

**STUDENT RESPONSIBILITY/LIABILITY FOR PROPERTY DAMAGE, THEFT OR INJURY**

**Textbooks and Other District Owned Property**

Textbooks and other property of the School District may be loaned to students for use in classrooms or programs to which students are assigned.

Such property loaned to students is to be returned in satisfactory condition, except for normal use, upon demand of the teacher or principal.

The Governing Board authorizes principals and teachers to loan textbooks, instructional materials and other appropriate District owned property to students for their educational use. School principals shall institute systems which account for assignment of such items to students. Students and parents/guardians shall be informed that they are held fiscally responsible for District-owned property assigned to them.

Failure to return such property or return of the property in satisfactory condition, will result in a liability of the parent/guardian, or student if 18 years of age, to the District for the cost of the property.

The principal of every school is authorized to withhold grade reports, student transcripts, and diplomas of graduation for students who damage or do not return school property loaned to them until the claim is paid.

*(cf. 5133 - Withholding Grades, Diploma or Transcripts)*

**Vandalism, Theft and Graffiti**

The Governing Board considers vandalism and theft as very serious matters. Vandalism includes the negligent, willful, or unlawful damaging of any District-owned real or personal property, including the writing of graffiti. Theft includes the taking of District-owned or private property without permission.

*(cf. 3515.4 - Recovery for Property Loss or Damage)*

Any district student who commits an act of vandalism or theft shall be subject to disciplinary action by the District, including, but not limited to, suspension or expulsion and also may be prosecuted through other legal means. If reparation of damages is not made, the District shall withhold the student's grades, diploma and/or transcripts in accordance with law.

The Board of Trustees expects restitution from the parents of offending students for damage or loss caused by their child. In the event evidence of financial hardship is submitted, community service may be assigned in lieu of monetary payment.

**STUDENT RESPONSIBILITY/LIABILITY FOR PROPERTY DAMAGE, THEFT OR INJURY** (continued)

*(cf. 5133 - Withholding Grades, Diploma or Transcripts*

*(cf. 5152 - Suspension and Expulsion/Due Process)*

**Injury or Death of an Employee, Student or Volunteer**

In the event that an investigation of facts causes the principal or designee to conclude that a student's willful misconduct has resulted in injury to another person, damaged real or personal property belonging to the District, another student or an employee/volunteer, or failed to return school property, the principal or designee shall, as appropriate, hold a conference with the student and the student's parent/guardian to review the evidence of the misconduct.

The District will hold the student and student's parent/guardian liable for restitution of the amount of any reward paid to determine that the student's willful misconduct resulted in death, injury or property loss or damage as described in this policy.

The parent/guardian of any minor whose willful misconduct results in the injury or death of any student, employee or school volunteer, or who willfully cuts, defaces or otherwise injures in any way property belonging to the school district or employees shall be liable for such damages up to \$10,000, or the annually adjusted limit, whichever is higher. The parent/guardian of a minor is also liable to the District for property loaned to the minor and not returned upon demand of the employee.

**Rewards**

The District may offer a reward for information leading to the determination of the identity of, and the apprehension of, any person whose willful misconduct results in the injury or death of any student, employee or school volunteer or who willfully damages, vandalizes or destroys real or personal property belonging to the school district or a District student, employee or volunteer.

*Legal Reference: (see next page)*

**STUDENT RESPONSIBILITY/LIABILITY FOR PROPERTY DAMAGE, THEFT OR INJURY** (continued)

*Legal Reference:*

EDUCATION CODE

48900 *Grounds for suspension or expulsion*

48904 *Willful misconduct, limit of liability of parent or guardian*

489804.3 *Withholding grades, diplomas, or transcripts of pupils causing property damage or injury; transfer of pupils to new school districts; notice to rescind decision to withhold*

53069.5 *Reward for information*

CODE OF REGULATIONS, TITLE 5

305 *Pupil responsible for care of property*

CIVIL CODE

1714.1 *Liability of parent or guardian for act of willful misconduct by a minor*

GOVERNMENT CODE

53069.5 *Reward for information concerning person causing death, injury, or property damage; liability for reward*

PENAL CODE

594 *Vandalism*

640.5 *Graffiti; facilities or vehicles of governmental entity*

640.6 *Graffiti*