



2810 - Claims against the District

Policy

Any claims against the district for money or damages, which are not governed by any other statutes or regulations expressly relating thereto, shall be presented and acted upon in accordance with Title I, Division 3.6, Part 3, Chapter 1 (commencing with Section 900) and Chapter 2 (commencing with Section 910) of the California Government Code.

Claims must be presented according to this policy and related procedures as a prerequisite to filing suit against the District.

Claims that are subject to the requirements of this policy include, but are not limited to, the following:

- Claims by public entities: claims by the state or by a state department or agency or by another public entity.
- Claims for fees, wages and allowances: claims for fees, salaries or wages, mileage, or other expenses and allowances.

The designated place for service of claims, lawsuits or other types of legal process upon the district is:

Yosemite Community College District
Chancellor's Office
P.O. Box 4065
Modesto, CA 95352

Yosemite Community College District
Chancellor's Office
2201 Blue Gum Avenue
Modesto, CA 95358

Reference: *Education Code Section 72502; Government Code Sections 900 et seq.; 910*

Adopted: June 28, 2004

Procedure

A claim must be filed by mail or in person as prescribed by Government Code section 911.2, which states: "A claim relating to a cause or action for death, or for injury to person or to personal property or growing crops shall be presented as provided in Article 2 (commencing with section 915) of this chapter not later than six (6) months after the accrual of the cause of action. A claim relating to any other cause of action shall be presented as provided in Article 2 (commencing with section 915) of this chapter not later than one (1) year after the accrual of the cause of action".

Any claim shall be submitted on the form provided by Yosemite Community College District as required by Government Code section 910.

Claims should be served **by mail or in person** on the Chancellor's Office: **2201 Blue Gum Avenue (P.O. Box 4065), Modesto, CA 95352.**

An Agenda Item will be prepared to go on the next Board Agenda **following service of a claim.**

The District has 45 days from the date of service to respond to the claim. If the Board makes no action, the claim is deemed rejected. (Gov. Code §912.4) If the notice of rejection is sent within the 45 day period, the claimant has 6 months to prepare their case. If a notice of rejection is not sent within 45 days, the claimant has 2 years to prepare their case. (Gov. Code §945.6(a)(2))

Reference: *Education Code Section 72502; Government Code Sections 900 et seq., 910 et seq*

Procedure Last Revised: 3 /12/08