

Glendale Community College District

3810

Administrative Regulation

CLAIMS AND ACTIONS AGAINST THE DISTRICT

Time Limitations

Claims for money or damages relating to a cause of action for death or for injury to a person or personal property shall be presented to the Vice President of Administrative Services or designee not later than six months after the accrual of the cause of action.

Claims for money or damages as authorized in Government Code Section 905 and not included in paragraph 1 above shall be filed not later than one year from the date the cause of action accrues.

Claims for money or damages specifically excepted from Government Code Section 905, including but not limited to claims by public employees for fees, salaries, wage, mileage or other expenses and allowances, shall be filed not later than **one year** after the accrual of the cause of action.

Late Claims

Claims under paragraph 1 above which are filed outside the specified time limitations must be accompanied by an application to file a late claim. Such claim and application to file a late claim must be filed not later than one year after the accrual of the cause of action. If a claim under paragraph 1 is filed later than six months after the accrual of the cause of action and is not accompanied by the application, the Vice President of Administrative Services or designee shall, within forty-five (45) days, give written notice that the claim was not filed timely and that it is being returned without further action.

The application shall state the reason for the delay in presenting the claim. The Vice President of Administrative Services or designee shall grant or deny the application within 45 days after it is presented. By mutual agreement of the claimant and the Vice President of Administrative Services or designee, this 45-day period may be extended by written agreement made before the expiration of such period. If the Vice President of Administrative Services or designee does not take action on the application within 45 days, it shall be deemed to have been denied on the 45th day unless such time period has been extended, in which case it shall be denied on the last day of the period specified in the extension agreement.

If the application to present a late claim is denied, the claimant shall be given notice in substantially the following form:

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CLAIMS AND ACTIONS AGAINST THE DISTRICT (continued)

WARNING

IF YOU WISH TO FILE A COURT ACTION ON THIS MATTER YOU MUST FIRST PETITION THE APPROPRIATE COURT FOR AN ORDER RELIEVING YOU FROM THE PROVISIONS OF GOVERNMENT CODE SECTION 945.4 (CLAIMS PRESENTATION REQUIREMENT). SEE GOVERNMENT CODE SECTION 945.6. SUCH PETITION MUST BE FILED WITH THE COURT WITHIN SIX (6) MONTHS FROM THE DATE YOUR APPLICATION FOR LEAVE TO PRESENT A LATE CLAIM WAS DENIED.

YOU MAY SEEK THE ADVICE OF AN ATTORNEY OF YOUR CHOICE IN CONNECTION WITH THIS MATTER. IF YOU DESIRE TO CONSULT AN ATTORNEY, YOU SHOULD DO SO IMMEDIATELY.

Delivery and Form of Claim

A claim, any amendment thereto, or an application for leave to present a late claim shall be deemed presented when delivered to the office of the Vice President of Administrative Services or designee or deposited in a post office, sub-post office, substation, or mail chute or other like facility maintained by the U.S. Government in a sealed envelope properly addressed to the Glendale Community College District, Vice President of Administrative Services with postage paid.

Notice of Claim Insufficiency

The Vice President of Administrative Services or designee shall review all claims for sufficiency of information. The Vice President of Administrative Services or designee may, within twenty (20) days of receipt of claim, either personally deliver or mail to claimant, a notice stating deficiencies in the claim presented. If such notice is delivered or sent to claimant, the Vice President of Administrative Services or designee shall not act upon the claim until at least fifteen (15) days after such notice is sent.

Amendments to Claim

Claims may be amended within the above time limits or prior to final action by the Vice President of Administrative Services or designee whichever is later, if the claim, as amended, relates to the same transaction or occurrence which gave rise to the original claim.

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CLAIMS AND ACTIONS AGAINST THE DISTRICT (continued)

Action on Claim

Within forty-five (45) days after the presentation or amendment of a claim, the Vice President of Administrative Services or designee shall take action on the claim. This time limit may be extended by written agreement before the expiration of the 45-day period or before legal action is commenced or barred by legal limitations. The Vice President of Administrative Services or designee shall transmit to the claimant a notice of action taken. If no action is taken within the prescribed time limits, the claim shall be deemed to have been rejected and the claimant notified in accordance with Government Code Section 913.

Roster of Public Agencies

The Superintendent/President or designee shall annually verify that all information regarding the District and the Board is filed accurately with the Roster of Public Agencies in the office of the Secretary of State and the County Clerk. The verified information shall include the name of the District, the mailing address of the Board, and the names and addresses of the Board, and the names and addresses of the Board presiding officer, the Board clerk or secretary and other members of the Board.

Reference:

- Government Codes 905, 910 – 913 et al, 915 et al, 935, 945 et al, 53051

Adopted: 1/25/99

Revised: 8-16-11