

ORANGE COUNTY DEPARTMENT OF EDUCATION  
Costa Mesa, California

SUPERINTENDENT'S POLICY

100-20

**Vandalism and Graffiti**

The Orange County Department of Education 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 may 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 will determine whether the incident necessitates an investigation pursuant to the Orange County Department of Education'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 may be preserved as necessary for investigation by the Orange County Department of Education or law enforcement and as evidence in any Orange County Department of Education 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 may be subject to disciplinary action, including, but not limited to, suspension or expulsion in accordance with Orange County Department of Education policy and procedure. If reparation for damages is not made, the Orange County Department of Education also may withhold the student's grades, diploma, and/or transcripts in accordance with law.

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