

## **VENTURA COUNTY BOARD OF EDUCATION**

**BOARD POLICY NO. 5125.2**

**ADOPTED: 2/24/97**

**CLASSIFICATION: Students**

**REVISED:**

**SUBJECT: Parental Liability for Damages Caused by Students**

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When a minor's conduct results in injury or death to any pupil, employee or volunteer of the Office or when the minor willfully cuts, defaces or otherwise injures any real or personal property belonging to the Office or to any employee of the Office, the minor's parent or guardian will be held liable for such damages.

If the identity of the person who caused the injury or damage is unknown, the Office may offer and pay a reward for information leading to the identity of the person. If it is determined that a minor is responsible for the injury or damage, the minor's parent or guardian will be liable for the amount of any reward paid. The amount of the reward offered will be determined by the Office.

After affording due process rights to a minor who willfully cuts, defaces or otherwise injures any real or personal property belonging to the Office or to any Office employee, the Office may withhold the minor's grades, diploma and transcripts until the damages are paid. The Office will notify the minor's parent or guardian, in writing, of the minor's alleged misconduct before withholding the minor's grades, diploma or transcripts.

If requested by an employee of the Office who has sustained injury to their person or property as a result of a minor's willful misconduct, the Office will pursue legal action against the minor and/or the minor's parent or guardian on behalf of the employee. However, in the case of property damage, the employee's property must have been located on Office property, been present at or in transport to or from an Office sponsored activity, or the damage must have resulted from retaliation for the employee's lawful acts performed in the course of the employee's duties.

The minor's parent or guardian may also be held liable to the Office for property belonging to the Office which was loaned to the minor and not returned upon demand.

Should the minor or the minor's parent or guardian be unable to pay the damages or be unable to return the property of the Office, the Office will provide a program of voluntary work for the minor in lieu of such payment. Upon completion of the voluntary work, the Office will release the minor's grades, diploma, and transcripts.

Legal Reference:

EDUCATION CODE

48904            Liability of parent/guardian for willful pupil misconduct  
48905            Injury or damage to persons or property of employee

GOVERNMENT CODE

53069.5        Rewards for information

CIVIL CODE

1714.1         Civil liability of parents