

Adopted: November 10, 2010

Revised: October 23, 2013, October 26, 2016 (update to legal references)

Reviewed: April 28, 2021

BLUESKY CHARTER SCHOOL POLICY No. 2.8 TORT LIABILITY

I. PURPOSE

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

II. POLICY STATEMENT

- A. BlueSky Charter School 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. §124E, BlueSky Charter School 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. BlueSky Charter School'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 BlueSky Charter School.
- C. BlueSky Charter School'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 and the Commissioner of Education within 20 business days of the change.

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

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.