

Internal Board

E. Miscellaneous

7060 Defense of Criminal Action or Proceeding

Chabot-Las Positas Community College District is not required to provide for the defense of a criminal action or proceeding (including a proceeding to remove an officer under Sections 3060-3073, inclusive, of the Government Code) brought against an employee or a former employee. At the same time the Board of Trustees may, pursuant to section 995.8 of the Government Code, provide for the defense of a criminal action or proceeding (including a proceeding to remove an officer brought under Sections 3060-3072, inclusive, of the Government Code) brought against an employee (including a member of the Board of Trustees) or a former employee if the following conditions prevail:

1. The criminal action or proceeding is brought on account of an act or omission in the scope of his or her employment as an employee of the District; and,
2. The governing Board determines that such defense would be in the best interests of the District and that the employee or former employee acted or failed to act, in good faith, without malice, and in the apparent interests of the District.