

**DAMAGED OR LOST INSTRUCTIONAL MATERIALS**

The Board of Education recognizes that instructional materials are an expensive resource. The Superintendent/Principal or designee may establish procedures in accordance with law to protect instructional materials from damage or loss.

Instructional materials provided for use by students remain the property of the District. Students are responsible for returning borrowed materials in good condition, with no more wear and tear than usually results from normal use.

If the property has been willfully defaced, or if the student refuses to return it at the request of a District employee, the appropriate administrator shall inform the student of his/her due process rights and the possibility that grades, diploma or transcripts will be withheld until the student or parent/guardian has paid all damages caused by the misconduct.

The administrator shall notify the parent/guardian of the alleged misconduct before withholding grades, diploma or transcripts. If the student or parent/guardian is unable to pay for the damage or loss, the student may enter into a voluntary work program instead. When the agreed upon amount of work is completed, the student's grades, diploma or transcripts shall be released.

When materials are lost or so damaged that they are no longer usable, the student shall be responsible for reparation equal to the current replacement cost of the materials. When materials are damaged but still usable, the Superintendent/Principal or designee shall determine a lesser charge.

If it can be demonstrated to the Superintendent or designee's satisfaction that the student has taken all reasonable precautions to safeguard instructional materials issued to him/her, the Superintendent/Principal or designee may excuse the student/parent/guardian from payment of reparation.

If reparation is not excused and not paid by the student or parent/ guardian, the District may initiate due process procedures to withhold the student's grades, diploma and transcripts.

*(cf. 5125.2- Withholding Grades, Diploma or Transcripts)*  
*(cf. 5131.5 - Vandalism, Theft and Graffiti)*

*Legal Reference: (See page below)*

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*Legal Reference:*

EDUCATION CODE

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

*48904.3 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*

*60411 Purchase and use; property of district*

CODE OF REGULATIONS, TITLE 5

*305 Pupil responsible for care of property*