



**LOS ANGELES UNIFIED SCHOOL DISTRICT
POLICY BULLETIN**

TITLE: Restitution Procedures for the Loss or Damage of School Property for Students

NUMBER: BUL-5509.1

ISSUER: Dr. Ruth Pérez, Deputy Superintendent of Instruction

Gerardo Loera, Executive Director
Office of Curriculum, Instruction, and School Support

ROUTING
Educational Service Center
Superintendents
Directors
Principals
Fiscal Specialists
Educational Service Center
Counselor Coordinators
Counselors
Library Media Personnel
UTLA Representatives

DATE: November 26, 2014

POLICY: A student’s parent or guardian is liable for any Los Angeles Unified School District (District) property that a student loses or damages. After due process, a student’s grades, diploma, and transcripts can be withheld. Loss or damage to instructional materials may also result in the denial of participation in school activities that are deemed privileges (e.g., culmination/graduation ceremonies, dances, senior prom, student body office, inter-scholastic athletics, or other local school activities).

MAJOR CHANGES: This Bulletin is updated to include devices issued as part of the Common Core Technology Project (CCTP). It updates contact information and provides schools with additional forms to use to notify parents and guardians of instructional materials issued to students.

GUIDELINES: California Education Code section 48904 states that the parent or guardian of a minor is liable to a school district for all property loaned to and failed to be returned, or willfully damaged by a minor. The liability shall not exceed \$10,000, increased annually for inflation. In addition, it authorizes school districts, after affording the student due process rights, to withhold the grades, diploma, and transcripts of a student until the student or parent/guardian pays for the lost or damaged school property (e.g., textbooks, library books, computers, devices, shop materials, physical education clothes, and sports equipment). It also provides for a program of voluntary work for the minor in lieu of the payment of monetary damages.

Teachers and other District employees, under the direction of the principal, are held responsible for the care of school property,



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equipment, materials, and supplies, particularly such property as is located in the room or rooms to which they are assigned (Board Rule 1704 and UTLA-District Agreement article IX. 4.0 “Other Professional Duties”).

It is the policy of the District to seek restitution when a student, among other things, willfully cuts, defaces, or otherwise injures any property, or loses or fails to return property, real or personal, belonging to the school District or school employee. This includes but is not limited to installing unauthorized software applications, modifying, adding or deleting District software or any alteration to the configuration of any CCTP-issued computing device such as iPads and laptops. The parent/guardian is liable for such damages, not exceeding \$10,000, increased annually for inflation. In cases of the above types of loss or damage, the school must attempt to identify the student(s) responsible and the amount of the loss in accordance with the procedures as outlined in this bulletin.

In the case of theft or vandalism, the school administrator shall consult with school police to determine any criminal justice recourse and Student Discipline and Expulsion Support Unit for possible disciplinary action. If a criminal case is filed, the courts may order restitution upon successful prosecution. The Division of Risk Management and Insurance Services will then pursue the collection of court-ordered restitution. In cases where no criminal charges are filed, the school is responsible for the collection of damages from the student and parent/guardian.

The authority to withhold grades, diploma, or transcripts applies only to situations where the student, parent or guardian has requested a copy of the student’s records. When a student transfers to another K-12 school within LAUSD, the student’s permanent record must be sent to the requesting K-12 school. If the student transfers to a K-12 school in another district, a copy of the student’s permanent record must be sent to the requesting district. The permanent record, or copy, must be sent even though there may be charges or fees owed by the student, parent, or guardian (5 CCR 438). In such cases, upon sending the permanent student record to the new (receiving) school, the new school shall be notified of the restitution debt so that the new school may likewise withhold the grades, diploma, or transcripts (Education Code section 48904.3).



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PROCEDURES: Responsibilities of the School – Policy Implementation

1. The school shall make use of the Destiny inventory system that clearly identifies the student and the type of school property issued to the student. A separate document will be released regarding the Destiny Resource Management System. Training and a step-by-step procedures will be provided. No student shall have grades, diploma, or transcripts withheld in the absence of satisfactory evidence of an accounting (inventory) system for school and/or District property.
2. At the time of enrollment or at the beginning of each school year, the school shall notify the student and parent or guardian of the District's and school's policies regarding the parents' or guardians' financial responsibility for school property that is not returned or where the student causes damage to school property. The school policy shall be reviewed with students in the appropriate classrooms or homeroom. Attachment A contains a sample letter to parents in English and Spanish explaining the policy. Attachment B is an example of a debt notification letter which can be formulated using the Destiny Resource Management System, under the "Reports" tab. Attachment C contains a notice to parents/guardians informing them of lost or damaged CCTP equipment. Attachment D lists the replacement and service costs of CCTP devices and peripherals. For more information about CCTP devices and peripherals, please contact the IT Asset Management Office at (213) 241-3023.
3. The school shall implement a restitution process by which students are afforded the opportunity to return the missing property, pay for the damages, or participate in a voluntary work program (or a combination of) in lieu of payment of the monetary amount owed. This process shall be approved by the school's Governing Council, consistent with its role in deciding matters related to student discipline. Schools may initiate a payment process. Upon completion of the restitution process, the debt is discharged and any withheld grades, diploma, or transcripts of the student shall be released and the full privileges of participation in school activities shall be restored.



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4. The school shall adopt the due process procedure listed below that allows the parent/guardian or student an opportunity to review, discuss, and respond to the imposition of any fees or charges resulting from this policy.
 - The parent or guardian shall be informed in writing immediately after any alleged loss which gives rise to an obligation under Section 48904 of the Education Code.
 - The parent or guardian may present information on behalf of the student, during a conference at the school, as to the reasons why a fee should not be imposed.
 - The principal/designee shall, after reviewing any information presented during this meeting, decide whether or not to withhold the grades, diploma, or transcripts and/or impose the fee for damages. The parent/guardian and student shall be notified in writing of the decision. The decision of the principal is final. There is no appeal beyond the school level.
 - Upon receiving notification of the school's decision, the parent or guardian may, if necessary, pay the outstanding obligation, or the student may complete a voluntary work assignment determined by the school or the parent/guardian can agree to a combination of both payment and voluntary work.
5. When the parent/guardian agrees to pay the debt, in full or in part:
 - For **CCTP**-related devices and peripherals, follow the procedure below:
 - The parent/guardian shall complete Attachment C and ensure a response is provided for all required fields.
 - The parent/guardian writes a check (made payable to LAUSD) or gives cash to the school School Administrative Assistant (SAA) or Financial Manager along with Attachment C. The SAA or Financial Manager provides a receipt to the parents/guardian.



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- The SAA shall mail Attachment C and payment to:
Attn: IT Asset Management
Information Technology Division (ITD)
Los Angeles Unified School District
333 S. Beaudry Ave., 10th Floor
Los Angeles, CA 90017
 - The parent/guardian brings the receipt of payment to the Instructional Device Manager (IDM). The IDM clears the student's record in the Destiny Resource Management System.
 - For **Non-CCTP** related devices and peripherals and other instructional materials and equipment follow the procedures below:
 - The designated staff member will contact ESC to determine replacement and service costs.
 - The parent/guardian writes a check (made payable to LAUSD) or gives cash to the school SAA or Financial Manager. The SAA or Financial manager provides a receipt to the parents/guardian.
 - Deposit cash into the Student Body fund and issue a check for the same amount payable to LAUSD.
 - Checks are submitted to the Educational Service Center Fiscal Service Manager by December 31st and June 30th.
 - Educational Service Centers deposit checks into the 14152 account for Textbooks and into the 13950 account for Library. For other items deposit into appropriate funding account.
 - The parent/guardian brings the receipt of payment to the designated staff member. The designated staff member clears the student's record.
6. Upon payment or satisfactory completion of the school voluntary work assignment, the grades, diploma, or transcripts shall be released and the debt discharged.



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AUTHORITY: California Education Code Sections 48904 and 48904.3
5 CCR 438.
LAUSD Board Rule 1704
UTLA and District Agreement IX 4.0

ASSISTANCE: For assistance regarding library books and textbooks, please contact Integrated Library & Textbook Support Services, (213) 241-2733.

For assistance regarding non CCTP computers, please contact Ana Cortez, Equipment Replacement Fund (Division of Risk Management and Insurance Services), at (213) 241-3127, or at ana.cortez@lausd.net .

For assistance regarding CCTP devices, please contact Luz Reyes, IT Asset Management, at (213) 241-3023 or luz.reyes@lausd.net.



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ATTACHMENT A

[SAMPLE BEGINNING OF THE YEAR RESPONSIBILITY LETTER]

RE: FINANCIAL RESPONSIBILITY FOR DAMAGED SCHOOL PROPERTY

Dear Parents/Guardians:

This letter is to inform you of your legal responsibility regarding loss or damage of school property belonging to the Los Angeles Unified School District (District). California Education Code section 48904 states that the parent or guardian of any minor who willfully cuts, defaces, or otherwise injures any real or personal property of the District or its employees shall be liable for all damages caused by the minor up to \$10,000, increased annually for inflation. District property includes but is not limited to, buildings and grounds, as well as instructional materials, library books, computers, devices, shop materials, physical education clothes, and sports equipment. A parent or guardian is liable to the District for all District property loaned to a minor and not returned upon demand.

We will discuss the meaning of this responsibility with all students. We need your help to ensure that District property is kept in good condition and that loaned items are returned to school upon demand. Parents are expected to pay the replacement or repair cost for any lost or damaged District property due to the student's carelessness and negligence. The school is legally authorized to withhold the grades, diploma, and transcripts of students, or to deny participation in school activities that are deemed privileges (e.g. culmination/graduation ceremonies, dances, interscholastic sports, student body office, or other local school activities) until the obligation is cleared.

The following are ways to help your student understand this responsibility:

- Model careful handling of instructional materials, library books, devices, and other school property.
- Help students find a safe place to keep books during the borrowing period.
- Inform students that vandalism is not only a crime, but parents or guardians may be held financially responsible for the damage.

We look forward to a successful school year with your student.

(Signed by the School Principal or Designee)



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ANEXO

26° de noviembre, 2014

[MUESTRA DE CARTA DE RESPONSABILIDAD PARA ENVIAR A PRINCIPIO DE AÑO]

RESPONSABILIDAD ECONÓMICA SOBRE BIENES ESCOLARES DAÑADOS

Estimados Padres/Tutores:

Por medio de la presente les informamos sobre su responsabilidad legal en lo referente a bienes del Distrito Escolar Unificado de Los Angeles (Distrito). El artículo 48904 del Código de Educación de California indica que el padre o tutor de todo menor de edad quien deliberadamente rompa, desfigure, o de otra manera dañe cualquier bien inmobiliario o personal del Distrito escolar o de sus empleados, tendrá la responsabilidad legal de asumir los costos sobre los daños ocasionados por el menor de edad, cuyo monto ascienda a los \$10,000. Los bienes del distrito incluyen edificaciones y áreas inmobiliarias, así como libros de texto, libros de la biblioteca, computadoras, dispositivos, material de los talleres prácticos, prendas para educación física, y equipo para deportes. El padre o tutor tiene la responsabilidad legal ante el Distrito de asumir costos por todo material del Distrito que se le otorgue en préstamo al menor de edad, y que no sea devuelto cuando así se solicite.

Próximamente hablaremos sobre el significado de esta responsabilidad con todos los alumnos. Es preciso que usted nos ayude al cerciorarse de que los bienes del Distrito se mantengan en condición adecuada y que los materiales prestados se devuelvan a la escuela cuando así se solicite. Se exige que los padres asuman el costo de remplazo o reparación de bienes del Distrito perdidos o dañados por descuido o negligencia por parte del estudiante. La escuela tiene la autoridad legal de retener las calificaciones, diploma y constancias de estudios de los alumnos o negarles la participación en las actividades escolares que se consideran un privilegio para los alumnos (ejemplo: ceremonias de culminación/graduación, bailes, deportes interescolásticos, puesto en el grupo estudiantil, u otras actividades de la escuela local) hasta que esta obligación se salde.

Las siguientes medidas ayudan a concientizar al alumno sobre esta responsabilidad:

- Sea el ejemplo del manejo cuidadoso de libros de texto, libros de biblioteca, dispositivos y otros bienes escolares.
- Ayude a que los alumnos encuentren un lugar seguro en el cual guardar sus libros durante el periodo de préstamo.
- Infórmeles a los alumnos que el vandalismo no sólo es un delito, sino que al padre de familia o tutor se le puede responsabilizar económicamente por los daños en propiedad ajena.

Anticipamos un año escolar exitoso con su alumno.

Atentamente,

(Firmado por el Director de la escuela o la persona designada por él/ella)

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Information Technology Division



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ATTACHMENT B

EXAMPLE OF A DEBT NOTIFICATION LETTER

Checked Out/Overdue Materials & Unpaid Fines Notice

Dear parents of guardians of

Section 48904 of the Education Code provides that parents/guardians are responsible for property loaned to students; therefore, we are requesting that the materials listed below be returned to the school or payment made by [Insert due date here]. Our school is authorized to withhold the grades, diploma, and transcripts of the student, or to deny participation in school activities that are deemed privileges (e.g. culmination/graduation ceremonies, dances, senior prom, student body office, inter-scholastic athletics, or other local school activities) until the debt is cleared.

You have an opportunity to review, discuss, and respond to the imposition of any fees or charges. Please know, our school provides a program of voluntary work in lieu of payment of monetary damages. If you have any questions or concerns about this letter, please contact [Insert contact person's name here] at [Insert phone number here].

Parent signature Date

Student signature Date

Textbooks			
<i>Due</i>	<i>Barcode</i>	<i>Title</i>	<i>Est. Fine</i>
6/15/2011	40000000000069	Holt California Geometry (\$76.60)	



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ADJUNTO B

EJEMPLO DE UNA CARTA DE NOTIFICACIÓN DE DEUDA

Checked Out/Overdue Materials & Unpaid Fines Notice

Estimado(s) padre(s) o tutore(s)

El artículo 48904 del Código de Educación dispone que los padres o tutores legales son responsables de los bienes que se hayan prestado a los estudiantes; por consiguiente, le(s) pedimos que regrese(n) a la escuela los materiales enumerados a continuación, o que los pague(n) antes del [Insert due date here]. Nuestra escuela está autorizada para retener las calificaciones escolares, los diplomas, y las constancias de estudios de los alumnos, a negar la participación en actividades que se consideren privilegios (por ejemplo, ceremonias de culminación y graduación, bailes, deportes intercolegiales, puestos en concilios estudiantiles, o cualquier otra actividad escolar) hasta que todas las deudas sean saldadas.

Usted(es) tiene(n) la oportunidad de revisar, discutir, y apelar cualquier cargo o cuota que se le(s) imponga(n). Deseamos que sepa(n) que nuestra escuela proporciona un programa de trabajo voluntario en lugar del pago monetario por los daños y perjuicios. Si tiene(n) alguna pregunta respecto a esta carta, por favor, llame(n) a [Insert contact person's name here], al [Insert phone number here].

firma de padre(s) o tutore(s) fecha

firma de estudiante fecha

Textbooks			
<i>Due</i>	<i>Barcode</i>	<i>Title</i>	<i>Est. Fine</i>
6/15/2011	40000000000069	Holt California Geometry (\$76.60)	



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ADJUNTO C

AVISO DE PÉRDIDA O DAÑOS DE DISPOSITIVO Y EQUIPO DE INFORMÁTICA PROPORCIONADO MEDIANTE EL PROYECTO DE TECNOLOGÍA DE LAS NORMAS COMUNES (CCTP, por sus siglas en inglés)

Estimado padre o tutor,

El artículo 48904 del Código de Educación establece que los padres / tutores son responsables de propiedad prestada a los estudiantes. Nuestra escuela está autorizada a retener las calificaciones, el diploma, y las constancias de estudios de los alumnos o negarles la participación en las actividades escolares que se consideran un privilegio para los alumnos (ejemplo: ceremonias de culminación/graduación, bailes, deportes interescolásticos, puesto en el grupo estudiantil, u otras actividades de la escuela local) hasta que esta obligación se salde.

Usted tiene la oportunidad de examinar, analizar y responder a la imposición de tarifas o cargos. Por favor, tenga en cuenta que nuestra escuela ofrece un programa de trabajo voluntario en lugar del pago monetario de daños. Si tiene preguntas sobre este formulario, por favor comuníquese con [insert contact person's name here] al [Insert phone number].

A. Información de la pérdida		B. Información de contacto	
Nombre y apellido del estudiante	_____	Nombre del contacto	_____
Dirección de MyMail *	_____	ID del empleado	_____
Nombre de la escuela	_____	Número de teléfono	_____
Código de ubicación	_____	Dirección de correo electrónico	_____
Reporte de la Policía #	_____		

C. Detalle de la pérdida					
Artículo	No. de serie / No. de parte	Descripción	Cantidad	Costo de la unidad**	Costo total

D. Firma

_____ Firma del padre de director _____ Fecha

* Información requerida
** Para costo de la unidad, por favor consulte el Adjunto D



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ATTACHMENT D

CCTP Devices & Peripherals Replacement and Service Costs

	iPad	Lenovo Laptop	Dell Laptop	Surface Laptop	Samsung Chromebook
Device*	\$ 552.00	\$ 1,105.00	\$ 1,099.29	\$ 1,100.00**	\$ 272.00
Survivor Case	\$ 35.40				
Brenthaven Sleeve		\$ 22.50	\$ 22.50	\$ 22.50	\$ 22.50
Incipio Sleeve			\$ 16.20	\$ 16.20	\$ 16.20
Keyboard	\$ 29.19			\$ 100.00	
Power Adapters	\$ 8.25	\$ 39.00	\$ 65.00	\$ 79.99	\$ 11.90
30-pin USB Cables	\$ 3.30				
Lightning USB Cables	\$ 5.95				
Ear Buds	\$ 1.25	\$ 1.25	\$ 1.25	\$ 1.25	\$ 1.25
Stylus		\$ 20.00		\$ 40.00	
iPad Cart - Bretford	\$ 2,396.91				
iPad Cart - D&D	\$ 2,325.52				
Laptop Cart		\$ 1,730.00	\$ 1,730.00	\$ 1,730.00	\$ 1,730.00
Tablet Screen Repair	\$ 75.00				
Reconfiguration Service	\$ 29.80	\$ 29.80	\$ 29.80	\$ 29.80	\$ 29.80

* Device replacement costs include upgraded warranty and integration

** Cost includes stylus (\$40)



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ADJUNTO D

Costo del reemplazo y del servicio de los dispositivos y periféricos de CCTP

	iPad	Lenovo Laptop	Dell Laptop	Surface Laptop	Samsung Chromebook
Dispositivo*	\$ 552.00	\$ 1,105.00	\$ 1,099.29	\$ 1,100.00**	\$ 272.00
Estuche	\$ 35.40				
Sobre - Brenthaven		\$ 22.50	\$ 22.50	\$ 22.50	\$ 22.50
Sobre - Incipio			\$ 16.20	\$ 16.20	\$ 16.20
Teclado	\$ 29.19			\$ 100.00	
Adaptadores de corriente	\$ 8.25	\$ 39.00	\$ 65.00	\$ 79.99	\$ 11.90
Cables USB de 30 pines	\$ 3.30				
Cables relámpago USB	\$ 5.95				
Auriculares de botón	\$ 1.25	\$ 1.25	\$ 1.25	\$ 1.25	\$ 1.25
Pluma digital		\$ 20.00		\$ 40.00	
Carro para iPad - Bretford	\$ 2,396.91				
Carro para iPad - D & D	\$ 2,325.52				
Carro para Laptop		\$ 1,730.00	\$ 1,730.00	\$ 1,730.00	\$ 1,730.00
Reparación de la pantalla de la tableta	\$ 75.00				
Reconfiguración de servicios	\$ 29.80	\$ 29.80	\$ 29.80	\$ 29.80	\$ 29.80

* Los costos de reemplazar el dispositivo incluyen actualización de garantía e integración

** El costo incluye la pluma digital (\$40)