

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

NUMBER: BUL-5509.5

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POLICY: As part of a student's education, they are provided with materials and equipment, including textbooks and devices, to assist with instruction. In order to ensure the Los Angeles Unified School District (LAUSD/District) maintains materials so all students have access, certain procedures are in place. Students should handle instructional materials, library books, devices, and other school property with care. Regarding devices, schools should contact the Office of the Instructional Technology Initiative for resources for students and parents concerning device care prior to issuing devices to students. Even with these supports in place, there may be times when District property is damaged or lost. Under the law, a student's parent or guardian is liable for any District property that a student loses or willfully damages. After due process, a student's grades, diploma, and transcripts may be withheld. Vandalism, loss, or willful damage to instructional materials may also result in the denial of participation in school activities that are deemed privileges (e.g., dances, student body office, inter-scholastic athletics, or other local school activities), except for students in foster care or experiencing homelessness.

MAJOR CHANGES: This bulletin updates Bulletin 5509.4 with the same title, dated June 19, 2023. This policy reflects the new liability amounts for parents or guardians and identifies certain protected student groups where restitution is not applicable; additional resources for families about device care and expectations; the inclusion of all Information

ROUTING
Deputy Superintendent of Instruction
Region Superintendents
Region Directors
Principals
Fiscal Specialists
Region Coordinators
Counselors
Teacher Librarians
UTLA Chapter Chairs
Library Aides

Technology (IT) computing devices and peripherals, new cost amounts for replacement devices and peripherals as well as links for schools to acquire replacement devices or peripherals; new procedures in the payment process.

GUIDELINES: California Education Code section (EC) 48904(a)(1) states that a 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 \$23,900 adjusted annually for inflation per EC Section 48904(a)(2).

In addition, it authorizes school districts, after affording the student due process rights, to withhold the grades, diplomas, and transcripts of a student until the student or parent/guardian pays for the lost or willfully damaged school property (e.g., IT computing devices, textbooks, library books, loaned athletic uniforms, and sports equipment), unless the student is either experiencing homelessness or in foster care.

Should the student be held accountable, after due process, EC section 49014 provides that in lieu of monetary settlement, the school may offer the student, if appropriate, given the student's age/grade level and with the consent of the parent/guardian, nonmonetary forms of compensation to settle the debt, subject to the provisions of the Labor Code on youth employment. It is up to the principal's discretion to allow the students to perform a service or work in exchange for payment. The school must provide adequate supervision to ensure the safety and well-being of the students performing the service/work.

The school may establish a voluntary work program and determine just, and fair quantification of work done by the student in lieu of payment.

RESTITUTION

It is the policy of the District to seek restitution, as authorized by law, when a student willfully cuts, defaces, or otherwise damages any property, or loses or fails to return District or school property. District property includes, but is not limited to, buildings and grounds, as well as instructional materials, library books, IT computing devices, musical instruments, loaned athletic uniforms, and sports equipment. Regarding District technology, damage includes, but is not limited to, installing unauthorized software applications, modifying, adding, or deleting District software, or any alteration to the configuration of all IT

computing devices and peripherals, such as tablets, laptops, and other devices.

The parent/guardian is liable for damages, not exceeding \$23,900 adjusted 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.

THEFT AND VANDALISM

In the case of theft or vandalism, the school administrator shall consult with the school police to determine any criminal justice recourse and the 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, in coordination with the Division of Risk Management and Insurance Services, is responsible for the collection of damages from the student and parent/guardian.

WITHHOLDING OF RECORDS

In general, parents have the right to access pupil records. However, after providing the student due process and where restitution has not been met, the school has the authority to withhold the student's grades, diplomas, or transcripts.

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 even though there may be charges or fees owed by the parent/guardian.

In such cases, upon sending the permanent student record to the receiving school, the receiving school shall be notified of the restitution debt so that the new school may likewise withhold the grades, diplomas, or transcripts until restitution has been met. Once the issue has been resolved, the new school should be notified that the withholding is no longer required.

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.

A copy of the permanent record must be sent even though there may be charges or fees owed by the student, parent, or guardian (Title 5 CCR section 438). In such cases, upon sending the permanent student record to the receiving school, the receiving school shall be notified of the restitution debt so that the new school may likewise withhold the grades, diplomas, or transcripts until restitution has been met. Once the issue has been resolved, the new school should be notified that the withholding is no longer requested.

PROCEDURES: I. Responsibilities of the School – Policy Implementation

Teachers and other school employees, under the direction of the principal, are held responsible for the care of the school's property, equipment, materials, and supplies, particularly such property as located in the room or rooms to which they are assigned. (LAUSD Board Rule 1704).

A. For IT computing devices, the school shall make use of the District's Device Inventory Management by logging on to the Remedy Single Sign-On and identifying the student and the type of IT computing device that has been issued to the student.

For other types of District property, including, but not limited to library books, textbooks, musical instruments, and calculators, schools shall make use of Destiny Library and Resource Manager (referred to as Destiny) by logging on to Destiny and identifying the student and type of instructional material(s) that has been checked out to the student.

No student shall have grades, diplomas, or transcripts withheld in the absence of satisfactory evidence of an accounting and inventory system for the school and/or District property.

B. 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 any school property that is not returned or where the student willfully causing damage to school property. The school shall review these policies with the students in the appropriate classrooms or homeroom. *Attachment A* contains a sample letter to parents explaining

the policy. *Attachment B* is a sample debt notification letter. *Attachment C* contains a notification letter to parents/guardians informing them of the lost or damaged equipment. These attachments shall be written in English. For more information regarding all IT computing devices and peripherals devices, please contact the IT Asset Management Office at (213) 241-3023 or <https://www.lausd.org/itam>

- C. 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 both) 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 student discipline. Schools may initiate a payment process.

Upon completion of the restitution process, the debt is discharged, and any withheld grades, diplomas, or transcripts of the student shall be released, and the full privileges of participation in school activities shall be restored, as applicable.

- D. 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.

1. The parent/guardian shall be informed in writing immediately after any alleged loss that gives rise to an obligation under Section 48904 of the EC. This notification must include an itemized invoice for any amount owed, as well as a reference to this policy and the rights and responsibilities of parents.
2. The parent/guardian may present information on behalf of the student, during a conference at the school, or via video conference, as to the reasons why a fee should not be imposed.
3. The principal/designee shall, after reviewing any information presented during this meeting, decide whether to withhold the grades, diplomas, or transcripts and/or impose the fee for damages. The parent/guardian and the student shall be notified in writing of the decision. The decision of the principal is final. There is no appeal beyond the school level.

4. Upon receiving notification of the school’s decision, the parent/guardian may, if necessary, pay the outstanding obligation or the student may complete voluntary work. Any service or work rendered in exchange for repayment of a debt shall comply with all provisions of the Labor Code.
- E. Procedures for Restitution Not Resulting from Vandalism of Willful Destruction of, or Failure to Return Property. Pursuant to EC section 49014, unless the student/former student engaged in vandalism, failed to return school/District property, or willfully cut, defaced, or otherwise injured school/District property, a school may not take punitive action against a student or former student because of a debt owed to the school/District, “including but not limited to all of the following: denying full credit for any assignments for a class, denying full and equal participation in classroom activity, denying access to on-campus educational facilities, including, but not limited to, the library, denying or withholding grades or transcripts, denying or withholding a diploma, limiting or barring participation in an extracurricular activity, club, or sport, and limiting or excluding from participation in an educational activity, field trip, or school ceremony.”

If a student currently is or formerly was experiencing homelessness, or in foster care, the above actions may not be taken even if the student/former student engaged in vandalism or failed to return school/District property, or willfully cuts, defaced, or otherwise injured school/District property.

- F. This policy reflects the liability amount for parents or guardians. Moreover, the cost amounts for the replacement of devices or peripherals, per the District’s Office of IT Asset Management, shall be:

Replacement Cost		
Connectivity	Device Type	Cost
LTE	Chromebook	\$376
	iPad	\$499
Wifi	Chromebook	\$304
	iPad	\$351
	Hotspot	\$57

II. Procedures for Reimbursement

- A. This section applies to students whose parent/guardian has not paid the debt for damage to school property that was not caused by vandalism, willful damage, or failure to return.

Students who are currently or were formerly experiencing homelessness or in foster care shall not be subject to punitive action based on a parent/guardian's inability to pay a school debt, regardless of the type of damaged school property.

- B. When the parent/guardian agrees to pay the debt, in full or in part:

1. For all IT computing devices and peripherals, follow the procedures below:

- a. The parent/guardian shall complete *Attachment C* and ensure a response is provided for all required fields.
- b. The parent/guardian writes either a cashier's check or money order (made payable to LAUSD) or gives cash to the School Administrative Assistant (SAA) or Financial Manager along with *Attachment C*. The SAA or Financial Manager provides a receipt to the parent/guardian. The school must provide the parent/guardian with a receipt for each payment made to the school for any amount owed.
- c. If cash is received, the Financial Manager/School Administrative Assistant will deposit cash into a Student Body clearing account; and issue a check for the same amount payable to LAUSD. *Attachment C – CRU Remittance Form* must be submitted with the check indicating the accounting line to be credited.
- d. Checks are to be sent to the Cash Receipts Unit (CRU) on the 26th Floor, Beaudry Building for deposit into account 16141. Complete the *CRU Remittance Form* and include *Attachment C*. The accounting line for "Lost/Stolen/Damage Computing Devices/Peripherals" has been pre-filled out.

2. For other instructional materials and equipment follow the procedures below:
 - a. The designated staff member will contact Region staff to determine replacement and service costs.
 - b. The parent/guardian writes a cashier's check or money order (made payable to LAUSD) or gives cash to the

- school SAA or Financial Manager. The SAA or Financial Manager provides a receipt to the parent/guardian.
- c. If cash is received, the Financial Manager/School Administrative Assistant will deposit cash into a Student Body clearing account; and issue a check for the same amount payable to LAUSD. Attachment C – CRU Remittance Form must be submitted with the check indicating the accounting line to be credited.
 - d. Checks are submitted to the Region Fiscal Service Manager by December 31st and June 30th.
 - e. Deposit checks into the 14152 account for Textbooks and into the 13950 for the Library. For other items, deposit into the appropriate funding account.
 - f. The parent/guardian brings the receipt for the payment to the designated staff member. The designated staff member clears the student's record.
3. Upon payment or satisfactory completion of the school's voluntary work assignment, the grades, diploma, or transcripts shall be released, and the debt discharged.

AUTHORITY: California Civil Code section 1714.1
California Education Code Sections 48904 and 49014
Title V, California Code of Regulations Section 438
LAUSD Board Rule 1704

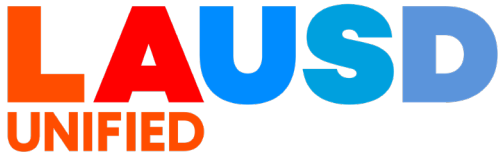
- RELATED RESOURCES:**
- [BUL-999.15](#) *Responsible Use Policy (RUP) For District Computer and Network*, dated October 9, 2023
 - [BUL-6746.4](#) *Establishing and Administating School/Office Volunteer Programs*, dated August 12, 2022
 - [BUL-6111.3](#) *Instructional Materials, Policies, and School Site Procedures*, dated August 21, 2019
 - [BUL-6189.3](#) *Instructional Materials Inventory Control Requirements in All Schools*, dated July 31, 2019
 - [BUL-1295.4](#) *High School Pre-Commencement, Diploma, and Senior Activity Guidelines*, dated July 31, 2023
 - [BUL-3815.4](#) *Middle School Culmination Activities and Certificate of Completion*, dated July 31, 2023
 - [BUL-6887.1](#) *Pupil Records: Access, Confidentiality, and Notice of Educational Rights*, dated March 6, 2019

ATTACHMENTS: Attachment A – Sample Beginning of the Year Responsibility Letter
RE Financial Responsibility for Damaged School
Property
Attachment B – Sample Debt Notification Letter
Attachment C – Sample Lost or Damaged IT Computing Device and
Equipment Notice
Attachment D – Los Angeles Unified School District CRU Remittance
Form

ASSISTANCE: For assistance or further information, please contact:

For all IT computing devices and peripherals including the most current
replacement cost: IT Asset Management at (213) 241-3023 or
ITAssetMgmt@lausd.net

For Digital Citizenship, including device care: Instructional Technology
Initiative at (213) 241-5532 or iti@lausd.net



SAMPLE BEGINNING OF THE YEAR RESPONSIBILITY LETTER
RE: Financial Responsibility for Damaged School Property

DATE

Dear Parent/Guardian,

As part of their education, students are provided with materials and equipment, including textbooks and devices, to assist with instruction. In order to ensure the Los Angeles Unified School District (District) maintains materials so all students have access, certain procedures are in place. Students should handle instructional materials, library books, devices, and other school property with care.

This is to inform you of your legal responsibility regarding the loss or willful damage of school property belonging to the District. California Education Code sections 48904 and 49014 state that the parent/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 \$23,900, 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, loaned physical education clothes, and sports equipment. A parent or guardian is liable to the District for all District property loaned to the student and not returned to the school/District.

We will discuss the meaning of this responsibility with all students. We need your help to ensure that the District property is kept in good condition, damaged items are reported as soon as possible, and that loaned items are returned to school when requested.

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, and parents or guardians shall be held financially responsible for the damage.
- Understand that the device assigned to them may include a protective case that is to always remain on the device.
- Protect the screen from scratches.
- Keep food and beverages away from the assigned device since it may cause damage to it.

- Do not disassemble or attempt any repairs on any part of the assigned device because this voids the device warranty.
- Damages may include, but are not limited to scratches, cracks, or dents. Please report the damage to the school's administrator within 24 hours or as soon as possible thereafter.

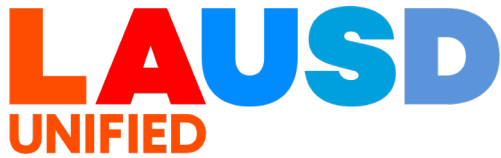
Parents are responsible for the payment of replacement or repair costs for any lost or willfully damaged District property. For this type of damage, the school is legally authorized to withhold the grades, diplomas, and transcripts of students, or to deny participation in school activities that are deemed privileges (e.g., interscholastic sports, dances, student body office, or other local school activities) until the obligation is cleared, except for students who are experiencing homelessness, in foster care or a former foster youth. If a student's device is damaged, the student will be provided a replacement upon return of the damaged property, to ensure access. When the school finds that its property is damaged because of willful acts, the school may:

1. Provide an itemized invoice for the amount owed by the parent.
2. A payment plan may be established, and a receipt will be provided after each payment.
3. The school may offer the student alternatives to repaying with money. These modes of repayment, if appropriate, given the student's age/grade level must be approved by the parent. Any services or work rendered in exchange for repayment shall comply with all provisions of the Labor Code, including those sections relating to youth employment. Examples of service or work in exchange for repayment may include library service, completing a service-learning project, assignment, or research report, to name a few.

In case of theft or vandalism, notify the Los Angeles School Police Department (LASPD) at (213) 625-6631 and obtain a case number, or file a report to any other law enforcement agency; obtain the agency's division and telephone number, name of the investigation officer, badge number and the police report number. Then, submit a report of the incident to the school administrator within 24 hours or as soon as possible thereafter.

We look forward to a productive school year with your students and want to ensure that they have access to all the materials they need to be successful.

(Signed by the School Principal or Designee)



SAMPLE DEBT NOTIFICATION LETTER
Checked Out/Overdue Materials & Unpaid Fine(s)

DATE

Dear Parent/Guardian,

This letter is to inform you that school records show your child, *[insert child's name here]*, has overdue material/s that need to be returned to the school. After reviewing this notification, please check with your child and contact the school.

The Education Code provides that parents/guardians are responsible for Los Angeles Unified School District (District) property loaned to students who fail to return, willfully cut, or deface, or vandalize, therefore, we require that the materials listed below be returned to the school or payment be made by *[insert due date here]*.

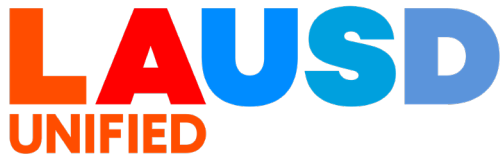
Except for students who currently or formerly experiencing homelessness, or, in foster care, our school is authorized to withhold the grades, diploma, and transcripts of the student, or to deny participation in school activities that are deemed privileges (e.g., interscholastic athletics, dances, senior prom, student body office, 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 that our school may provide a program of voluntary work in lieu of payment of monetary damages. If you have questions or concerns about this letter, please contact *[insert contact person's name here]* at *[insert phone number here]*.

Textbooks

Due	Barcode	Title	Estimated Fine

(Signed by the School Principal or Designee)



SAMPLE LOST OR DAMAGED IT COMPUTING DEVICE AND EQUIPMENT NOTICE

DATE _____

Dear Parent/Guardian:

The Education Code provides that parents/guardians are responsible for Los Angeles Unified School District (District) property loaned to students who fail to return, willfully cut or deface, or vandalize.

Except for students who are currently or formerly experiencing homelessness, or in foster care, 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., interscholastic athletics, dances, senior prom, student body office, 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 that our school may provide a program of voluntary work in lieu of payment of monetary damages. If you have questions about this form, please contact [*insert contact person's name here*] at [*insert phone number*].

A. Loss Information

Student's Name _____

Mailing Address _____

School Name _____

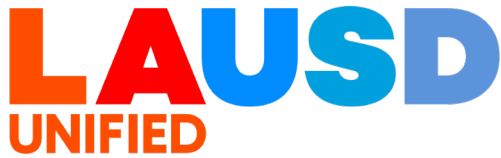
School Location Code _____

Police Report # _____

B. Loss Detail

Item	Serial # or Asset Tag	Description	Quantity	Unit Cost**	Total Cost

(Signed by the School Principal or Designee)



INTER-OFFICE CORRESPONDENCE
Los Angeles Unified School District

To: Cash Receipts Unit
Treasury and Revenue Accounting Branch
333 S. Beaudry Avenue, 26th Floor
Los Angeles, California 90017

DATE: _____

From: _____

COST CENTER: _____
School Location Code

Tel. No. : _____

Region : _____

SUBJECT: REQUEST TO DEPOSIT CHECKS – FOR FISCAL YEAR _____

Please use the accounting lines below to process the check(s) enclosed.

ELEMENTARY / MIDDLE / HIGH SCHOOL

Type of Remittance	Fund		Functional Area			GL Account (Object)	Cost Center (Org Code)	Check Amount
	Fund	Resource	Goal	Function	Program			
Lost/Damaged/Obsolete Textbooks	010	0000	1110	1000	14152	410060	Local Dist Pass Thru Cost Ctr	
Lost/Stolen/Damaged Computing Devices and/or Peripherals	010	0000	1110	1000	16141	440001	School's Cost Ctr	
Lost/Damaged Library Books	010	0000	0000	0000	00000	869906	9999999	
Lost/Damaged Eqpt/Property/Facility	010	0000	0000	0000	00000	869901	9999999	
Library Fines	010	0000	0000	0000	00000	869906	9999999	
Lost/Damaged Athletic Uniform	010	0000	1110	4000	11164	580005	9999999	
Total								

Approved by: _____
School Principal

Note:

- Please issue a check payable to **LOS ANGELES UNIFIED SCHOOL DISTRICT**
- Do not use this form for Donation Checks (*please use [Attachment A, BUL-5895.2](#)*)