

**VANDALISM**

The Governing Board shall seek redress in the amount of the damage from any individual or the parents/guardians of any minor who commits any act of vandalism.

*(cf. 4158/4258/4358 - Employee Protection (Personal Safety))*

Vandalism includes negligent, willful, or unlawful damaging or taking of any district-owned real or personal property. The parent/guardian having custody or control of a minor who commits an act of vandalism may be held liable for up to \$7,500 for that act. The parent/guardian may also be held liable for rewards of up to \$7,500.

If the Superintendent or designee or law enforcement officials are unable to fix the responsibility for the vandalism, the Superintendent or designee is authorized to offer a reward in any amount he/she deems appropriate, not exceeding \$1,000, for information leading to the identification and apprehension of the guilty party. A reward in excess of \$1,000 must be authorized in advance by the Board.

The reward shall be paid only when criminal conviction or other appropriate judicial procedures have established the guilt of the person(s) responsible for the crime.

Any student, or the parent/guardian of any minor student, shall be held liable for all property belonging to the district that has been damaged, destroyed, stolen or lent and not returned upon demand. After affording the student his/her due process rights, the District 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 district shall notify the student's parent/guardian in writing of the student's alleged misconduct. (Education Code 48904)

*(cf. 5144.1 - Suspension and Expulsion/Due Process)*

When the minor and parent/guardian 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 district shall provide a program of voluntary work for the minor. Upon completion of the work, the student's grades, diploma and transcripts shall be released.

Any student of the district who commits an act of vandalism shall also be liable to disciplinary action by the district.

*(cf. 3514 – Safety)*

*(cf. 5125 - Student Records: Confidentiality)*

**VANDALISM** (continued)

*Legal Reference:*

EDUCATION CODE

*44810 Willful interference with classroom conduct (minors over 16 years of age or adults not pupils of school)*

*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*

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*

*594.2 Intent to commit vandalism or graffiti*

*594.6 Vandalism or graffiti, community service*

*640.5 Graffiti; facilities or vehicles of governmental entity*

CODE OF REGULATIONS, TITLE 5

*305 Pupil responsible for care of property*