

Business and Noninstructional Operations

CLAIMS AND ACTIONS AGAINST THE DISTRICT

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)

Legal Reference:

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

Management Resources

Court Decision
Court Decision

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](#)

Description

City of Stockton v. Superior Court, (2007) 42 Cal. 4th 730
Connelly v. County of Fresno, (2006) 146 Cal.App.4th 29

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Legal Reference:

Management Resources

Description

Court Decision

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

Court Decision

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

Website

[CSBA District and County Office of Education Legal Services](#)

Website

[California Secretary of State's Office](#)

WESTMINSTER SCHOOL DISTRICT

Westminster, California

Policy Adopted: July 5, 1990

Revised: June 9, 2016

Revised: February 8, 2024