

RCW 28A.635.060 Defacing or injuring school property—Liability of pupil, parent, or guardian—Withholding diplomas—Suspension and restitution—Community service program as alternative—Publication of information on withheld diplomas—Student rights protected. (1) (a)

Any pupil who defaces or otherwise injures any school property, or property belonging to a school contractor, employee, or another student, may be subject to suspension and punishment. If any property of the school district, a contractor of the district, an employee, or another student has been lost or willfully cut, defaced, or injured, with the damages exceeding \$1,000, the school district may withhold the diploma, but not the grades or transcripts, of the student responsible for the damage or loss for the earlier of either five years from the date of the student's graduation or until the amount owed is less than \$1,000.

(b) If the student and parent or guardian are unable to pay for the damages, the school district shall provide a program of community service for the student in lieu of the payment of monetary damages. Community service completed in accordance with this subsection (1)(b) must be credited at the applicable local or state minimum wage, whichever is greater. Upon the completion of community service that reduces the amount owed to less than \$1,000, the diploma of the student must be released. The parent or guardian of the student shall be liable for damages as otherwise provided by law.

(2) Before the diploma is withheld under this section, a school district board of directors shall adopt procedures to ensure that students' rights to due process are protected.

(3) If the department of social and health services or a child-placing agency licensed by the department has been granted custody of a child, that child's records, if requested by the department or agency, may not be withheld for nonpayment of school fees or any other reason.

(4) Each school district that withholds a diploma under this section shall publish and maintain the following information on its website, either with information published under RCW 28A.325.050 or in a different location on its website that facilitates easy access to the information:

(a) The number of diplomas withheld under this section, by graduating class, during the preceding five school years, with data from the prior reporting year updated annually to reflect the release of diplomas in accordance with this section; and

(b) The number of students with withheld diplomas who were eligible for free or reduced-price meals during their last two years of enrollment in the school district. [2023 c 384 § 1; 2021 c 120 § 1; 1997 c 266 § 13; 1994 c 304 § 1; 1993 c 347 § 3; 1989 c 269 § 6; 1982 c 38 § 1; 1969 ex.s. c 223 § 28A.87.120. Prior: 1909 c 97 p 361 § 41; RRS § 5057; prior: 1903 c 156 § 14; 1897 c 118 § 172; 1890 p 372 § 48. Formerly RCW 28A.87.120, 28.87.120.]

Findings—Intent—Severability—1997 c 266: See notes following RCW 28A.600.455.

Effective date—1994 c 304: "This act shall take effect July 1, 1994." [1994 c 304 § 4.]

Action against parent for willful injury to property by minor—Monetary limitation—Common law liability preserved: RCW 4.24.190.