

CLAIMS AND ACTIONS AGAINST THE MONTEREY COUNTY OFFICE OF EDUCATION

The Monterey County Board of Education (County Board) expects that the Monterey County Office of Education (MCOE) operations are conducted in a manner that minimizes risk, protects MCOE resources, and promotes the health and safety of students, staff, and the public. Any and all claims for money or damages against MCOE shall be presented to and acted upon in accordance with law, Board policy, and administrative regulation as well as the Property and Liability Joint Powers Authority (JPA) agreement and insurance coverage.

Any claim for money or damages not governed by the Government Claims Act [Government Code 810-996.6] or excepted by Government Code 905 shall be presented consistent with the manner and time limitations in the Government Claims Act, unless a procedure for processing such claims is otherwise provided by state or federal law.

Upon notice to MCOE of a claim, the Monterey County Superintendent of Schools (County Superintendent) or designee shall take all necessary steps to protect MCOE rights under any applicable contractual agreements, including the right to indemnification from its insurance or other coverage provider.

In accordance with Government Code 935.4, the County Board delegates to the County Superintendent the authority to allow, compromise, or settle claims of \$50,000 or less pursuant to any conditions of coverage in the Property and Liability JPA agreement and insurance.

Roster of Public Agencies

The County 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 County Office, the mailing address of the County Board, and the names and addresses of the County Board presiding officer, the County Board clerk or secretary, and other members of the County Board. [Government Code 53051]

Any changes to such information shall be filed within 10 days after the change has occurred. [Government Code 53051]

Legal Reference:

EDUCATION CODE

- 1252 Workers' compensation*
- 1273 Reimbursement for property losses*
- 1274 Fund to cover losses or payments*

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MONTEREY COUNTY OFFICE OF EDUCATION** (continued)

BP 3320

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

6500-6536 Joint exercise of powers

53051 Information filed with secretary of state and county clerk

PENAL CODE

72 Fraudulent claims

COURT DECISIONS

City of Stockton v. Superior Court, (2007) 42 Cal. 4th 730

Connelly v. County of Fresno, (2006) 146 Cal.App.4th 29

CSEA v. South Orange Community College District, (2004) 123 Cal.App.4th 574

CSEA v. Azusa Unified School District, (1984) 152 Cal.App.3d 580

Adopted: 11/01/89

Revised: 04/05/17