

Policy 3320: Claims And Actions Against The District

Original Adopted Date: 3/13/2024

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)

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

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

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](#)

Pen. Code 72

[Fraudulent claims](#)

Management Resources

Description

Court Decision

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

Court Decision

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

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](#)

Cross References

Code

Description

1330.1

[Joint Use Agreements](#)

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[Access To District Records](#)

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[Access To District Records](#)

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[Risk Management/Insurance](#)

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[Risk Management/Insurance](#)

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[Civil And Legal Rights](#)

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[Complaints](#)

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[Complaints](#)

4157.1

[Work-Related Injuries](#)

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[Employee Security](#)

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[Employee Security](#)

4219.1

[Civil And Legal Rights](#)

4257.1

[Work-Related Injuries](#)

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[Employee Security](#)

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[Employee Security](#)

4319.1

[Civil And Legal Rights](#)

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[Work-Related Injuries](#)

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5141.4

[Child Abuse Prevention And Reporting](#)

5141.4	<u>Child Abuse Prevention And Reporting</u>
5143	<u>Insurance</u>
5143	<u>Insurance</u>
6163.2	<u>Animals At School</u>
6163.2	<u>Animals At School</u>
9012	<u>Board Member Electronic Communications</u>
9321	<u>Closed Session</u>
9321-E(1)	<u>Closed Session</u>
9321-E(2)	<u>Closed Session</u>
9322	<u>Agenda/Meeting Materials</u>