

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

Board Policy No. 1006: LOCAL CLAIMS PROCEDURE PURSUANT TO GOVERNMENT
CODE SECTION 935

- A. The California Tort Claims Act generally covers all claims for money or damages against the District with some specific exemptions. Government Code section 935 authorizes a local public entity such as the District to prescribe a procedure for claims against it for money or damages which are exempted by other provisions in the Tort Claims Act. This Board Policy contains the local claims procedures pursuant to Government Code Section 935 to cover all exempted claims for money or damages.

- B. Notwithstanding the exemptions set forth in Government Code Section 905, all claims for money or damages against the District, when a procedure for processing such claims is not otherwise provided by state or local laws, shall be presented within the time limitations and in the manner prescribed by Government Code Sections 900 through 915.2. This Board Policy requires that all categories of claims which are exempt from the filing requirement in Government Code Section 905 nonetheless must be filed pursuant to this local claims procedure, as authorized by Government Code Section 935.

- C. It is requirement that any and all claims be presented and acted upon as a prerequisite to any lawsuit thereon. Any and all claims shall be subject to the provisions of Government Code Section 945.4 relating to the prohibition of lawsuits in the absence of claims and action thereon by the Governing Board.

- D. The local claims procedure in this Board Policy prescribed pursuant to Government Code Section 935 is effective January 25, 2000.

Legal Reference:
Government Code Sections 900-915.2, 935, 945.4

Date Policy Adopted By The Board: January 25, 2000.