

Effective 5/9/2017

Renumbered 1/24/2018

53A-11-806 Defacing or damaging school property -- Student's liability -- Work program alternative.

- (1) A student who willfully defaces or otherwise damages any school property may be suspended or otherwise disciplined.
- (2)
 - (a) If a school's property has been lost or willfully cut, defaced, or otherwise damaged, the school may withhold the issuance of an official written grade report, diploma, or transcript 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 parent or guardian that the student's interests would not be served if the parent or guardian were to pay for the damages, the school shall provide for a program of work the student may complete in lieu of the payment.
 - (b) The school shall release the official grades, diploma, and transcripts of the student upon completion of the work.
- (4) Before any penalties are assessed under this section, the school shall adopt procedures to ensure 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, the 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.