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 of Education. Vandalism includes arson and acts 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 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 their 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(s), 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 law enforcement when appropriate and in accordance with applicable laws.

C. Penalties and Restitution

1. A student who vandalizes school property is subject to discipline, which may include suspension or expulsion, in accordance with Board Policy, Board Regulation, and law.

2. A student who vandalizes school property may be held liable for any damages caused by the act of vandalism.

3. The parent(s) of any minor who shall injure any public or nonpublic school property~~,~~ shall be liable for damages for ~~to~~ the amount of the injury to be collected by the Board or the owner of the premises in any Court of competent jurisdiction, together with costs of suit in accordance with N.J.S.A. 18A:37-3.

a. The Principal or designee shall obtain a professional estimate of the cost of repairs and/or replacements necessitated by the vandalism.

b. The Principal or designee shall present the student's parent(s) with an itemized bill based on the estimated costs.

c. If, within thirty calendar days, the student's parent(s) has not paid the bill or made arrangements with the Principal or designee for the payment of the bill in periodic installments, the Superintendent shall inform the Board and may recommend 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 student until all obligations to the Board have been met.

4. Any person who purposely defaces or damages school property with any symbol that exposes persons to violence, contempt, or hatred on the basis of any of the protected categories listed at N.J.A.C. 6A:7-1.1(a) may have committed a crime and shall be reported to the appropriate law enforcement agency in accordance with Policy and

Regulation 8465; N.J.A.C. 6A:16-6.3; and the Memorandum of Agreement with Local Law Enforcement.

5. 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.

6. A person convicted of an offense of criminal mischief that involves an act of graffiti may, in addition to any other penalty imposed by the Court, be required to pay the school district monetary restitution in the amount of the pecuniary damage caused by the act of graffiti and to perform community service, which may include removing the graffiti from the property, in accordance with N.J.S.A. 2C:17-3.c. If community service is ordered by the Court, it shall be for either not less than twenty days or not less than the number of days necessary to remove the graffiti from the property.

Adopted: November 21, 2024