.S. 24-10-101 *et seq.* (the Act) as the statement of its obligation to defend and indemnify Board members. If the Board elects to provide for the defense of a Board member in a claim which alleges willful and wanton conduct by the Board member, the Board may require the Board member to post a reasonable bond to ensure reimbursement of any amounts advanced, in accordance with the Act.

Adopted: December 13, 2022

LEGAL REFS.: 20 U.S.C. 7941 through 7948 (*Coverdell Teacher Protection Act limits the liability of school board members*)  
C.R.S. 22-12-101 *et seq.* (*Teacher and School Administrator Protection Act also limits liability of school board members*)  
C.R.S. 22-32-104 (5) (*board member compensation*)  
C.R.S. 22-32-109.1 (9) (*immunity provisions in safe schools law also apply to school board members*)  
C.R.S. 22-32-110 (1)(n), (u) (*power to provide necessary expenses*)  
C.R.S. 24-10-101 *et seq.* (*Colorado Governmental Immunity Act*)  
C.R.S. 24-18-104 (3)(d), (e) (*reimbursements are not considered gifts*)

CROSS REFS.: DKC, Expense Authorization/Reimbursement (Mileage and Travel)  
EI, Insurance Program/Risk Management