

Students

WITHHOLDING GRADES, DIPLOMA OR TRANSCRIPTS

BP 5125.3

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

This notice shall include a statement that the district may withhold grades, progress reports, diploma, or transcripts from the student and parent/guardian until reparation is made, except that records will be released to another school district to which the student has transferred.

(cf. 5131.5 - Vandalism, Theft and Graffiti)

(cf. 6161.2 - Damaged or Lost Instructional Materials)

Upon notification that grades, diploma, and/or transcript will be withheld, the student, parents or guardian may request an opportunity to meet with the appropriate school official to receive an explanation of the evidence of property damage and to provide their own evidence disputing the cause of the property damage and/or the amount of damage. This meeting must be requested within five (5) school days of the student/parents' receipt of the notice, or the right to a meeting is waived.

~~If reparation is not made, the district shall afford the student a due process hearing and may withhold the student's grades, diploma or transcripts if found to be justified.~~

If the student and parent/guardian are unable to pay for the damages or return the property, the Superintendent or designee shall provide a program of voluntary work for the student. When this voluntary work is completed, the student's grades, diploma or transcripts shall be released. Alternatively, at the Superintendent's discretion, the district may release grades, diploma, or transcript if the student and parent/guardian are unable to pay reparations due to severe financial hardship.

<p><u>Note: School districts may bring a civil action against one or both parents of a student who knowingly or intentionally destroys district property. Parents are liable for damages in an amount not to exceed \$15,000 and are also responsible for the court costs incurred by the district in bringing the action. If the parents have insurance that covers the damages claimed by a school district, and the policy limit is in excess of \$15,000, the district can recover up to \$25,000, or the policy limits, whichever amount is lower.</u></p>

Nothing in this policy is intended to prevent inspection of a student's records by his or her parents or guardians, or by the student if 18 or older.

Legal References:

UNITED STATES CODE

20 USC 1232g, Family Educational Rights & Privacy Act

CODE OF FEDERAL REGULATIONS

34 C.F.R. 99.10, Parent inspection of education records

ALASKA STATUTES

09.65.255 Liability for acts of minors

14.03.115 Access to school records by parent, foster parent or guardian

14.30.710 Required records upon transfer

35.50.020 Liability for destruction of property by minors (renumbered) ———

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Adopted 6/01

Revised 9/97 - AASB

Revised __/23