

STUDENTS

BP 5220 Parental Liability

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 the El Dorado County Office of Education or who willfully cuts, defaces, or otherwise injures in any way any property, real or personal, belonging to the El Dorado County Office of Education, or personal property of any El Dorado County Office of Education employee, shall be liable for all damages so caused by the minor. The parent or guardian shall also be liable for the amount of any reward not exceeding ten thousand dollars (\$10,000) paid. The parent or guardian of a minor shall be liable to the El Dorado County Office of Education for all property belonging to the El Dorado County Office of Education loaned to the minor and not returned upon demand of an employee of the El Dorado County Office of Education authorized to make the demand.

The grades, diploma and transcripts of a pupil may be withheld whenever a pupil damages El Dorado County Office of Education real or personal property or willfully fails to return loaned El Dorado County Office of Education personal property whenever return is demanded by authorized El Dorado County Office of Education employees. Grades, diplomas and transcripts may only be withheld until the pupil or the pupil's parent or guardian has paid for the damages demanded. .

The El Dorado County Office of Education 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. When the minor and parent are unable to pay for the damages or to return the property, the El Dorado County Office of Education 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.

Legal Reference: See next page

First Reading: November 9, 2004
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Legal Reference:

EDUCATION CODE

19910 Libraries, malicious cutting, tearing, defacing, breaking or injuring

19911 Libraries, willful detention of property

44810 Willful interference with classroom conduct

48904 Liability of parent or guardian for willful misconduct; withholding of grades, diplomas and transcripts

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

53069.6 Actions to recover damages

54951 Local agency, definition

61601.1 Graffiti abatement district

PENAL CODE

484 Theft defined

594 Vandalism

640.5 Graffiti; facilities or vehicles of governmental entity

640.6 Graffiti

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