

Withholding Grades, Diploma Or Transcripts

A student shall not have grades, diplomas or transcript held as a result of unpaid fines.

(a) A pupil or former pupil, unless emancipated at the time the debt is incurred, shall not owe or be billed for a debt owed to a public school or school district.

(b) A public school or school district shall not, because of a debt owed to the public school or school district, take negative action against a pupil or former pupil, including, but not limited to, all of the following:

- (1) Denying full credit for any assignments for a class.
- (2) Denying full and equal participation in classroom activity.
- (3) Denying access to on-campus educational facilities, including, but not limited to, the library.
- (4) Denying or withholding grades or transcripts.
- (5) Denying or withholding a diploma.
- (6) Limiting or barring participation in an extracurricular activity, club, or sport.
- (7) Limiting or excluding from participation in an educational activity, field trip, or school ceremony.

(c) (1) The school shall provide an itemized invoice for any amount owed by the parent or guardian on behalf of a pupil or former pupil before pursuing payment of the debt and shall provide a receipt to the parent or guardian of a pupil or former pupil for each payment made to the public school or school district for any amount owed by the parent or guardian on behalf of the pupil or former pupil.

(2) The invoice required in paragraph (1) shall include references to school policies relating to debt collection and the rights established in this section and Section 49557.5.

(d) Except as provided in subdivision (g), a debt collector, as defined in Section 803 of the federal Fair Debt Collection Practices Act (15 U.S.C. Sec. 1692a), shall not report a debt owed

by a parent or guardian to a credit reporting agency if the debt collector is contracted with a public school or school district for the purpose of pursuing the repayment of a debt owed by a parent or guardian of a pupil or former pupil.

(e) A public school or school district shall not sell debt owed by a parent or guardian of a pupil or former pupil.

(f) Any waiver by a parent, guardian, pupil, or former pupil of the provisions of this section is contrary to public policy and shall be unenforceable and void.

(g) (1) This section shall not apply to the debt owed as a result of vandalism or to cover the replacement cost of public school or school district books, supplies, or property loaned to a pupil that the pupil fails to return or that are willfully cut, defaced, or otherwise injured. A public school or school district may offer a pupil or former pupil, with the permission of the parent or guardian of the pupil or former pupil, alternative, non monetary forms of compensation to settle debt described in this paragraph. Alternatives that include service or work in exchange for repayment of a debt shall comply with all provisions of the Labor Code, including those sections relating to youth employment.

(2) Paragraph (1) shall not apply if the pupil is a current or former homeless child or youth or a current or former foster youth.

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

~~This notice shall include a statement that the district may withhold grades, diploma or transcripts from the student and parent/guardian until reparation is made.~~

(cf. [5131.5](#) - Vandalism, Theft and Graffiti)

(cf. [6161.2](#) - Damaged or Lost Instructional Materials)

~~If reparation is not made, the district shall afford the student his/her due process rights in conformance with Education Code expulsion procedures and may withhold the student's grades, diploma or transcripts.~~

(cf. 5144.1 - Suspension and Expulsion/Due Process)

If the student and parent/guardian are unable to pay for the damages or return the property, the principal or designee shall provide a program of voluntary work for the student to do. ~~When this voluntary work is completed, the student's grades, diploma or transcripts shall be released.~~ (Education Code 49014)

~~When a student from whom the district is withholding grades, diploma or transcripts transfers to another district, this information shall be sent to the new district with the student's records and a request that these items continue to be withheld until the new district receives notification that the debt has been cleared.~~

~~The Superintendent or designee shall notify the parent/guardian in writing that this district's decision to withhold grades, diploma or transcript will be enforced by the new district. (Education Code 48904.3)~~

~~The district shall withhold grades, diploma or transcripts from any student transferring into the district whose misconduct caused a previous district to withhold them. When informed by the previous district that its decision has been rescinded, the district shall release these documents. (Education Code 48904.3)~~

(cf. [5125](#) - Student Records)

Legal Reference:

EDUCATION CODE

48904 Liability of parent

49014 Pupil Fees

~~48904.3 Withholding grades, diplomas, or transcripts of pupils causing property damage or injury; transfer of pupils to new school districts; notice to rescind decision to withhold~~

48911 Suspension by principal, designee or superintendent

49069 Absolute right to access

Regulation SANTA ROSA CITY SCHOOLS

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