

San Dieguito Union High School District

Vandalism and Graffiti

BP 5131.5

Students

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.

The Board of Education shall seek full restitution from any individual or the Parents/Guardian of minors who commit any act of vandalism in the amount of the damage, including direct and indirect costs.

Vandalism includes negligent, willful or unlawful damaging of any District-owned real or personal property. The student and the parents/guardian having custody or control of a minor who commits an act of vandalism will be held liable for that act as indicated in Education Code 48904 and Civil Code 1714.1. After affording the student their due process rights, the District may withhold the diploma and transcript of the student until full payment for the damages has been provided in accordance with Section 48904 of the Education Code. Any student who commits an act of vandalism shall also be subject to disciplinary action as indicated in Section 48900 of the Education Code.

In Addition to making every effort to recover payment for damages caused by vandalism, staff will provide parents/guardian with appropriate intervention strategies.

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

CIVIL CODE

51.7 Right to be free from violence

52.1 Discrimination liability

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

GOVERNMENT CODE

53069.5 Reward for information

PENAL CODE

594.1 Aerosol containers of paint

594.2 Intent to commit vandalism or graffiti

594.6 Vandalism or graffiti, community service

640.5 Graffiti; facilities or vehicles of governmental entity

640.6 Graffiti

CODE OF REGULATIONS, TITLE 5

305 Student responsible for care of property

Management Resources:

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

(6/87 12/91) 7/09

Board Adopted: August 22, 2019

Board Revised: January 20, 2022