

## **7610 VANDALISM**

The Board of Education believes that all school district property should be respected and all persons who use or have access to school district property should respect such property and take pride in the institutions of this community and the schools of this district.

Any person who purposely or knowingly damages school district property or 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 shall be reported to the appropriate law enforcement agency. Where the damage to district property is more than minimal or has been caused by a pupil or a minor not a pupil of this district, the Board will hold liable for the amount of the damage the parent or legal guardian having legal custody and control of the minor responsible for the damage.

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.

A person who purposely defaces or damages district property with any symbol that exposes persons to violence, contempt, or hatred on the basis of race, color, creed, gender, sexual orientation or religion is guilty of a crime and shall be reported to appropriate law enforcement authorities. The Board may also report to the appropriate law enforcement agencies any person whose vandalism of school property is serious or chronic.

The Superintendent shall develop regulations to implement this policy and to protect textbooks, school equipment, and school facilities from undue wear, damage, or loss.

N.J.S.A. 2C:33-10 et seq.  
N.J.S.A. 18A:34-2; 18A:37-3

Approved: November 21, 2000  
Reviewed: November 6, 2018

## **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 school district real or personal property 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 or 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, or religion, 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 parents or legal guardians 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 or legal guardian with an itemized bill based on the estimated costs.

**PROPERTY  
R 7610  
Vandalism**

**Page 3 of 3**

- c. If, within thirty days the pupil's parent or legal guardians 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 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, gender, sexual orientation or religion 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.

In Effect: November 21, 2000