

**Greater Albany SD 8J**  
**Board Policy**

Code: **ECAB**  
Adopted: 7/23/79; 3/12/01; 12/13/04  
Readopted: 8/22/11; 1/09/12  
Orig. Code(s): BP 8230

**Vandalism/Malicious Mischief/Theft\*\***

The Board directs the administration to investigate cases of illegal actions occurring on district grounds, including, but not limited to, trespass, break-ins, burglary and vandalism which may occur in the district.

Students and citizens are urged to cooperate in reporting any incidents of vandalism/malicious mischief/theft and the name or names of the person or persons believed to be responsible.

Each district employee will report to the principal or other person in authority incidents of vandalism/malicious mischief/theft and the name of the person or persons responsible, if known.

Principals will submit a report of any vandalism/malicious mischief/theft or damage to their buildings, to the superintendent. The superintendent will report to the Board regarding major vandalism/malicious mischief/theft or damage to school property.

The district may offer a reward to an individual(s) who provides information that results in the apprehension of a person(s) guilty of vandalism/malicious mischief/theft or other criminal acts against the district. The amount of reward shall be determined by the superintendent on a case by case basis within any guidelines set by the Board.

The superintendent or designee is authorized to sign a criminal complaint and to press charges against those committing acts of vandalism/malicious mischief/theft of or against school property. Because incidents of willful or malicious abuse, destruction, defacing and theft of district property are clearly contrary to the best interests of the district and injurious to the rights and welfare of the entire community, it is the policy of the Board to seek all legal remedies against persons found to have committed such acts. Action to collect for damages or other legal recourse shall be initiated when, in the opinion of the superintendent and legal counsel, such action may be productive. Full restitution for the damage will be sought from such persons, or, in the case of minors, from their parents or guardians<sup>1</sup>. Until such fees and restitutions are paid, students may be restricted from attending or participating in school activities or events that are beyond those provided as part of a free and appropriate public education. Records requested by another school district to determine a student's appropriate placement may not be withheld.

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<sup>1</sup>As used in this policy, the term parent includes legal guardian or person in a parental relationship. The status and duties of a legal guardian are defined in ORS 125.005 (4) and 125.300 - 125.325. The determination of whether an individual is acting in a parental relationship, for purposes of determining residency depends on evaluation of those factors and a power of attorney executed pursuant to ORS 109.056. For special education students, parent also includes a surrogate parent, and adult student to whom rights have transferred and foster parent as defined in OAR 581-015-0005 (18).

Students who willfully destroy school property through vandalism/malicious mischief/theft or arson, who commit larceny or who create a hazard to the safety of other people on district property will be disciplined in accordance with state law and the Board's policy on student suspensions/expulsions and referred to law enforcement authorities.

The procedure for action by the administration following damage to district property shall be included in the administrative rules of the district.

END OF POLICY

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**Legal Reference(s):**

[ORS 30.765](#)

[ORS 164.345](#)

[ORS 164.365](#)

[ORS 326.575](#)

[ORS 332.107](#)

[ORS 339.260](#)

[ORS 339.270](#)

[ORS 419C.680](#)

**Cross Reference(s):**

JFC - Student Conduct

JFCB - Care of District Property by Students

JN - Student Fees, Fines and Charges

JO/IGBAB - Education Records/Records of Students with Disabilities Management

KGB - Public Conduct on District Property