



NON-INSTRUCTIONAL SERVICES: Physical Plant Services

Restitution for Vandalism

I. Purpose

To implement Board of Education of Baltimore County (Board) Policy 3532 by establishing guidelines for the collection of restitution for the vandalism of Board property.

II. Definitions

- A. *Board Property* – Any Board-Owned, controlled or leased property, including but not limited to buildings, grounds, fixtures, equipment and vehicles.
- B. *Vandalism* – Any willful or unlawful act that damages, destroys, injures, defaces or substantially decreases the value of Board property.

III. Guidelines

A. Requirements

Financial restitution for vandalism of Board property is required when the student or individual responsible for the damage is known. Restitution occurs through:

- 1. Agreement of the parent/guardian or student (if 18 years of age or older); or
- 2. By order of the court or the Department of Juvenile Services.

B. Reporting

- 1. In all cases of loss or damage, the school principal or department head shall file a *Property Loss/Damage Report form* with the Office of Risk Management.
- 2. The Office of Risk Management and the office responsible for the damaged Board property shall be responsible for notifying and coordinating repairs or replacement with the school system's insurance carrier when vandalism exceeds the policy deductibles.
- 3. In all cases of vandalism, the school principal or department head must promptly notify the police department and the office of building security.

C. Determining Amount of Loss

1. In cases involving damage and loss to the physical plant, the Department of Facilities Management will determine repair or replacement costs.
2. In cases involving damage and loss to classroom or office equipment/supplies, the Office of Purchasing and the Office of Risk Management will assist school personnel in determining repair or replacement costs.
3. In cases involving damage to vehicles, the Office of Transportation will determine repair or replacement costs.
4. In all other instances not mentioned above, the office responsible for the damaged Board property will determine repair or replacement costs.

IV. Restitution from Students

- A. A student who commits an act of vandalism shall be subject to disciplinary action in accordance with Board Policy 5550, *Disruptive Behavior*.
- B. As part of the disciplinary action, unless the student is referred to the Department of Juvenile Services, the student or the student's parent or guardian, shall be required to make restitution.
- C. The restitution may be made in the form of monetary restitution not to exceed the lesser of the fair market value of the property, or \$2,500.00, or by the student's assignment to a school work project, or both.
- D. The Office of School Climate will establish procedures for the collection of restitution from student offenders.

V. Criminal Proceedings

- A. If criminal charges are commenced relating to vandalism of Board property, the school system may pursue restitution for any damages through the criminal proceedings.
- B. Schools shall immediately refer all requests and notices of hearings from juvenile authorities, the court system and the state's attorney's office to the Office of Law.
- C. The Office of Law will coordinate responses to the court and ensure that the

appropriate authorities have knowledge of the actual damages to the school system and facilitate obtaining orders of restitution.

VI. Payment

All restitution funds received pursuant to this rule will be deposited in accordance with established accounting procedures.

VII. Collection

The Office of Law is empowered to negotiate settlement or institute legal proceedings to collect restitution.

Legal References: *Annotated Code of Maryland, Criminal Law Article §6-301, Malicious Destruction – Generally*  
*Annotated Code of Maryland, Criminal Law Article §10-305, Damage to Associated Building*  
*Annotated Code of Maryland, Education Article §7-305, Suspension and Expulsion*  
COMAR 13A.08.01.11(D), *Disciplinary Action*

Related Policies: Board of Education Policy 3150, *Board Insurance Program*  
Board of Education Policy 5550, *Disruptive Behavior*  
Board of Education Policy 5560, *Suspensions, Assignment to Alternative Education Programs or Expulsions*

Rule	Superintendent of Schools
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