



Long Valley Charter School

Imagine-Achieve-Inspire

Withholding Grades, Diploma or Transcripts

Approved by: Board of Directors

Date: May 13, 2014

Number: 6012

Procedures:

When school property has been willfully damaged or not returned upon demand, the principal or designee shall inform the parent/guardian in writing of the responsible student's alleged misconduct and the reparation that may be due.

This notice shall include a statement that the district may withhold grades, diploma or transcripts from the student and parent/guardian until reparation is made.

If reparation is not made, the district shall afford the student his/her due process rights in conformance with Education Code expulsion procedures and may withhold the student's grades, diploma or transcripts.

If the student and parent/guardian are unable to pay for the damages or return the property, the principal or designee shall provide a program of voluntary work for the student to do. When this voluntary work is completed, the student's grades, diploma or transcripts shall be released. (Education Code [48904](#))

When a student from whom the district is withholding grades, diploma or transcripts transfers to another district, this information shall be sent to the new district with the student's records and a request that these items continue to be withheld until the new district receives notification that the debt has been cleared.

The Superintendent/Principal or designee shall notify the parent/guardian in writing that this district's decision to withhold grades, diploma or transcript will be enforced by the new district. (Education Code [48904.3](#))

The district shall withhold grades, diploma or transcripts from any student transferring into the district whose misconduct caused a previous district to withhold them. When informed by the previous district that its decision has been rescinded, the district shall release these documents. (Education Code [48904.3](#))

Education Code

48904. (a) (1) Notwithstanding Section 1714.1 of the Civil Code, the parent or guardian of any minor whose willful misconduct results in injury or death to any pupil or any person employed by, or performing volunteer services for, a school district or private school or who willfully cuts, defaces, or otherwise injures in any way any property, real or personal, belonging to a school district or private school, or personal property of any school employee, shall be liable for all damages so caused by the minor. The liability of the parent or guardian shall not exceed ten thousand dollars

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LONG VALLEY CHARTER SCHOOL

(\$10,000), adjusted annually for inflation. The parent or guardian shall be liable also for the amount of any reward not exceeding ten thousand dollars (\$10,000), adjusted annually for inflation, paid pursuant to Section 53069.5 of the Government Code. The parent or guardian of a minor shall be liable to a school district or private school for all property belonging to the school district or private school loaned to the minor and not returned upon demand of an employee of the school district or private school authorized to make the demand.

(2) The Superintendent annually shall compute an adjustment of the liability limits prescribed by this subdivision to reflect the percentage change in the average annual value of the Implicit Price Deflator for State and Local Government Purchases of Goods and Services for the United States, as published by the United States Department of Commerce for the 12-month period ending in the prior fiscal year. The annual adjustment shall be rounded to the nearest one hundred dollars (\$100).

(b) (1) Any school district or private school whose real or personal property has been willfully cut, defaced, or otherwise injured, or whose property is loaned to a pupil and willfully not returned upon demand of an employee of the school district or private school authorized to make the demand may, after affording the pupil his or her due process rights, withhold the grades, diploma, and transcripts of the pupil responsible for the damage until the pupil or the pupil's parent or guardian has paid for the damages thereto, as provided in subdivision (a).

(2) The school district or private school shall notify the parent or guardian of the pupil in writing of the pupil's alleged misconduct before withholding the pupil's grades, diploma, or transcripts pursuant to this subdivision. When the minor and parent are unable to pay for the damages, or to return the property, the school district or private school shall provide a program of voluntary work for the minor in lieu of the payment of monetary damages. Upon completion of the voluntary work, the grades, diploma, and transcripts of the pupil shall be released.

(3) The governing board of each school district or governing body of each private school shall establish rules and regulations governing procedures for the implementation of this subdivision. The procedures shall conform to, but are not necessarily limited to, those procedures established in this code for the expulsion of pupils.

48904.3.(a) Upon receiving notice that a school district has withheld the grades, diploma, or transcripts of any pupil pursuant to Section 48904, any school district to which the pupil has transferred shall likewise withhold the grades, diploma, or transcripts of the pupil as authorized by that section, until the time that it receives notice, from the district that initiated the decision to withhold, that the decision has been rescinded under the terms of that section.

(b) Any school district that has decided to withhold a pupil's grades, diploma, or transcripts pursuant to Section 48904 shall, upon receiving notice that the pupil has transferred to any school district in this state, notify the parent or guardian of the pupil in writing that the decision to withhold will be enforced as specified in subdivision (a).

LONG VALLEY CHARTER SCHOOL

629 Main St.

Susanville, CA 96130

Phone: (530) 257-7300

Fax: (530) 257-7302

Name of School District

Address of School District

DATE

RE: Student Name Birthdate:

The above named student has transferred out of Long Valley Charter School and has enrolled in your school. The pupil owes our school:

\$ for the following unreturned materials:

We have notified the parent/guardian/student that we are withholding grades, diploma and transcripts according to Education Code 48904 until restitution is made.

We are officially requesting that you withhold grades, diploma and transcripts until restitution has been made. This is authorized by Education Code 48904.3.

If restitution is made, we will notify you so you will be able to release grades, diploma and/or transcripts. If you have any questions, please do not hesitate to call me at 530-257-7300

Sincerely,

Shelley Tilford

Registrar & Principal Designee

cc: Parent/Guardian/Pupil

Pupil's cumulative folder

LONG VALLEY CHARTER SCHOOL

629 Main St.

Susanville, CA 96130

Phone: (530) 257-7300

Fax: (530) 257-7302

Date

To the Parents/Guardians of

It has been determined that you and your child owes Long Valley Charter School
\$ for the following unreturned materials:

Education Code 48904 and 48904.3 allows this school, or any school district to which the pupil transfers to WITHHOLD grades, diploma and transcripts under certain conditions. This can occur when property loaned to the pupil is willfully not returned, or the pupil damages real or personal property. Parents/guardians are liable for all property loaned to their child and for damages caused by their child, up to \$10,000. If you dispute this amount owed, you have the right to an informal conference with

_____, phone _____. If you do not call for an appointment within five days of the date of this letter, we will assume you do not dispute this amount and will send a check or money order within ten days of the date of this letter. If this amount is not received, or the property not returned, we will enforce Education Code 48904 and 48904.3 and withhold grades, diploma and transcripts until restitution has been made.

If your child has transferred to another school, that school will be notified to withhold these records.

If you have not paid the amount owed, or made other arrangements agreeable to Long Valley Charter School, the school your child is attending will be directed to withhold grades, diploma and/or transcripts until restitution has been made.

Sincerely,

Shelley Tilford, Registrar

Cc: Student's cumulative file
Director