

Public Activities Involving Students and Staff**DEFENSE AND INDEMNIFICATION OF BOARD MEMBERS AND SUPERINTENDENT**

In addition to any insurance coverage provided by the School Board to Board members and the Superintendent, the School Board shall indemnify and defend the Board members and the Superintendent to the fullest extent permitted by applicable law. The School Board will indemnify and defend Board members and the Superintendent if and whenever a Board member or the Superintendent is involved in any manner (including, without limitation, as a party or as a witness) in any threatened, pending, or completed civil or criminal proceeding arising out of and in the course of performance of assigned duties and responsibilities. The defense and indemnification obligations of the School Board shall include a full defense and indemnification for any and all reasonable expenses and fees incurred by a Board member or the Superintendent or on their behalf in connection with the investigation, defense, settlement or appeal of any such proceeding. No initial finding by the School Board, its counsel, independent counsel, or any other person or body shall be effective to deprive any Board member or the Superintendent of the protection of the defense and indemnification as it is intended that the School Board shall pay promptly all amounts necessary to effectuate the full defense and indemnification provisions provided by this rule. Notwithstanding the obligation of the Board to pay for the defense and indemnification, Board members and the Superintendent shall retain the complete right to select the counsel of their choice at reasonable expenses and fees and oversee, direct and control every aspect of the defense, settlement or appeal of any civil or criminal proceeding. In any case in which a Board member or the Superintendent pleads guilty or nolo contendere, is found guilty or personally liable as provided in § 111.07, Fla. Stat., as may be amended, in any such action, a Board member or the Superintendent shall reimburse the School Board for any reasonable legal fees and expenses which the School Board may have supplied.

Specific Authority: 230.22(2) F.S.

Law Implemented, Interpreted, or Made Specific: 111.07; 230.234 F.S.

History: THE SCHOOL BOARD OF DADE COUNTY, FLORIDA

New: 2-19-97