

LODI UNIFIED SCHOOL DISTRICT

Policy 3320

Business and Non-Instructional Operations

Claims and Actions Against the District

Any and all claims for money or damages against the district must be presented to and acted upon in accordance with Board of Education policy and administrative rule. Compliance with district procedures 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 this policy and the claims procedures set forth in the Government Code.

The Board of Education intends that the district's operations minimize risk, protect district resources, and promote the 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 Board policy and rule.

Claims for money or damages not governed by the Government Claims Act or excepted by Government Code 905 shall be presented consistent with the manner and the limitations in the Government Claims Act, unless a procedure for processing such claims is otherwise provided by state or federal law. Such compliance is a prerequisite to any court action consistent with the provisions of Government Code 945.4.

The Board delegates to the Superintendent the authority to allow, compromise or settle claims of \$50,000.00 or less.

This policy is intended to apply retroactively to any existing causes of action and/or claims for money and/or damages. The Superintendent or designee shall file the information required for the Roster of Public Agencies with the Secretary of State and the County Clerk. 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.

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 result of childhood sexual abuse

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

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

Policy

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