

Claims and Actions Against the District**Claim Presentation Requirements**

The Governing Board desires to conduct district operations in a manner that minimizes risk, protects district resources, and promotes the health and safety of students, staff, and the public. Any and all claims for money or damages against the district shall be presented to and acted upon in accordance with the Government Claims Act or other applicable state or district procedures, as well as the district's joint powers authority (JPA) agreement or other insurance coverage.

Any claim for money or damages not governed by the Government Claims Act (Government Code 810-996.6) or specifically excepted by Government Code 905 shall be presented and acted upon in accordance with district-established procedures consistent with the manner and time limitations specified in the accompanying administrative regulation unless a procedure for processing such claims is otherwise provided by state or federal law or regulation. (Government Code 935)

Upon notice to the district of a claim, the Superintendent or designee shall take all necessary steps to protect the district's rights under any applicable contractual agreements, including the right to indemnification from its insurance or other coverage provider.

In accordance with Government Code 935.4, the Board delegates to the Superintendent the authority to allow, compromise, or settle claims of \$50,000 or less pursuant to any conditions of coverage in the district's JPA agreement or insurance coverage.

Roster of Public Agencies

Within 10 days of any change in the name of the district, the mailing address of the Board, or the names and addresses of the Board president, the Board clerk or secretary, or other Board members, the Superintendent or designee shall file the updated information with the Secretary of State and the County Clerk. (Government Code 53051)

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

Claims and Actions Against the District

Legal References

State

Code of Civil Procedure 340.1
Ed. Code 35200
Ed. Code 35202
Gov. Code 53051
Gov. Code 6500-6536
Gov. Code 800
Gov. Code 810-996.6
Pen. Code 72

Description

Damages suffered as result of childhood sexual abuse
Liability for debts and contracts
Claims against districts; applicability of Government Code
Information filed with secretary of state and county clerk
Joint powers agreements
Cost in civil actions
Government Claims Act
Fraudulent claims

Management Resources

Court Decision
Court Decision
Court Decision

Court Decision

Website

Website

Description

City of Stockton v. Superior Court (2007) 42 Cal. 4th 730
Connelly v. County of Fresno (2006) 146 Cal.App.4th 29
CSEA v. Azusa Unified School District (1984) 152
Cal.App.3d 580
CSEA v. South Orange Community College District (2004)
123 Cal.App.4th 574
CSBA District and County Office of Education Legal
Services
California Secretary of State's Office