

## RANCHO SANTA FE SCHOOL DISTRICT

### **Board Policy No. 1006:      CLAIMS AND ACTIONS AGAINST THE DISTRICT**

- A. The California Government Claims Act generally covers all claims for money or damages against the District with some specific exemptions. Government Code Section 935 authorizes a local public entity such as the District to prescribe a procedure for claims against it for money or damages which are exempted by other provisions in the California Government Claims Act. This Board Policy contains the local claims procedure pursuant to Government Code Section 935 to cover all exempted claims for money or damages. Any claim for money or damages not governed by the California Government Claims Act or specifically excepted by Government Code Section 905 shall be presented and acted upon in accordance with the District-established procedures consistent with the manner and time limitations specified in this Board Policy.
  
- B. Notwithstanding the exemptions set forth in Government Code Section 905, all claims for money or damages against the District, when a procedure for processing such claims is not otherwise provided by the law, shall be presented within the time limitations and in the manner prescribed by Government Code Sections 900 through 915.2. This Board Policy requires that all categories of claims which are exempt from the filing requirement in Government Code Section 905 nonetheless must be filed pursuant to this local claims procedure, as authorized by Government Code Section 935.
  
- C. It is a requirement that any and all claims be presented and acted upon as a prerequisite to any lawsuit thereon. Any and all claims shall be subject to the provisions of Government Code Section 945.4 relating to the prohibition of lawsuits in the absence of claims and action thereon by the Governing Board.
  
- D. All local claims must be filed on the District approved form attached hereto which is available in the District Office.
  
- E. The Superintendent is hereby delegated the authority to return all insufficient claims.
  
- F. Time Limitations: The following time limitations apply to the presentation of claims for money or damages against the District, including those claims addressed in Paragraph B, above.
  - 1. Claims relating to a cause of action for death or injury to a person, personal property, or growing crops shall be presented to the Board no later than six months after the accrual of a cause of action. (Government Code Section 911.2).
  
  - 2. Claims relating to any other cause of action subject to the Government Claims Act shall be filed not later than one year after the accrual of the cause of action. (Government Code Section 911.2).

3. Claims relating to childhood sexual assault and other causes of action which are specifically excepted from the Government Claims Act by Government Code 905, that are subject to a claims presentation procedure in another statute or regulation, shall be presented to the Board in accordance with the applicable governing statute or regulation. (Government Code Section 905).
4. Claims relating to any cause of action which is specifically excepted from the Government Claims Act by Government Code Section 905 but is not governed by any other claim presentation statute or regulation shall be presented to the Board within the time specified in Paragraphs 1 and 2, above, depending upon the applicable cause of action. (Government Code Section 911.2, 935).

G. Receipt of Claims: A claim shall be deemed presented and received when delivered to the District Office (located at 5927 La Granada, Rancho Santa Fe, CA 92067) or deposited in a post office, mailbox, sub-post office, substation, mail chute, or other similar facility maintained by the U.S. Government, in a sealed envelope properly addressed to the Superintendent at the District Office at the following address:

Rancho Santa Fe School District  
Attention: Superintendent  
PO Box 809  
Rancho Santa Fe, CA 92067

Postage shall be paid, or otherwise actually received in the District Office or by the Superintendent. (Government Code Section 915, 915.2).

H. Review of Contents of Claim: The Superintendent or designee shall review any claim received to ensure that the claim contains all of the following information as specified in Government Code Section 910 and 910.2:

1. The name and post office address of the claimant.
2. The post office address to which the person presenting the claim desires notices to be sent.
3. The date, place, and other circumstances of the occurrence or transaction which gave rise to the claim asserted.
4. A general description of the indebtedness, obligation, injury, damage, or loss incurred insofar as it may be known at the time of presentation of the claim.
5. The name(s) of the District employee(s) causing the injury, damage, or loss, if known.
6. The amount claimed if it totals less than \$10,000, including the estimated amount of any prospective injury, damage, or loss, insofar as it may be known at the time of the claim, together with the basis of computation of the amount claimed. If the amount exceeds \$10,000, the dollar amount shall not be included in the claim and the claimant shall indicate whether the claim is a limited civil case as specified in Code of Civil Procedure 85 and 86.

7. The signature of the claimant or person acting on the claimant's behalf.

- I. Notice of Claim Insufficiency: If a claim is found insufficient or not to satisfy the form requirements under Government Code Section 910 and 910.2, the Board delegates authority to the Superintendent or designee to, within 20 days of receipt of the claim, provide a notice in the manner specified in Government Code Section 915.4 that states the particular defects or omission in the claim. The Board shall not act upon any claim until at least 15 days after such notice is given.
- J. Amendment to Claims: Within the time limits provided in Paragraph F, above, or prior to final action by the Board, whichever is later, a claim may be amended if, as amended, it relates to the same transaction or occurrence which gave rise to the original claim.
- K. Late Claims: When a claim that is required to be presented not later than six months after the accrual of the cause of action, as specified in Paragraph F, above, is not presented within that time, an application to present a late claim may be presented to the Board, in the manner specified in Government Code Section 915 and 915.2, within a reasonable period of time not to exceed one year after the accrual of the cause of action. The application shall include the proposed claim and shall state the reason for the delay in presenting the claim.

If the claim is presented late and is not accompanied by an application to present a late claim, the Board or Superintendent shall, within 45 days, give written notice, in the manner specified in Government Code Section 911.3, that the claim was not presented timely and that it is being returned without further action.

The Board shall grant or deny the application to present a late claim within 45 days after it is presented. This 45-day period may be extended by written agreement of the claimant and the Board provided that such agreement is made before the expiration of the 45-day period.

The Board shall grant the application to present a late claim where one or more of the following conditions are applicable:

- 1. The failure to present the claim was through mistake, inadvertence, surprise, or excusable neglect and the district was not prejudiced in its defense regarding the claim by the claimant's failure to present the claim within the time limit.
- 2. The person who sustained the alleged injury, damage, or loss was a minor during all of the time specified for presentation of the claim.
- 3. The person who sustained the alleged injury, damage, or loss was physically or mentally incapacitated during all of the time specified for presentation of the claim and the disability was the reason the person failed to present the claim.
- 4. The person who sustained the alleged injury, damage, or loss died before the expiration of the time specified for the presentation of the claim.

If the application to present a late claim is denied, the claimant shall be given notice in substantially the same form as set forth in Government Code Section 911.8 and in the manner specified in Government Code Section 915.4.

If the Board does not take action on the application to present a late claim within 45 days, the application shall be deemed to have been denied on the 45th day unless the time period has been extended, in which case it shall be denied on the last day of the period specified in the extension agreement.

- L. Action on Late Claims: Within 45 days after the presentation or amendment of a claim, the Board shall take action on the claim. This time limit may be extended by written agreement between the District and the claimant before the expiration of the 45-day period. If the 45-day period has expired, the time limit may be extended if legal action has not commenced or been barred by legal limitations.

The Board may act on the claim in one of the following ways:

1. If the Board finds that the claim is not a proper charge against the District, the claim shall be rejected.
2. If the Board finds that the claim is a proper charge against the District and is for an amount justly due, the claim shall be allowed.
3. If the Board finds that the claim is a proper charge against the District but is for an amount greater than is justly due, the Board shall either reject the claim or allow it in the amount justly due and reject it as to the balance.
4. If legal liability of the District or the amount justly due is disputed, the Board may reject or compromise the claim.
5. If the Board takes no action on the claim, the claim shall be deemed rejected.

Legal Reference:

Government Code Sections 900-915.2, 935, 945.4

Date Policy Adopted By The Board: March 15, 1995

Date Policy Revised By The Board: December 9, 2004, July 11, 2019, October 14, 2022, October 14, 2025

**RANCHO SANTA FE SCHOOL DISTRICT CLAIM FOR DAMAGES\***

\*(Please type or print - attach additional pages, if necessary, and identify the number on this form to which the additional information applies)

1. Name of claimant: \_\_\_\_\_
  2. Date of birth: \_\_\_\_\_
  3. Post Office address: \_\_\_\_\_
  4. Post Office address to which notices should be sent if different:  
\_\_\_\_\_
  5. Name of claimant's parent or guardian (if applicable) : \_\_\_\_\_
  6. On what month, date and year did the injury damage or loss occur:  
\_\_\_\_\_
  7. At what location(s) did the injury, damage(s) or loss(es) occur:  
\_\_\_\_\_  
\_\_\_\_\_
  8. Describe the factual circumstances giving rise to each claim and the specific act(s) or omission(s) and individuals who caused each injury:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  9. Identify the name(s), address(es), and telephone number(s) of person(s) who witnessed the occurrence of each damage, injury or loss or who has information regarding the damage, injury or loss, and what information each individual has regarding each injury claimed: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  10. Describe what injury, damage or loss the claimant suffered as a result of each of the act(s) or omission(s) described in number 8 above:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- [Attach any medical bills, expense, or repair bills which you believe were caused by the injury, damage or loss]
11. Identify the District official(s), agent(s), employee(s) or independent contractor(s) who was/were responsible in whole or in part for each injury, damage or loss and why you believe these individuals were responsible: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

12. Set forth below the amount claimed if it totals less than ten thousand dollars (\$10,000) as of the date of presentation of the claim, including the estimated amount of any prospective injury, damage, or loss, insofar as it may be known at the time of the presentation of the claim, together with the basis of computation of the amount claimed. If the amount claimed exceeds ten thousand dollars (\$10,000), indicate below only whether the claim would be a limited civil case\*:

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\* A limited civil case is one in which the demand, exclusive of interest or the value of property in controversy amounts to \$25,000.00 or less

13. Police/Sheriff Report Number, if applicable: \_\_\_\_\_

14. Date claim personally delivered or deposited in the U.S. Mail: \_\_\_\_\_

15. \_\_\_\_\_  
Claimant's Signature Date

If you are not the claimant, indicate your relationship to the claimant \_\_\_\_\_  
\_\_\_\_\_

Date claim received by District: \_\_\_\_\_ Recipient \_\_\_\_\_

NOTE: PRESENTATION OF A FALSE CLAIM IS A CRIME (Cal. Penal Code § 73) and may subject the claimant to civil liability (Government Code § 12650 et. seq.)