

Withholding Grades, Diploma Or Transcripts

Education Code 48904 mandates the Board to establish regulations governing its procedures for seeking reparation when school property is willfully damaged or loaned to the student and not returned, and for withholding a student's grades, diploma or transcripts until reparation is made. In such cases, the district must afford the student his/her due process rights, and the district's procedures must parallel Education Code procedures for student expulsion. (Education Code 48904)

(cf. 48918 - Expulsion Hearings)

The district may not withhold records for nonpayment of meal tickets or library overdue fines. A district cannot refuse to transfer student records to another district pursuant to State law.

When school property has been willfully damaged or not returned upon demand, the principal or designee shall inform the parent/guardian in writing of the responsible student's alleged misconduct and the reparation that is due. This notice shall include a statement that the district may withhold grades, diploma or transcripts from the student and parent/guardian until reparation is made.

(cf. 5131.5 - Vandalism, Theft and Graffiti)

(cf. 6161.2 - Damaged or Lost Instructional Materials)

If reparation is not made, the district shall afford the student his/her due process rights in conformity with Education Code expulsion procedures and may withhold the student's grades, diploma or transcripts. (Education Code 48918)

(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 principal or designee shall provide a program of voluntary work for the student to do. When this voluntary work is completed, the student's grades, diploma or transcripts shall be released. (Education Code 48904)

When a student from whom the district is withholding grades, diploma or transcripts transfers to another district, this information shall be sent to the new district with the student's records including 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 the district's decision to withhold grades, diploma or transcript will be enforced by the new district. (Education Code 48904.3)

The student's cum folder must contain verification of any charges or fees owed by the student. If there is no verification of a specific amount(s) and/or an itemized description of the amount owed, the obligation must be deleted from the MON screen (money owed to district).

The district shall withhold grades, diploma or transcripts from any student transferring into the district whose conduct caused a previous district to withhold them. When informed by the previous district that its decision has been rescinded, the district 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 students causing property damage or injury; transfer of students to new school district; notice to rescind decision to withhold

48911 Suspension by principal, designee or superintendent

48918 Expulsion Hearings

49069 Absolute right to access

Regulation FRESNO UNIFIED SCHOOL DISTRICT

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