

Liberty Union High School District

Board Policy

Classification:	Business and Noninstructional Operations	Policy No.	BP3320
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		Effective	11/18/81
Subject:	Claims And Actions Against The District	Revised	05/09/18

The Governing Board desires to ensure that the district's operations are conducted 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 law, Board policy, and administrative regulation as well as the district's Joint Powers Authority (JPA) agreement or insurance coverage.

(cf. [3530](#) - Risk Management/Insurance)

(cf. [5143](#) - Insurance)

Any claim for money or damages not governed by the Government Claims Act (Government Code [810-996.6](#)) or excepted by Government Code [905](#) shall be presented consistent with the manner and time limitations in the Government Claims Act, unless a procedure for processing such claims is otherwise provided by state or federal law.

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.

This policy applies retroactively to any existing causes of action and/or claims for money and/or damages.

Roster of Public Agencies

The Superintendent or designee shall file the information required for the Roster of Public Agencies with the Secretary of State and the County Clerk. This information shall include the name of the school district, the mailing address of the Board, and the names and addresses of the Board presiding officer, the Board clerk or secretary, and other members of the Board. (Government Code [53051](#))

Any changes to such information shall be filed within 10 days after the change has occurred. (Government Code [53051](#))

Legal Reference:

EDUCATION CODE

[35200](#) Liability for debts and contracts

[35202](#) Claims against districts; applicability of Government Code

CODE OF CIVIL PROCEDURE

[340.1](#) Damages suffered as result of childhood sexual abuse

GOVERNMENT CODE

[800](#) Cost in civil actions

[810-996.6](#) Claims and actions against public entities

[6500-6536](#) Joint exercise of powers

[53051](#) Information filed with secretary of state and county clerk

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PENAL CODE

[72](#) Fraudulent claims

COURT DECISIONS

City of Stockton v. Superior Court, (2007) 42 Cal. 4th 730

Connelly v. County of Fresno, (2006) 146 Cal.App.4th 29

CSEA v. South Orange Community College District, (2004) 123 Cal.App.4th 574

CSEA v. Azusa Unified School District, (1984) 152 Cal.App.3d 580

Management Resources:

WEB SITES

California Secretary of State's Office: <http://www.sos.ca.gov>

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