

Policy EBCA: Vandalism Protection

Status: DRAFT

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VANDALISM PROTECTION

If any pupil shall willfully destroy, cut, deface, damage, or injure any school building, equipment or other school property, he shall be liable to suspension or expulsion and his parents or person or persons in loco parents shall be liable for all damages. 37-11-19

This school board has the power, authority and duty to suspend or to expel a pupil for misconduct in the school, upon school buses, on the road to and from school, during recess or upon the school playgrounds, and to delegate such authority to the appropriate officials of the school district. 37-7-301 (e)

Citizens, students and law enforcement are urged by this school board to cooperate in reporting any incidents of vandalism in property belonging to the district and the name(s) of the person or persons believed to be responsible. Each employee of this district shall report to the principal of the school every incident of vandalism known to him or her, and, if known, the names of those responsible.

School officials are hereby authorized to sign complaints and to make charges against perpetrators of vandalism against school property, and are further authorized to delegate, as they see fit, authority to sign such complaints and to press charges.

1. A copy of the school district's discipline plan shall be distributed to each student enrolled in the district, and the parents, guardian or custodian of such student shall sign a statement verifying that they have been given notice of the discipline policies of their respective school district. The school board shall have its official discipline plan and code of student conduct legally audited on an annual basis to ensure that its policies and procedures are currently in compliance with applicable statutes, case law and state and federal constitutional provisions.
2. All discipline plans of school districts shall include, but not be limited to, the following:
 1. A parent, guardian or custodian of a compulsory-school-age child enrolled in a public school district shall be responsible financially for his or her minor child's destructive acts against school property or persons;
 2. A parent, guardian or custodian of a compulsory-school-age child enrolled in a public school district may be requested to appear at school by the school attendance officer or an appropriate school official for a conference regarding acts of the child specified in paragraph (a) of this subsection, or for any other discipline conference regarding the acts of the child;
 3. Any parent, guardian or custodian of a compulsory-school-age child enrolled in a school district who refuses or willfully fails to attend such discipline conference specified in paragraph (b) of this section may be summoned by proper notification by the superintendent of schools or the school attendance officer and be required to attend such discipline conference; and
 4. A parent, guardian or custodian of a compulsory-school-age child enrolled in a public school district shall be responsible for any criminal fines brought against such student for unlawful activity occurring on school grounds or buses.
3. Any parent, guardian or custodian of a compulsory-school-age child who (a) fails to attend a discipline conference to which such parent, guardian or custodian has been summoned under the provisions of this section, or (b) refuses or willfully fails to perform any other duties imposed upon him or her under the provisions of this section, shall be guilty of a misdemeanor and, upon conviction, shall be fined not to exceed Two Hundred and Fifty Dollars (\$250.00).
4. Any public school district shall be entitled to recover damages in an amount not to exceed Twenty Thousand Dollars (\$20,000.00), plus necessary court costs, from the parents of any minor under the age of eighteen (18)

years and over the age of six (6), who maliciously and willfully damages or destroys property belonging to such school district. However, this section shall not apply to parents whose parental control of such child has been removed by court or decree. The action authorized in this section shall be in addition to all other actions which the school district is entitled to maintain and nothing in this section shall preclude recovery in a greater amount from the minor or from a person, including the parents, for damages to which such minor or other person would otherwise be liable.

5. A school district's discipline plan may provide that as an alternative to suspension, a student may remain in school by having the parent, guardian or custodian, with the consent of the student's teacher or teachers, attend class with the student for a period of time specifically agreed upon by the reporting teacher and school principal. If the parent, guardian or custodian does not agree to attend class with the student or fails to attend class with the student, the student shall be suspended in accordance with the code of student conduct and discipline policies of the school district. 37-11-53
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