

## **INSTRUCTION**

### **SUBJECT: Overdue, Damaged or Lost Instructional Materials**

The County Board of Education and County Superintendent of Schools recognize that instructional materials are an expensive resource and that each student is entitled to sufficient instructional materials in accordance with law. Instructional materials provided for use by students remain the property of the County Office of Education. Students are responsible for returning borrowed materials in good condition, with no more wear and tear than usually results from normal use.

- (cf. 1312.2 - Complaints Concerning Instructional Materials)
- (cf. 1312.4 - Williams Uniform Complaint Procedures)
- (cf. 3260 - Fees and Charges)
- (cf. 6161.1 - Selection and Evaluation of Instructional Materials)

When materials are lost or so damaged that they are no longer usable, the student shall be immediately issued a replacement material. However, students or parents/guardians shall be responsible for reparation equal to the current replacement cost of the materials. When materials are damaged but still usable, the County Superintendent or designee shall determine an appropriate charge.

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

If reparation is not excused and not paid by the student or parent/guardian, the County Office of Education may withhold the student's grades, diploma and transcripts in accordance with law, County Office of Education policy, and administrative regulation.

- (cf. 3515.4 - Recovery for Property Loss or Damage)
- (cf. 5125.2 - Withholding Grades, Diploma or Transcripts)
- (cf. 5131.5 - Vandalism, Theft and Graffiti)
- (cf. 5144.1 - Suspension and Expulsion/Due Process)

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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 students causing property

damage or injury

60119 Public hearing on sufficiency of materials

60411 Purchase and use; property of district

CIVIL CODE

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

CODE OF REGULATIONS, TITLE 5

305 Student responsible for care of property

Management Resources:

WEB SITES

California Department of Education: <http://www.cde.ca.gov>