

The Board of Trustees 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 must be presented to and acted upon in accordance with the Board Policy 5800 (3320) and Administrative Regulation 5800 (3320) which have been adopted by the Board of Trustees pursuant to Government Code (GC) Section 935. Compliance with these District Claim Procedures is a prerequisite to any court action, including specifically those claims excepted by GC Section 905, unless the claim is governed by statutes or regulations which expressly free the claimant from the obligation to comply with this policy and the claims procedures set forth in the GC.

This policy is effective immediately and applies retroactively to any and all claims, including to claims which accrued prior to the enactment of this policy.

Legal References

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 a result of childhood sexual abuse

GOVERNMENT CODE

800 Cost in civil actions

935 Authority to enact local claims procedure

810-996.6 Claims and actions against public entities

53051 Information filed with secretary of state and county clerk

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

State of California v. Superior Court (Bodde) (2004) 32 Cal.4th 1234

Tapia v. County of San Bernardino (1994) 29 Cal.App.4th 375

Board of Trustees

Board Approved: 7/12/18

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