

MIDDLETOWN UNIFIED SCHOOL DISTRICT

Policy 5131.5: Vandalism And Graffiti

Adopted Date: 12/13/2023

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

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
5 CCR 305	Student responsible for care of property
Civ. Code 1714.1	Liability of parent or guardian for act of willful misconduct by a minor
Civ. Code 51.7	Freedom from violence or intimidation
Civ. Code 52.1	Discrimination liability
Ed. Code 48900	Grounds for suspension or expulsion
Ed. Code 48904	Willful misconduct; limit of liability of parent or guardian
Ed. Code 48904.3	Withholding grades, diplomas, or transcripts of pupils causing property damage or injury

Gov. Code 53069.5

Pen. Code 594.1

Pen. Code 594.2

Pen. Code 594.6

Pen. Code 640.5

Pen. Code 640.6

Management Resources

Website

Website

Website

[Reward for information](#)

[Aerosol containers of paint](#)

[Intent to commit vandalism or graffiti](#)

[Vandalism or graffiti; community service](#)

[Graffiti; facilities or vehicles of governmental entity](#)

[Graffiti](#)

Description

[CSBA District and County Office of Education Legal Services](#)

[California Department of Education](#)

[CSBA](#)

Cross References

Code

0450

0450

1313

1330.1

3515

3515

3515.3

3515.3

3515.31

3515.4

3515.4

4156.3

4256.3

4356.3

5125.2

5131

5131.1

5131.1

5131.4

5131.4

5136

Description

[Comprehensive Safety Plan](#)

[Comprehensive Safety Plan](#)

[Civility](#)

[Joint Use Agreements](#)

[Campus Security](#)

[Campus Security](#)

[District Police/Security Department](#)

[District Police/Security Department](#)

[School Resource Officers](#)

[Recovery For Property Loss Or Damage](#)

[Recovery For Property Loss Or Damage](#)

[Employee Property Reimbursement](#)

[Employee Property Reimbursement](#)

[Employee Property Reimbursement](#)

[Withholding Grades, Diploma Or Transcripts](#)

[Conduct](#)

[Bus Conduct](#)

[Bus Conduct](#)

[Student Disturbances](#)

[Student Disturbances](#)

[Gangs](#)

5136	<u>Gangs</u>
5137	<u>Positive School Climate</u>
5138	<u>Conflict Resolution/Peer Mediation</u>
5144	<u>Discipline</u>
5144	<u>Discipline</u>
5144.1	<u>Suspension And Expulsion/Due Process</u>
5144.1	<u>Suspension And Expulsion/Due Process</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5145.7	<u>Sexual Harassment</u>
5145.7	<u>Sexual Harassment</u>
5145.9	<u>Hate-Motivated Behavior</u>
6161.2	<u>Damaged Or Lost Instructional Materials</u>