

**RECOVERY FOR PROPERTY LOSS OR DAMAGE**

The Board of Trustees desires to create a safe and secure learning environment and to minimize acts of vandalism and damage to school property. When district property is damaged due to the willful misconduct of a student or other person, the district shall seek reimbursement of damages, within the limitations specified in law, from the parent/guardian of a minor child or from any other responsible individual.

*(cf. 0450 - Comprehensive Safety Plan)*  
*(cf. 3515 - Campus Security)*  
*(cf. 4156.3/4256.3/4356.3 - Employee Property Reimbursement)*  
*(cf. 4158/4258/4358 - Employee Security)*  
*(cf. 5131 - Conduct)*  
*(cf. 5131.5 - Vandalism and Graffiti)*  
*(cf. 5136 - Gangs)*  
*(cf. 5144.1 - Suspension and Expulsion/Due Process)*

The district may collect debt owed by a student or former student as a result of vandalism or to cover the replacement cost of district books, supplies, or property loaned to a student that the student willfully fails to return or that is willfully cut, defaced, or otherwise injured. However, this policy shall not apply to a student who is a current or former homeless or foster child or youth. (Education Code 48904, 49014)

*(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)*  
*(cf. 6173 - Education for Homeless Children)*  
*(cf. 6173.1 - Education for Foster Youth)*

The Superintendent/Principal or designee shall disburse the reward when the guilt of the person responsible for the act has been established by a criminal conviction or other appropriate judicial procedure. If more than one person provides information, the reward shall be divided among them as appropriate.

*Legal Reference: (see next page)*

## **RECOVERY FOR PROPERTY LOSS OR DAMAGE (continued)**

*Legal Reference:*

**EDUCATION CODE**

*19910 Libraries, malicious cutting, tearing, defacing, breaking or injuring*

*19911 Libraries, willful detention of property*

*44810 Willful interference with classroom conduct*

*48904 Liability of parent/guardian for willful misconduct*

*49014 Public School Fair Debt Collection Act*

**CIVIL CODE**

*1714.1 Liability of parent or guardian for act of willful misconduct by a minor*

**GOVERNMENT CODE**

*53069.5 Reward for information concerning person causing death, injury, or property damage*

*53069.6 Actions to recover damages*

*54951 Local agency, definition*

**PENAL CODE**

*484 Theft defined*

*594 Vandalism*

*594.1 Aerosol paint and etching cream*

*640.5 Graffiti; facilities or vehicles of governmental entity*

*640.6 Graffiti*

*Management Resources:*

**WEB SITES**

*CSBA: <http://www.csba.org>*

*California Department of Education: <http://www.cde.ca.gov>*

*Judicial Council of California: <http://www.courts.ca.gov>*