

WITHHOLDING CERTIFICATES OR TRANSCRIPTS

When school property has been willfully damaged or not returned upon demand, the Director of instructional services 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 Baldy View Regional Occupational Program (ROP) may withhold certificates or transcripts from the student and parent/guardian until reparation is made.

(cf. 5131.5 - Vandalism and Graffiti)

(cf. 6161.2 - Damaged or Lost Instructional Materials)

If reparation is not made, the ROP shall afford the student his/her due process rights in conformance with Education Code expulsion procedures and may withhold the student's grades 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 Director of instructional services or designee shall provide a program of voluntary work for the student to do. When this voluntary work is completed, the student's certificates or transcripts shall be released. (Education Code 48904)

When a student from whom the ROP is withholding certificates 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 ROP's decision to withhold certificates or transcript will be enforced by the new district. (Education Code 48904.3)

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 When informed by the previous district that its decision has been rescinded, the ROP shall release these documents.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

(cf. 5125 - Student Records)

Legal Reference:

EDUCATION CODE

48904 Liability of parent

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