

BP 3810 CLAIMS AGAINST THE DISTRICT**References:**

Education Code Section 72502;

Government Code Sections 900 et seq. and 910, et seq.

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.
- Claims for damages for death, injury to person or personal property.

Notwithstanding the exceptions listed in Section 905 of the Government Code of the State, all claims by public officers or employees for fees, salaries, wages, overtime pay, holiday pay compensating time off, vacation pay, sick leave pay, and any other expenses or allowances claimed due from 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 Sections 910 through 915.2 of the Government Code of the State. Such claims shall further be subject to the provisions of Section 945.4 of the Government Code of the State relating to the prohibition of suits in the absence of the presentation of claims and action thereon by the District.

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

Riverside Community College District
Office of the General Counsel
3801 Market Street, Third Floor
Riverside, CA 92501

Date Adopted: May 19, 2009

Revised: October 20, 2009

Revised: April 17, 2012

Revised: May 7, 2014 (address only)

AP 3810 CLAIMS AGAINST THE DISTRICT

References:

Education Code Section 72502;
Government Code Sections 900 et seq. (Tort Claims Act)

CLAIM FORMS

All claims against the District are to be submitted on the District's approved claim form. Claims not submitted on the District's form will be returned to the claimant and may be resubmitted using the proper form.

Claim forms can be obtained by calling the Office of the General Counsel at (951) 222-8001.

Claims forms may be presented in person at:
Riverside Community College District
Office of the General Counsel
3801 Market Street, Third Floor
Riverside, CA 92501

or, deposited in the United States mail, in a sealed envelope, properly addressed, postage prepaid to:

Riverside Community College District
Office of the General Counsel
3801 Market Street, Third Floor
Riverside, CA 92501

TIME LIMITATIONS

Claims for money or damages relating to a cause of action for death, injury to a person, or personal property, must be presented to the District not later than six (6) months after the accrual of the cause of action.

Claims for money or damages relating to a cause of action other than that stated above, must be presented to the District not later than one (1) year from the accrual of the cause of action.

RESPONSE TO CLAIM

The District has 45 days within which to respond to any claim received. The claim may be allowed in whole or in part, or may be rejected altogether. Pursuant to Government Code, the District will notify those claimants, whose claims are rejected, of their rights under the law to pursue their claim further.

If the District decides to allow the claim or offer a compromise in an attempt to settle the claim, the District shall require the claimant to sign a release or waiver agreeing to payment as full and complete settlement of the claim.

Office of Primary Responsibility: General Counsel

Administrative Approval: June 1, 2009

Revised: April 30, 2012

Revised (address only): May 7, 2014