

**LEGAL PROTECTION**

**Liability Insurance**

The Governing Board shall provide insurance necessary to protect Board members and employees while acting within the scope of their office or employment in accordance with Education Code 35208.

No Board member shall be liable for harm caused by his/her act or omission when acting within the scope of district responsibilities. The act or omission must be in conformity with federal, state and local laws and made in furtherance of an effort to control, discipline, expel or suspend a student, or maintain order or control in the classroom or school. (20 USC 6736)

*Legal Reference:*

EDUCATION CODE

17029.5 *Contract funding; board liability*

35208 *Liability insurance*

35214 *Liability insurance (self insurance or a combination of self insurance and insurance through an insurance company)*

GOVERNMENT CODE

815. 3 *Intentional torts*

820-823 *Tort Claims Act*

820.9 *Immunity from liability*

825.6 *Indemnification of public entity*

995-996.6 *Defense of public employees*

1090-1098 *Conflicts of interest, prohibitions applicable to specified officers*

54950-54963 *The Ralph M. Brown Act*

87100-89503 *Conflicts of interest*

UNITED STATES CODE, TITLE 20

6731-6738 *Teachers Protection Act*

COURT DECISIONS

*Caldwell v. Montoya (Paramount Unified School District) 10 Cal 4<sup>th</sup> 972 (1995)*

Bylaw

adopted: February 27, 1995

Revised: September 10, 2007

**CAPISTRANO UNIFIED SCHOOL DISTRICT**

San Juan Capistrano, California