

53A-11-806 Defacing or injuring school property -- Student's liability -- Voluntary work program alternative.

- (1) Any student who willfully defaces or otherwise injures any school property may be suspended or otherwise disciplined.
- (2)
 - (a) Any school district whose property has been lost or willfully cut, defaced, or otherwise injured may withhold the issuance of official written grade reports, diploma, and transcripts of the student responsible for the damage or loss until the student or the student's parent or guardian has paid for the damages.
 - (b) The student's parent or guardian is liable for damages as otherwise provided in Section 78A-6-1113.
- (3)
 - (a) If the student and the student's parent or guardian are unable to pay for the damages or if it is determined by the school in consultation with the student's parents that the student's interests would not be served if the parents were to pay for the damages, then, the school district shall provide for a program of voluntary work for the student in lieu of the payment.
 - (b) The district shall release the official grades, diploma, and transcripts of the student upon completion of the voluntary work.
- (4) Before any penalties are assessed under this section, the local school board shall adopt procedures to insure that the student's right to due process is protected.
- (5) No penalty may be assessed for damages which may be reasonably attributed to normal wear and tear.
- (6) If the Department of Human Services or a licensed child-placing agency has been granted custody of the student, that student's records, if requested by the department or agency, may not be withheld from the department or agency for nonpayment of damages under this section.

Amended by Chapter 3, 2008 General Session