

Vandalism

It is the intention of the Board of Education and the Superintendent of Schools to seek redress in the amount of damage from any individual or the parents/guardians of any minor who commits any act of vandalism.

Vandalism includes negligent, willful, or unlawful damaging or taking of any school-owned real or personal property. The parents or guardian having custody or control of a minor who commits an act of vandalism will be held liable for each act, but not for more than the maximum amount allowed by law. The parents or guardian may also be held liable for any reward paid not exceeding the maximum amount allowed by law.

Any student, or the parent/guardian of any minor student, shall be held liable for all school property that has been damaged, destroyed, stolen or lent and not returned upon demand. After affording the student his/her due process rights, the school may withhold the grades, diploma, and transcripts of the student responsible for the vandalism or theft until the student or the student's parent/guardian has paid for the damages.

Prior to withholding a student's grades, diploma or transcript, the school shall notify the student's parent/guardian in writing of the student's alleged misconduct.

When the minor and parent are unable to pay for the damages (upon a showing by certification of the parent/guardian that he/she cannot reasonably afford the cost), the school shall provide a program of voluntary work for the minor. Upon completion of the work, the grades, diploma and transcripts of the student shall be released.

Any student of the school who commits an act of vandalism may also be liable for disciplinary action.

As appropriate, the principal or designee may contact local law enforcement in instances when the graffiti is repetitive, identifies particular targets or groups, identifies the perpetrator, and/or contains incitements to violence, threats, or intimidation. Photographs or other evidence of the vandalism or graffiti shall be preserved as necessary for investigation by the Office of Education or law enforcement and as evidence in any Office of Education disciplinary proceedings.

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; transfer of pupils to new school districts; notice to rescind decision to withhold

CODE OF REGULATIONS, TITLE 5

Students

Board Policy 5131.5(b)

305 Pupil responsible for care of property

CIVIL CODE

1714.1 Liability of parent or guardian for act of willful misconduct by a minor

GOVERNMENT CODE

53069.5 Reward for information concerning person causing death, injury, or property damage; liability for reward

PENAL CODE

594 Vandalism

640.5 Graffiti; facilities or vehicles of governmental entity

640.6 Graffiti

Policy

Adopted: December 16, 1987

Revised: June 8, 2011

HUMBOLDT COUNTY OFFICE OF EDUCATION

Eureka, California