

VANDALISM, AND GRAFFITI

The Board of Trustees desires to enhance student learning by striving to provide an environment where students and staff can feel safe and secure and can take pride in their school. To that end, the Superintendent or designee shall develop strategies for preventing graffiti and vandalism on school grounds, including collaborating with local law enforcement and city and county officials, as appropriate, to help develop a coordinated response to graffiti and vandalism in the community.

(cf. [0450](#) - Comprehensive Safety Plan)

(cf. [1400](#) - Relations Between Other Governmental Agencies and the Schools)

(cf. [3515](#) - Campus Security)

(cf. [3515.3](#) - District Police/Security Department)

(cf. [5131.7](#) - Positive School Climate)

(cf. [5136](#) - Gangs)

(cf. [5138](#) - Conflict Resolution/Peer Mediation)

The Board of Trustees considers vandalism a very serious matter. Vandalism includes the negligent, willful, or unlawful damaging or theft of any District-owned real or personal property, including the writing of graffiti.

It is the intention of the Board of Trustees to seek restitution from any individual, in the amount of the damage, for any act of vandalism committed by that individual, or from the parents of that individual, if a minor.

Vandalism includes, in the present sense, negligent, willful, or unlawful damaging or taking of any real or personal property owned by the District or any student body organization. The parent or guardian having custody or control of a minor who commits an act of vandalism cannot be held liable for more than \$10,000 as adjusted under ED 489904, for that act, except that the parent or guardian may also be held liable for any reward not exceeding \$10,000, or as adjusted under ED 48904, paid pursuant to Section 53069.5 of the Government Code.

Any pupil, or the parent or guardian of any minor pupil, shall also be held liable for all property belonging to the School District lent to the pupil or individual and not returned on demand of the District. Any pupil of the District who commits an act of vandalism may also be liable to disciplinary action by the District. Remedies include but are not limited to suspension, expulsion, community service or revocation of school bus privileges.

If reparation of damages or losses is not made, the District also may withhold the student's grades, extra-curricular or co-curricular activity privileges, diploma and/or transcripts in accordance with the law.

(cf. [3515.4](#) - Rewards for Information Leading to Apprehension of Offenders)

(cf. [5114/5114.1](#) - Suspension, Expulsion, Due Process)

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(cf. 5125 - Student Records, Withholding of Records)
(cf. 5131 - Conduct)
(cf. 6161.2 - Student Responsibility for Loss or Damage)

Students and staff are encouraged to report any graffiti or vandalism to the principal or designee for investigation. The principal or designee shall determine whether the incident necessitates an investigation pursuant to the District's sexual harassment, hate-motivated behavior, or nondiscrimination grievance procedure.

(cf. [5145.3](#) - Nondiscrimination/Harassment)
(cf. [5145.7](#) - Sexual Harassment)
(cf. [5145.9](#) - Hate-Motivated Behavior)

Legal Reference:

EDUCATION CODE

[48900](#) Grounds for suspension or expulsion
[48904](#) Willful misconduct, limit of liability of parent or guardian
[48904.3](#) Withholding grades, diplomas, or transcripts of pupils causing property damage or injury

CIVIL CODE

[51.7](#) Right to be free from violence
[52.1](#) Discrimination liability
[1714.1](#) Liability of parent or guardian for act of willful misconduct by a minor

GOVERNMENT CODE

[53069.5](#) Reward for information

PENAL CODE

[594](#) Vandalism
[594.1](#) Aerosol containers of paint
[594.2](#) Intent to commit vandalism or graffiti
[594.6](#) Vandalism or graffiti, community service
[640.5](#) Graffiti; facilities or vehicles of governmental entity
[640.6](#) Graffiti

CODE OF REGULATIONS, TITLE 5

[305](#) Student responsible for care of property

Management Resources:

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

Policy adopted: 11/24/81

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Amended: 8/24/93

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