

Adopted: 01-18-2016 _____
Revised: 2/17/2022 _____

ROCHESTER BEACON ACADEMY-RBA
POLICY No. 209
TORT LIABILITY

I. PURPOSE

The purpose of this policy is to inform Board members and employees regarding defense claims.

II. POLICY STATEMENT

- A. RBA will meet its statutory obligations with respect to providing assistance to Board members and employees who are sued in connection with performance of school duties. Pursuant to Minn. Stat. §466.07, subd. 1, and to the extent permitted by Minn. Stat. Ch. 124E, RBA will defend and indemnify any Board member or school employee for damages in school-related litigation, including punitive damages, claimed or levied against the Board member or employee, provided that he or she was acting in the performance of the duties of the position and was not guilty of malfeasance, willful neglect of duty, or bad faith.
- B. RBA's authorizer, members of the Board of the authorizer in their official capacity, and employees of the authorizer are immune from civil or criminal liability with respect to all activities related to RBA.
- C. RBA's Board of Directors will obtain at least the amount of and types of insurance up to the applicable tort liability limits under Minnesota Statutes Chapter 466. The Board must submit changes in its insurance carrier or policy to its authorizer within 20 business days of the change.

Legal References: Minn. Stat. § 124E.03 (Charter Schools – Applicable Law)
Minn. Stat. § 466 *et. Seq.* (Tort Liability, Political Subdivisions)