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## INDEMNIFICATION BYLAW

A bylaw to provide that the Board shall indemnify a trustee, an officer or an employee of the Board against a claim for damages arising out of the performance of their duties; and for an inquiry or proceeding involving the administration and conduct of the business of the District; and will pay legal costs incurred in a court proceeding arising out of the claim or the legal costs arising from such inquiries or proceedings.

WHEREAS the School Act, Section 95 provides that the Board may by bylaw provide that the Board will indemnify a trustee, an officer or an employee of the Board against a claim for damages against a trustee, officer or employee of the Board arising out of performance of their duties and, in addition, pay legal costs incurred in a court proceeding arising out of the claim;

AND WHEREAS the School Act, Section 95 also provides that the Board may, by bylaw,



6. The Board shall not indemnify a trustee, officer or employee against:
  - 6.1 Legal fees and/or liability resulting from an action or any other proceeding taken by the Board against the trustee, officer or employee, or as a result of an action or proceeding taken by the trustee, officer or employee against the Board;
  - 6.2 A fine, penalty or order imposed as a result of a conviction for an offence;
  - 6.3 Legal fees incurred as a result of prosecution where the trustee, officer or employee is convicted of an offence or obtains a conditional or absolute discharge;
  - 6.4 Liability and/or legal fees resulting from proceedings initiated pursuant to the Teaching Profession Act unless the Board agrees to the contrary, by an affirmative vote of a majority of its members;
  - 6.5 Legal fees incurred in an appeal of any conviction, sentence, judgment or order unless the Board agrees to the contrary, by an affirmative vote of a majority of its members;
  - 6.6 Liability and/or legal fees incurred by a trustee where there has been a determination by a Court that the trustee knowingly contravened Section 58 of the School Act;
  - 6.7 Liability and/or legal fees incurred by a trustee, officer or employee where there is a determination by a Court that the trustee, officer or employee knowingly permitted and/or authorized an expenditure not otherwise authorized by an enactment;
  - 6.8 Liability incurred by a trustee resulting from any restitution ordered pursuant to Section 63(1)(b) of the School Act;

