|  |  |
| --- | --- |
| **Policy 205: Board Member Liability** | **Status:** ADOPTED |
| **Original Adopted Date:** 03/08/2022 **| Last Reviewed Date:** 03/08/2022 |  |

Tri-County Board members will not be held personally liable for actions taken in the performance of their duties and responsibilities vested in them by the laws of Iowa and the members of the school district community.  In carrying out the duties and responsibilities of their office, board members will act in good faith.  
  
The school district will defend, save harmless and indemnify board members against tort claims or demands, whether groundless or otherwise, arising out of an alleged act or omission occurring within the scope of their official duties, unless the act constitutes a willful or wanton act or omission.  The school district, however, cannot save harmless or indemnify board members for punitive damages.

|  |  |
| --- | --- |
| Legal Reference: | Wood v. Strickland, 420 U.S. 308 (1975). 42 U.S.C. §§ 1983, 1985 Iowa Code ch. 670. |

|  |  |
| --- | --- |
| **I.C. Iowa Code** | **Description** |
| Iowa Code § 670 | [Tort Liability of Gov't Subdivisions](https://www.legis.iowa.gov/docs/code/670.pdf) |
| **U.S.C. - United States Code** | **Description** |
| 42 U.S.C. § 1985 | [Public Health - Civil Rights Interference](https://www.govinfo.gov/app/details/USCODE-2017-title42/USCODE-2017-title42-chap21-subchapI-sec1985) |
| 42 U.S.C. §§ 1983 | [Public Health - Civil Rights](https://www.govinfo.gov/app/details/USCODE-2017-title42/USCODE-2017-title42-chap21-subchapI-sec1983) |
| **U.S. Supreme Court** | **Description** |
| 420 U.S. 308 | [Wood v Strickland (1975)](https://caselaw.findlaw.com/us-supreme-court/420/308.html) |
| **Case Law** | **Description** |
| Wood v. Strickland | 420 U.S. 308 (1975). |

**Cross References**

|  |  |
| --- | --- |
| **Code** | **Description** |
| 213 | [Public Participation in Board Meetings](https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=36031104&revid=UHlkF5c4YDIVvPmn5VVjIA==) |
| 709 | [Insurance Program](https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=36031104&revid=cRIZPgHtuAeAf6CTkOzeRg==) |
| 903.04 | [Public Conduct on School Premises](https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=36031104&revid=s69KcHZgdZEq9YTnyj3frQ==) |