

Policy 5131.5: Vandalism And Graffiti

Status: ADOPTED

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The Governing Board 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.

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.

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 district or law enforcement and as evidence in any district disciplinary proceedings.

The principal or designee shall ensure that graffiti on school grounds is removed and covered as soon as possible, and if practicable before the beginning of the school day.

A student who commits an act of vandalism or graffiti on school grounds shall be subject to disciplinary action, including, but not limited to, suspension or expulsion in accordance with Board policy and administrative regulation. If reparation for damages is not made, the district also may withhold the student's grades, diploma, and/or transcripts in accordance with law.

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
5 CCR 305	<u>Student responsible for care of property</u>
Civ. Code 1714.1	<u>Liability of parent or guardian for act of willful misconduct by a minor</u>
Civ. Code 51.7	<u>Freedom from violence or intimidation</u>
Civ. Code 52.1	<u>Discrimination liability</u>
Ed. Code 48900	<u>Grounds for suspension or expulsion</u>

Ed. Code 48904	Willful misconduct; limit of liability of parent or guardian
Ed. Code 48904.3	Withholding grades, diplomas, or transcripts of pupils causing property damage or injury
Gov. Code 53069.5	Reward for information
Pen. Code 594.1	Aerosol containers of paint
Pen. Code 594.2	Intent to commit vandalism or graffiti
Pen. Code 594.6	Vandalism or graffiti; community service
Pen. Code 640.5	Graffiti; facilities or vehicles of governmental entity
Pen. Code 640.6	Graffiti
Management Resources	Description
Website	CSBA District and County Office of Education Legal Services
Website	California Department of Education
Website	CSBA

Cross References

Code	Description
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
1313	Civility
1330.1	Joint Use Agreements
3515	Campus Security
3515	Campus Security
3515.3	District Police/Security Department
3515.3	District Police/Security Department
3515.31	School Resource Officers
3515.4	Recovery For Property Loss Or Damage
3515.4	Recovery For Property Loss Or Damage
4156.3	Employee Property Reimbursement
4256.3	Employee Property Reimbursement
4356.3	Employee Property Reimbursement

5125.2	<u>Withholding Grades, Diploma Or Transcripts</u>
5131	<u>Conduct</u>
5131.1	<u>Bus Conduct</u>
5131.1	<u>Bus Conduct</u>
5131.4	<u>Student Disturbances</u>
5131.4	<u>Student Disturbances</u>
5136	<u>Gangs</u>
5136	<u>Gangs</u>
5137	<u>Positive School Climate</u>
5138	<u>Conflict Resolution/Peer Mediation</u>
5144	<u>Discipline</u>
5144	<u>Discipline</u>
5144.1	<u>Suspension And Expulsion/Due Process</u>
5144.1	<u>Suspension And Expulsion/Due Process</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5145.7	<u>Sex Discrimination and Sex-Based Harassment</u>
5145.7	<u>Sex Discrimination and Sex-Based Harassment</u>
5145.9	<u>Hate-Motivated Behavior</u>
6161.2	<u>Damaged Or Lost Instructional Materials</u>