

**CLASSIFICATION: Business and Noninstructional
Operations****ADOPTED: 3/5/79
REVISED: 11/12/15
REVIEWED: 10/20/15****SUBJECT: Claims Filed Against the County Board of Education, County Superintendent of Schools, and San Diego County Office of Education** **PAGE: 1 of 2**

All claims or suits filed against the County Board of Education, County Superintendent of Schools, San Diego County Office of Education, or any employee of the County Superintendent of Schools shall be delivered to the Office of the County Superintendent of Schools or to the senior director, Internal Business Services.

CLAIMS

The senior director, Internal Business Services, will forward immediately upon receipt all claims to the San Diego County Schools Risk Management Joint Powers Authority (JPA) claims administrator for coverage analysis and recommended action. The senior director of Internal Business Services will prepare any necessary documents for County Board/County Superintendent of Schools action. Following County Board/County Superintendent of Schools' action, the senior director, Internal Business Services shall cause to be delivered a copy of any notices to the claimant by certified mail, return receipt requested. The senior director, Internal Business Services, shall also mail a conformed copy of any notice to the JPA claims administrator.

SUITS

Upon receipt or service of a lawsuit, the senior director, Internal Business Services, shall provide a copy to the executive assistant to the County Superintendent of Schools and the responsible assistant superintendent.

The senior director, Internal Business Services, will send a letter of transmittal and demand for legal representation to the JPA with a copy of the lawsuit, summons, and any supporting materials. The JPA claims administrator shall notify the senior director, Internal Business Services, of the identity of the legal counsel assigned or of any declination or reservation of coverage within ten days. In the event the JPA declines or reserves its rights on coverage, the assistant superintendent, Business Services, will engage legal counsel as appropriate.

SAN DIEGO COUNTY OFFICE OF EDUCATION

**ADMINISTRATIVE
REGULATION NO. 3320**

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When an individual employee is named as a defendant in a lawsuit filed against the County Board of Education, County Superintendent of Schools, or San Diego County Office of Education for acts or omissions that result from his/her performance of duties as an employee of the San Diego County Superintendent of Schools, the employee shall request in writing that the County Superintendent of Schools provide for defense.

Board Policy: 3320

Derivation: Former Operational Procedure No. 3900, Adopted 3/5/79. Amended and Renumbered 3320, 9/13/95. Amended 9/9/97, 11/12/15.

**Legal Reference: Government Code
910.8, 935, 935.4
United States Code, Title 31
3729-3799**