



Preparing Today's Learner for Tomorrow

Administrative Procedure 3060

Damage or Loss of Division Property

Board Governance Policy Cross Reference: [1, 14, 16](#)

Administrative Procedures Cross Reference:

[Code of Conduct](#)

Form Cross Reference:

Legal/Regulatory Reference:

[The Parental Responsibility Act](#)

[The Public Schools Act \(58.8\)](#)

The Interlake School Division believes that any student who has wilfully damaged or destroyed school property will be held financially responsible for damages caused.

Under the [Public Schools Act \(58.8\)](#), a parent/guardian of a child of compulsory school age shall assume responsibility jointly and severally with their child where school division property is damaged by the intentional or negligent act of that child.

Where reasonable evidence of who caused the damage, destruction or loss has been established, the Division will send a bill for repairs or replacement to the individual responsible or where applicable, to the parent(s)/guardian(s) of the individual responsible.

Procedures

The following procedures will apply to damages to school property:

- a) upon learning that school property has been damaged or destroyed, the Principal shall investigate the matter and determine the responsibility for cost and cause of damage;
- b) the Principal may, after authorization by the Superintendent/CEO, offer a reward to assist them in their investigation. The reward will be paid by the Finance Department if the information provided leads to the successful solution of the incident.;
- c) the cost of repairs to be determined in consultation with the ISD Maintenance Supervisor and/or insurer. Costs will include labour and materials;

- d) when vandalism occurs at a school, the Maintenance Department should be contacted immediately. All vandalism must be reported to the Maintenance Department;
- e) in the event of broken windows, graffiti etc. and the vandalism occurs on a non-working day, custodians or school Principal should call the Maintenance Supervisor. The custodian or school Principal may call a window repair company directly in consultation with Maintenance Supervisor;
- f) any invoices with costs incurred due to vandalism will be coded accordingly by the Finance Department to the object and program designed to record vandalism costs;
- g) if, in the opinion of the Principal, the cause of the damaged or destroyed school property was willful or due to the irresponsible behaviour by a student, the Principal shall, by letter, request that it be paid for by the parents/guardians. This letter shall include an invoice from the Division;
- h) a copy of the letter shall be forwarded to the Superintendent/CEO or designate;
- i) if determined appropriate by the Principal, students may undertake an alternative restitution program, under the supervision of the Principal, in lieu of financial payment;
- j) a student who is found to be responsible for damages to school property may also be subject to other consequences (as outlined in Code of Conduct), suspended or recommended for expulsion;
- k) where the Principal is unable to obtain suitable restitution for damages committed to school property, the Superintendent/CEO or designate will notify the parent or guardian involved that until such restitution is made to the Division, all student privileges may be suspended. Such withholding of extra-curricular privileges will not exceed a period of six (6) months from the date of suspension. Caution fees may be withheld at the end of a school year if necessary. In all cases, the Division may pursue legal action (see [Parent Responsibility Act](#)).

The Parental Responsibility Act

The Parental Responsibility Act allows the owner of property which has been deliberately taken, damaged or destroyed by a child (up to 18 years of age) to bring an action to recover that property loss, up to a maximum of \$10,000.00, from the parent of that child. Such property loss may be pursued through an action against the parents, filed in small claims court. Although there is an expanded definition of 'parent', the Act does not impose liability on Child and Family Service agencies with respect to damage caused by children who are their wards.

This legislation may be available in a school context where the property taken or destroyed by a child does not belong to the school division (e.g. property of teachers, students, etc.).