

Vandalism, Damage or Theft of School Property

The Union Gap School District shall pursue retribution for any incident of vandalism or damage of school property, and theft, as provided by law.

Any pupil who defaces or otherwise injures any school property shall be liable to suspension and punishment and the parent or guardian of such pupil shall be liable for damages. Further, the parents or parent of any minor under the age of eighteen years who is living with a parent or parents and who shall willfully or maliciously destroy property, real or personal or mixed, may be liable to the owner of such property in a civil action at law for damages in an amount not to exceed five thousand dollars. This action shall in no way limit the amount of recovery against the parent or parents for their own common law negligence.

The building principal will contact the parents/guardians at the conclusion of his or her investigation and apprise them of the estimated amount of damage. The superintendent will then notify the parents/guardians in writing of the amount of loss or damage and demand restitution.

Restitution payments will be made to the office of the superintendent, and their accounts will be credited accordingly. If necessary, provisions may be made for payment in several installments. Accounts not paid in full within a specified time will be processed for legal action.

District Loss or Damages

A student shall be responsible for the cost of replacing materials or property which are lost or damaged due to malice or negligence or intentional acts. Besides the discipline of a student, including suspension or expulsion, damage cost for vandalism, careless behavior, or willful actions that damage or deface district property will be charged to the student.

Consequences

A student's report card, transcript and/or certificate of promotion shall be withheld until restitution is made by payment or the equivalency through voluntary work at the school (if old enough per state law), which is calculated at minimum wage. If a non-school entity, such as the Department of Social and Health Services (DSHS) or a child placement agency licensed by that department, which has been granted custody of a child, that child's records, if requested by the department or agency, are not to be withheld for nonpayment of school fees for any other reason. In case of violation or damage, the student and his/her parent(s)/guardian(s) shall be notified regarding how fine collection or restitution may be made and how an appeal may be instituted.

Collection or Restitution

In the event the student does not make proper restitution, official transcripts and/or the certificate of promotion will be withheld. Legally required information, such as course of study taken and unofficial grades, which does not include the school logo or transcript, will be released to another elementary or secondary educational institution if the student is transferring to that institution. Oral information about the student's academic performance, course of study, immunization records, special placement, disciplinary records and history of violence will be released to the receiving district.

If any property of the school district, a contractor of the district, an employee or another student has been lost or willfully cut, defaced, or injured, the school district will withhold the grades, the certificate of promotion, and transcripts of the student responsible for the damage or loss until the student, or the student's parent(s)/guardian(s), has made payment in full or until directed by the superintendent's designee.

If the property damaged is a school bus owned and operated by or contracted to the school district, a student suspended for the damage may not be permitted to enter or ride any school bus until the student or parent(s)/guardian(s) has made payment in full or until directed by the superintendent's designee;

When the student and parent(s)/guardian(s) state they are unable to pay for loss or damages, the school district shall provide a program of voluntary work (if old enough per state law) at minimum wage for the student in lieu of the payment of monetary damages. Upon completion of voluntary work, the grades, the certificate of promotion, and transcripts of the student shall be released. The parent(s)/guardian(s) of such student shall be liable for damages as otherwise provided by law.

A student shall be able to make restitution through a voluntary work program, (if old enough per state law) calculated at a minimum wage; after work completion, records will be released. Information on the fines and fees owed will be sent to the requesting school, and they will notify both the parent and student that an official transcript will not be sent until the obligation is met.

Payment of Fines

The school principal will establish a date the restitution must be made.

Students who have outstanding fees will not participate in school activities, sports, dances, field trips, and other extra-cost or extra-curricular events until the fees, fines, and charges are collected or voluntarily worked off (if old enough per state law).

If the student is suspended, the student may not be readmitted until the student or parent(s)/guardian(s) has made payment in full or until directed by the superintendent of schools.

Appeals

Fines, fees and charges may be appealed to the Superintendent. Care shall be exercised by advising students and their parents, in writing, regarding the nature of the damages, how restitution may be made, and how a student or her/his parents may request a hearing or appeal with the Union Gap Board of Directors.

All fines, fees, and charges shall be deposited with the business office on a regular basis.

Legal References:	AGO 1965-66, #113	Fees- Tuition – supplies – Authority of school districts to charge tuition fees or textbook fees
	AGO 1973, #11	Tuition & Fees – Authority of school districts to charge various fees
	RCW 28A.320.230 (f)	Instructional materials – Instructional materials committee
	RCW 28A.330.100	Additional powers of board
	RCW 28A.635.060	Defacing or injuring school property – Liability of parent or guardian
	RCW 28A.220.040	Fiscal support – Reimbursement to school district – Enrollment fees - Deposit