

# MODESTO CITY SCHOOLS

## Board Policy

BP 6161.2

### INSTRUCTION

#### Damaged or Lost Instructional Materials

The Governing Board recognizes 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 district. 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 or Library Resources)*  
*(cf. 1312.4 - Williams Uniform Complaint Procedures)*  
*(cf. 3260 - Fees, Deposits and Other 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 Superintendent or designee shall determine an appropriate charge.

If it can be demonstrated to the Superintendent or designee's satisfaction that the student has taken all reasonable precautions to safeguard instructional materials issued to him/her, the 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 district may withhold the student's grades, and → diploma ~~and transcripts~~ in accordance with law, Board policy, and administrative regulation.

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

**INSTRUCTION**

**Damaged or Lost Instructional Materials**

*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>*

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**ADOPTED:**