

VANDALISM, THEFT AND GRAFFITI

The Board of Education shall seek restitution in the amount of the damages from any individual or the parent/guardian of any minor who commits any act of vandalism.

"Vandalism" includes damaging or taking District owned real or personal property. The parent/guardian of a minor who commits an act of vandalism may be held liable for up to the maximum amount for that act. The parent/guardian may also be held liable for rewards of up to the maximum amount and fined in Education Code 48904 or Civil Code 1714.1.

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

If a reward is offered, it 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 loaned and not return upon demand. After affording the student due process rights, the District may withhold grades, transcripts and diplomas until the student or the parent/guardian has made appropriate restitution.

(cf. 3515.4 – Recovery for Property Loss or Damage)

Prior to withholding grades, transcripts or diplomas, the Superintendent or designee shall notify the parent/guardian in writing of the misconduct.

Any student who commits an act of vandalism shall also be subject to disciplinary action.

If the student and parent/guardian can certify that they are unable to pay for damages, the District shall provide a program of voluntary work for the student. Upon completion of the work, the student's grades, transcripts and diplomas shall be released.

Effective January 1, 1987, any other District to which a student transfers must comply with the original District's decision to withhold grades, transcripts and diplomas.

(cf. 5125.2 – Withholding Grades, Diplomas or Transcripts)
(cf. 5144.1 – Suspension and Expulsion/Due Process)

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Regulations Concerning Vandalism

Reports of Vandalism: Every District employee shall report all damage or loss of school property to the Superintendent/designee immediately after such damage or loss is discovered.

Investigation of Vandalism. The Superintendent/designee shall investigate instances of vandalism and cooperate or coordinate with police when appropriate.

Recovery of Damages: When the person causing the damage or loss has been identified and the costs of repair or replacement have been determined, the Superintendent/designee shall take all practical and reasonable steps to recover such costs. The District's legal counsel may be consulted if necessary. "Reasonable steps" may include the filing of a civil complaint in a court of competent jurisdiction to recover damages from a reasonable person. If the responsible person is a minor, recovery shall be sought from the minor's parents/guardians. Damages shall include the cost of repair/replacement, the payment of any reward, interest, court costs and all other damages provided by law.

Payment of Reward: If offered, the reward shall be paid to the party who provides information sufficient to identify and apprehend the person(s) subsequently found responsible for the damage or loss. If more than one informant provides information, the reward shall be distributed among the informants. The Superintendent or designee shall determine who is entitled to what portion and shall authorize payment after the accused party has been convicted or otherwise deemed guilty as a result of appropriate judicial procedures. The identity of the informant(s) shall remain confidential.

Plan for Graffiti Abatement

The cooperation of parents, employees and students is needed to implement the following plan:

1. Administrators shall inspect buildings and grounds to determine where graffiti is most often being written and then determine if better lighting or barriers will discourage vandals.
2. Administrators shall enlist the aid of the police department. Drive-bys of school property by officers and police explorers can discourage vandals.
3. Site administrators shall confer with parent groups to develop a parent-watch system.
4. Regular checks for graffiti shall be made at all sites, including restrooms.

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5. All sites shall have instant cameras so pictures may be taken of the graffiti. The pictures shall be given to the police.
6. Graffiti shall be removed as quickly as possible.
7. The Brea Police Department's graffiti hot line number shall be published in local newspapers and *Brea Line*.
8. Rewards for catching graffiti vandals may be established.
9. When a graffiti vandal is apprehended, he/she or his/her parents/guardians shall pay for the cost of the cleanup and any reward.
10. Graffiti vandals who are apprehended shall be recommended for expulsion from District schools.