



**BYLAW III**  
**INDEMNIFICATION OF TRUSTEE,  
OFFICER OR EMPLOYEE OF THE BOARD**

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**BYLAW**

1. By this Bylaw the Board may indemnify a Trustee, an officer or an employee of the Board:
  - 1.1 against a claim for damages against a Trustee, officer or employee of the Board arising out of performance of his or her duties, or
  - 1.2 where an inquiry under Part 2 of the Inquiry Act or other proceeding involves the administration and conduct of the business of the School District and, in addition, may pay legal costs incurred in proceedings arising out of the claim or inquiry or other proceeding.
2. The Board may, by an affirmative vote of not less and 2/3 of all its members, pay:
  - 2.1 any sum required to indemnify a trustee, an officer or an employee of the Board where a prosecution arises out of the performance of his or her school board duties, and
  - 2.2 costs, necessarily incurred, but the Board shall not pay a fine imposed on a Trustee, officer or employee as a result of his or her conviction.
3. The Board shall not seek indemnity against a Trustee, an officer or an employee of the Board in respect of any action of the Trustee, officer or employee that results in a claim for damages against the Board, but the Board may seek indemnity:
  - 3.1 against a Trustee, officer or employee where the claim for damages arises out of the gross negligence of the Trustee, officer or employee, or
  - 3.2 against an officer or employee where, in relation to the action that gave rise to the claim for damages against an officer or employee, the officer or employee willfully acted contrary to:
    - (a) the terms of his or her employment, or
    - (b) an order of a superior.

REFERENCES: [School Act, Section 166.43](#)

ADOPTED: December 1996  
Amended: