

## **Opportunities For Learning-Duarte, Inc. Laptop Restitution Policy**

### ***Policy***

California law states that a parent or guardian of a minor is liable to a school for all property loaned to and failed to be returned, or willfully damaged by a minor. The liability shall not exceed \$23,900 in 2023, adjusted annually for inflation. In addition, it authorizes schools, 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). Teachers and other employees, under the direction of the principal, are held responsible for the care of school's property, equipment, materials, and supplies, particularly such property as is located in the room or rooms to which they are assigned.

### ***A. Overview***

It is the policy of OFL-Duarte to seek restitution when a student, among other things, willfully cuts, defaces, or otherwise damage any school property, or loses or fails to return school property loaned to the student. This includes but is not limited to, installing unauthorized software applications, modifying, adding or deleting school software or any alteration to the configuration of any and all IT computing devices and peripherals - such as laptops and other devices. The parent/guardian is liable for such damages, not exceeding the limit set forth above, 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 policy.

In the case of theft or vandalism, the school administrator can consult with police to determine any criminal justice recourse and the Charter School's Discipline Policy for possible disciplinary action. If a criminal case is filed, the courts may order restitution upon successful prosecution. 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 official 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, the student's permanent record must be sent to the requesting K-12 school. If the student transfers to a K-12 school, 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. 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.

### ***B. Procedures: Responsibilities of the School – Policy Implementation***

1. The school shall make use of the inventory system that clearly identifies the student and type of school property issued to the student. No student shall have grades, diploma, or

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official transcripts withheld in the absence of satisfactory evidence of an accounting (inventory) system for school 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 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. Parents are notified via this Student Handbook.
3. The school shall implement a restitution process by which students are afforded the opportunity to return the missing property or pay for the damages. Schools may initiate a payment process. Upon completion of the restitution process, the debt is discharged and any withheld grades, diploma, or official transcripts of the student shall be released and the full privileges of participation in school activities shall be restored.
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.
  - a. The parent or guardian shall be informed in writing immediately after any alleged loss which gives rise to an obligation under applicable law and policy.
    - i. The parent or guardian may first be allowed to present information on behalf of the student, during a conference at the school, as to the reasons why a fee should not be imposed; or
    - ii. A student may write a 500-word explanation to the school to present information as to why the laptop is unable to be returned and a fee should not be imposed.
    - iii. After reviewing any information provided by the parent/ guardian and or students, the principal/ designee shall decide whether or not to withhold grades, diploma, or official 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.
5. Upon receiving notification of the school's decision, the parent or guardian may, if necessary, pay the outstanding obligation via money order or cashier's check, payable to the Charter School, with a notation that shows what the payment is for. If the student and parent are unable to pay for the damages or return the property, the school will provide a program of voluntary work in lieu of the payment of monetary damages.
6. Upon receiving payment or upon the completion of the voluntary work, the student's grades, diploma, and/ or official transcripts shall be released and the debt discharged.