

APPENDIX A

RUTGERS POLICY

Section: 50.3.3

Section Title: Legal Matters

Policy Name: University Indemnification Policy

Formerly Book: 6.4.4

Approval Authority: Board of Governors

Responsible Executive: Vice President and General Counsel

Responsible Office: Office of the Vice President and General Counsel

Originally Issued: 5/1972

Revisions: 6/1977; 7/1985

Policy:

50.3.3 UNIVERSITY INDEMNIFICATION POLICY

The University, subject to the requirement of law and public policy of New Jersey and except as otherwise provided herein, shall indemnify to the full extent permitted by the New Jersey Tort Claims Act, N.J.S.A. 59:1-1, et seq., and any amendments thereto, any officer or employee acting as an agent of the University for any act or omission arising out of and in the course of the performance of the duties of his or her office, position or employment with the University, providing that the University shall have the right to conduct the defense, including the appeals of any such officer or employee, it being understood, as well, that the University shall defray all costs of defending such action, including reasonable counsel fees and expenses. Any such indemnification may be made by the University only as authorized in a specific case upon a determination that indemnification is proper under the circumstances because the officer or employee met the requisite standard of conduct set forth in the New Jersey Tort Claims Act.

This determination shall be made by the Vice President and General Counsel, who shall be generally responsible for the administration of the University Indemnification Policy. The Vice President and General Counsel may, however, in his or her discretion decide that it is appropriate to refer a particular matter to the Board of Governors for its determination. Such right of indemnification shall inure to the benefit of the legal representative of any such officer or employee.

The foregoing indemnification shall be in addition to, and not in restriction or limitation of, any privilege or power which the University may have with respect to the indemnification or reimbursement of its officers or employees.

All regulations and procedures are subject to amendment.