

VANDALISM POLICY

CUSD schools should be respected as teaching and learning environments where students, staff, parents and community members can feel safe and secure. The district is committed to maintaining orderly educational and administrative processes in keeping schools and administrative offices free from disruptions. The district, in attempting to ensure that reparations are made and proper disciplinary action is taken, is instituting this policy on vandalism to send a clear and concise message to students and parents that vandalism will not be tolerated and any monetary burden will have to be borne by them.

Vandalism not only affects the aesthetics of the building or property, but also sends the wrong message to our younger students, presents a negative appearance of our district and campuses to the community, promotes further acts of vandalism and could even encourage violence. These acts are also counterproductive in that they disrupt the normal flow of activities in and around the school or district and costly staff time and energy is invested in cleaning and repairing. In cases of severe damage, valuable instruction time may be lost if students are displaced from their classrooms.

(cf 1313 – Civility)

(cf 3515.4 – Recovery for Property Loss or Damage)

Every person who maliciously commits any of the following acts with respect to any real or personal property not his or her own, in cases other than those specified by state law, is guilty of vandalism: (1) Defaces with graffiti or other inscribed material; (2) Damages (3) Destroys.

"Vandalism" has a number of definitions, all of which have the common elements of willful or malicious destruction, damage, injury, or defacement of another's property. In recognition of the debilitating impact of vandalism, current law provides for criminal penalties, the possibility of student discipline, as well as civil liability for students and parents.

In order to curtail vandalism and ensure that proper respect is shown for the property of others, acts of vandalism involving district property or the property of district employees will be considered serious offenses. Any student(s) who commits an act of vandalism against district property or the property of a fellow student or district employee related to school attendance or a school related activity, will be held strictly accountable. Such accountability will include appropriate disciplinary action by the district including, but not limited to suspension or expulsion; personal and parental liability and responsibility for damages; and, where appropriate, referral to the criminal justice system. In addition to payment of the cost of damages, vandalism to a school bus will result in suspension of the student's riding privilege. The degree of severity of punishment will be determined by the school site administrator.

VANDALISM POLICY (continued)

As a part of the disciplinary process, full restitution for damages, including monetary restitution shall be considered part of any rehabilitation and/or readmission plan. In addition, until full restitution has been made, the district will withhold the grades, diplomas and transcripts of any involved student(s) in accordance with Education Code Section 48904. In recognition of parental responsibility and involvement, parents/guardians of any student who commits vandalism of district property or the property of a district employee shall be responsible for restitution of damages to the maximum extent permitted by law, and if necessary, the Governing Board will authorize pursuit of a court action for collection of such damages.

(cf 5152 – Suspension and Expulsion (Due Process)
(cf 5133 – Withholding Grades, Diploma or Transcript)

Legal Reference:

EDUCATION CODE

48900 Grounds for Suspension

48904 Damaging School Property: Parent Responsibility

48905 Damaging School Personnel's Property

PENAL CODE

594.2 Vandalism