

**Coast Community College District
ADMINISTRATIVE PROCEDURE**

Chapter 3
General Institution

AP 3810 CLAIMS AGAINST THE DISTRICT

References:

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

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 contacting the District Risk Services Department at (714) 438-4800.

Claim forms may be presented in person or deposited in the United States mail, in a sealed envelope, properly addressed, postage prepaid as follows:

Coast Community College District
Department of Risk Services
1370 Adams Avenue
Costa Mesa, CA 92626

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 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 year from the accrual of the cause of action.

LATE CLAIMS

Claims which are filed outside the specified time limitation, must be accompanied by an application to file a late Claim. If a Claim is filed outside the time limitations noted above and is not accompanied by the application to present a late Claim, the Board or Vice Chancellor Finance and Administrative Services, shall, within 45 days, give written notice that the Claim was not filed timely and that it is being returned without further action.

The application to present a late Claim shall state the reason for the delay in presenting the Claim and shall be timely filed pursuant to the law. The Board of Trustees, while in

Closed Session, shall grant or deny the application within 45 days after it is presented. By mutual agreement of the claimant and the Board of Trustees, such 45-day period may be extended by written agreement made before the expiration of such period. If the Board of Trustees 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 the form set forth in law.

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 law, the District will notify those claimants, whose claims are rejected, of their rights to pursue their Claim further. The District may elect not to respond to a submitted Claim within 45 days of Claim presentation, in which case the Claim shall be deemed denied.

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.

RETROACTIVITY

This Procedure shall apply retroactively to any causes of action or claims for money or damages that accrued prior to the revision of this Procedure.

Also see BP/AP 6540 titled Insurance and Authority to Settle Minor Claims.

Ratified December 2, 2013
Ratified December 14, 2016
Ratified December 12, 2018