

Policy Change	<input checked="" type="checkbox"/>	Subject Matter Area Review	<input checked="" type="checkbox"/>
Procedure Change	<input checked="" type="checkbox"/>	Constituency Group Review	<input checked="" type="checkbox"/>
New Policy	<input type="checkbox"/>	District Council	<input type="checkbox"/>
New Procedure	<input type="checkbox"/>	Board 1 st Reading	<input type="checkbox"/>
		Board 2 nd Reading	<input type="checkbox"/>

KEY:
BOLD= new language
~~strikethrough=~~ delete language

Comments:

Referred to:

Edited:
9/21/16



Policy

3810 Claims Against the District

Any claims against the **ed**istrict 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 **ed**istrict 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

References:

Education Code Section [72502](#); Government Code Sections [900 et seq.](#) **and**; [910](#)

1 **Adopted:** June 28, 2004

2 **Last Reviewed:**

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Administrative Procedure

3810 Claims Against the District

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**. Claim forms can be obtained by contacting the Risk Management **Office** or the Executive Vice Chancellor’s **Office** at the Yosemite Community College District or from the Yosemite Community College District Risk Management website.

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

**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**

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. Government Code Section §-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. Government Code Section § 945.6(a)(2)**)

References:

Education Code Section [72502](#); Government Code Sections [900 et seq.](#) **and**, [910 et seq.](#)

Procedure Last Revised: ~~March 12, 2008~~, February 8, 2012

Last Reviewed: