

Sierra College

BOARD POLICY

BP 2428

Civil Litigation

Date Adopted:	8/8/2000
Date Revised:	3/11/2008
Date Reviewed:	10/11/2022
References:	Education Code Sections 81655, 70902(d); Government Code Sections 54957.1(a)(2),(3)

The Board of Trustees recognizes its authority in overseeing civil lawsuits to which the Board, the District, its employees and/or its agents are parties.

It is the policy of the Board of Trustees of the Sierra Joint Community College District that it be informed orally or in writing of any civil lawsuit filed against the Board, the District, its employees and/or its agents, as well as any significant developments during the legal action.

It is also the policy of the Board that it be notified orally or in writing of the conclusion of any such lawsuit, as follows:

- The result of any trial, administrative hearing, binding arbitration or other proceeding resulting in a final decision of the rights, responsibility or liability of the Board, the District, its employees and/or its agents shall be reported promptly to the Superintendent/President and to the Board.
- Any proposed settlement to which the Board, the District, its employees and/or its agents is a party shall be reported promptly to the Superintendent/President and brought before the Board for action, unless the Superintendent/President, after consultation with the President of the Board, determines that a special meeting should be called. No proposed settlement shall be binding unless and until it has been approved or ratified by a formal vote of the Board of Trustees.
- Any settlement of a lawsuit to which the Board, the District, its employees and/or agents is not a party, but which results in the dismissal of a lawsuit against them shall be reported promptly to the Superintendent/President and to the Board for their information.

“Prompt reporting” under this policy means as soon as is reasonably practical, but in any event no later than the second regularly scheduled Board meeting after a reportable event.

Nothing in this policy shall be construed to limit the statutory authority of the Board to delegate its authority to settle lawsuits, provided that any such settlement is promptly brought before the Board for ratification, and no such settlement is binding unless and until it is ratified by the Board when the Board, the District, its employees and/or its agents is a party to the settlement.

Except as provided in the applicable collective bargaining agreement, grievances are excluded from this policy. This policy also does not apply to Worker’s Compensation claims or to personal lawsuits brought by or against Board members, District officers or employees, or agents. Under this policy, a personal lawsuit is one which is not related to the District’s business.