

DEFENSE AND INDEMNIFICATION OF OFFICERS AND EMPLOYEES

Defense and Indemnification pursuant to Education Law

The Operating Board recognizes its statutory obligation to indemnify and defend certain employees and, in certain circumstances, Board members and volunteers, pursuant Education Law sections 3023, 3028 and 3811. Such duties shall be contingent upon provision of timely notice as may be required by such laws.

Defense and Indemnification pursuant to Public Officers Law

The Operating Board confers the benefits of Section 18 of the Public Officers Law upon officers of Tech Valley High School, including Operating Board members, and all non-bargaining unit employees, including any such former employee or officer, his or her estate or judicially appointed representative. The Operating assumes the liability for the costs incurred in accordance with the provisions of such law. Such benefits shall be supplemental and in addition to defense or indemnification protection conferred by any other provision of law and shall be contingent upon provision of timely notice as may be required by such law.

Limitations on Defense and Indemnification

The duty to defend and indemnify will not apply unless the actionable claim is of the type covered by the above-referenced statutes and/or is not otherwise exempt from coverage pursuant to law. Further, the duty to defend and/or indemnify shall not arise where such action or proceeding is brought by or on behalf of Tech Valley High School.