

Business and Noninstructional Operations

Claims and Actions Against the District

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 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.

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

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: Education Code 35200; 35202
 Government Code 800; 810-996.6; 6500-6536; 53051
 Penal Code 72
 Code of Civil Procedures 340.1

Policy Adopted: 05/15/1973
Policy Amended: 07/19/1994; 02/04/2003; 04/01/2003; 11/03/2010, 09/17/2018