

CLAIMS AND ACTIONS AGAINST THE DISTRICT

Any and all claims for money or damages against the district shall be presented to and acted upon in accordance with Board policy and administrative regulation by the Legal Services Division.

Compliance with this policy and accompanying administrative regulation is a prerequisite to any court action, unless the claim is governed by statutes or regulations which expressly free the claimant from the obligation to comply with district policies and procedures and the claims procedures set forth in the Government Code.

The Board of Trustees delegates to the Superintendent and General Counsel the authority to allow, compromise or settle claims of \$50,000 or less. (Government Code 935.4)

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

Notice to the Board of Trustees of claim payments

Once each quarter (January, April, July, and October) Legal Services Division will provide the Board of Trustees, a summary list of payments made on money damages claims administered by the Legal Services Division and Risk Management Department. Each quarterly report shall be for the immediately preceding quarter.

Roster of Public Agencies

The Superintendent or his/her designee shall file the information required for the Roster of Public Agencies with the Secretary of State and the County Clerk. Any changes to such information shall be filed within 10 days after the change in facts. (Government Code 53051)

This information shall include the name of the school district, the mailing address of the Board, and the names and addresses of the Board presiding officer, the Board clerk or secretary and other members of the Board. (Government Code 53051)

Legal Reference:

EDUCATION CODE

35200 Liability for debts and contracts

35202 Claims against districts; applicability of Government Code

GOVERNMENT CODE

800 Cost in civil actions

810-996.6 Claims and actions against public entities

53051 Information filed with secretary of state and county clerk

PENAL CODE

72 Fraudulent claims

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COURT DECISIONS

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

Policy
adopted: November 17, 2008
revised: December 14, 2009
revised: February 16, 2010
revised: October 12, 2015

SWEETWATER UNION HIGH SCHOOL DISTRICT
Chula Vista, California