



Huntington Beach Union High School District Board Policies and Administrative Regulations

BP 5131.5
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Students

Vandalism and Graffiti

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.

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 on demand.

The district will take all legal means available to seek restitution for losses incurred as a result of graffiti or vandalism of district property.

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.

Students

Vandalism and Graffiti (continued)

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 and the district may require reparation. If reparation for damages is not made, the district also may withhold the student's grades, diploma, and/or transcripts in accordance with law. Prior to withholding a student's grades, diploma or transcript, the district shall notify the student's parent/guardian.

When the minor and parent are unable to pay for the damages (upon showing evidence 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.

Reward

If the Superintendent or law enforcement officials are unable to fix the responsibility for the vandalism, the Board may direct the Superintendent to offer a reward in any amount it deems appropriate for information leading to the identification and apprehension of the guilty party.

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.

Students

Vandalism and Graffiti (continued)

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

CODE OF REGULATIONS, TITLE 5

305 Pupil responsible for care of property

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>

Policy

Adopted: 9/8/87

Revised: 12/12/17