

**CLASSIFICATION: Business and Noninstructional  
Operations****ADOPTED: 3/5/79****REVISED: 8/11/21****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 Legal Services department.

#### CLAIMS

The county superintendent of schools and/or the Legal Services department 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 Legal Services department or JPA will prepare any necessary documents for County Board/county superintendent of schools action. Following County Board/county superintendent of Schools' action, the Legal Services department or JPA shall cause to be delivered a copy of any notices to the claimant by certified mail, return receipt requested. The Legal Services department and JPA shall keep the other informed as to any notices that are provided to the claimant.

#### SUITS

Upon receipt or service of a lawsuit, the Legal Services department shall provide a copy to the executive assistant to the County Superintendent of Schools and the responsible assistant superintendent.

The Legal Services department 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/consult the Legal Services department 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 the Legal Services department to obtain outside legal counsel as appropriate.

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

**CLASSIFICATION: Business and Noninstructional  
Operations**

**ADOPTED: 3/5/79**

**REVISED: 8/11/21**

**SUBJECT: Claims Filed Against the County Board  
of Education, County Superintendent of  
Schools, and San Diego County Office of  
Education**

**PAGE: 2 of 2**

---

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, 8/11/21.**

**Legal Reference: Government Code  
910-913.2, 935, 935.4  
United States Code, Title 31  
3729-3799  
Code of Civil Procedure  
340.1**