

## R 7610 VANDALISM

### A. Definitions

1. “Vandalism” means the willful and malicious acts of any person that result in the destruction, defacement, or damage of any property, real or personal, belonging to or entrusted to the Board. Vandalism includes arson and an act of graffiti.
2. “Arson” means the willful and malicious burning or setting on fire of any building or part of any building owned or operated by the Board, by any person.
3. “Act of graffiti” means the drawing, painting or making of any mark or inscription on school district real or personal property without the permission of the school district.

### B. Reporting Vandalism

1. Any school employee who has reason to believe that an act of vandalism has occurred shall immediately report that belief or suspicion to the Principal of the affected building or, if the vandalism occurs at a facility other than a school, the supervisor in charge of the facility.
2. The Principal or supervisor shall promptly institute an investigation of the report by taking these steps as appropriate to the extent and seriousness of the vandalism:
  - a. Requesting the reporting employee to file a report of the evidence giving rise to his/her belief or suspicion that vandalism has occurred;
  - b. Visiting the site of the vandalism and examining its extent, taking photographs as necessary;
  - c. Determining and recording the names of witnesses, if any;
  - d. Interviewing witnesses and requesting their written reports of events;
  - e. Assessing the costs of repair and replacement of any parts of the building, furnishings, and/or equipment; and
  - f. Questioning the person or persons, if any, identified as having caused the vandalism.



3. The Principal will complete and file with the Superintendent a detailed vandalism and property damage report.
  4. The Principal will notify the police if the vandalism involves:
    - a. Significant damage, or
    - b. Arson, or
    - c. Theft or burglary, or
    - d. The use of any symbol that exposes persons to violence, contempt, or hatred on the basis of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability, or
    - e. An act of graffiti.
- C. Penalties and Restitution
1. A pupil who vandalizes school property is subject to discipline, which may include suspension or expulsion, in accordance with Policy Nos. 5600, 5610, and 5620.
  2. A pupil who vandalizes school property will be held liable for any damages caused by the act of vandalism.
  3. The parent(s) or legal guardian(s) of any minor who injures/vandalizes school property, whether or not the minor is enrolled in this district, shall be liable for damages to the amount of the injury, together with costs of suit if the Board must resort to legal process to obtain payment of damages. N.J.S.A. 18A:37-3
    - a. The School Business Administrator/Board Secretary shall obtain a professional estimate of the cost of repairs and/or replacements necessitated by the vandalism.
    - b. The School Business Administrator/Board Secretary shall present the pupil's parent(s) or legal guardian(s) with an itemized bill based on the estimated costs.



- c. If, within thirty calendar days, the pupil's parent(s) or legal guardian(s) has not paid the bill or made arrangements with the School Business Administrator/Board Secretary for the payment of the bill in periodic installments, the Superintendent shall inform the Board and may recommend that the Board Attorney commence civil action for the amount due together with costs.
  - d. No diploma, transcript, transfer card, or report card will be issued to the pupil until all obligations to the Board have been met.
4. The Principal will recommend to the Superintendent and the Superintendent will recommend to the Board, a pupil whose vandalism of school property is so serious or chronic as to warrant reporting the pupil to the police.
5. Any person who purposely defaces or damages school property with any symbol that exposes persons to violence, contempt, or hatred on the basis of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability is guilty of a crime and shall be reported to the appropriate law enforcement agency.
6. Any person who purposely or knowingly damages school district property recklessly or negligently in the employment of fire, explosives or another dangerous means listed in accordance with N.J.S.A. 2C:17-2 or purposely or recklessly tampers with the tangible property of the school district so as to endanger school district property will be reported to the appropriate law enforcement agency.
7. A person convicted of an offense that involves an act of graffiti will be required to reimburse the school district the cost of damages and may be required to perform community service, which may include removing the graffiti from the property, in accordance with the law. In addition, the courts may suspend or postpone driving privileges of any person, at least thirteen and under eighteen years of age, if convicted of an act of graffiti.

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