

**Linn Benton Lincoln
Education Service District**

Code: **ECAB**
Adopted: 7/8/98
Readopted: 10/10/07

Vandalism/Malicious Mischief/Theft**

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

Supervisors 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 district property.

The ESD 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 is authorized to sign a criminal complaint and to press charges against those committing acts of vandalism/malicious mischief/theft of or against ESD property. Because incidents of willful or malicious abuse, destruction, defacing and theft of ESD property are clearly contrary to the best interests of the ESD 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. Full restitution for the damage will be sought from such persons, or, in the case of minors, from their parents.¹ Certain records may be withheld for failure to make restitution for assessed damages.

Students and staff who willfully destroy ESD property through vandalism/malicious mischief/theft or arson, who commit larceny or who create a hazard to the safety of other people on ESD property will be disciplined in accordance with state law and applicable Board policies and referred to law enforcement authorities.

END OF POLICY

¹As 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 the evaluation of the factors listed in ORS 419B.373. The determination for other purposes depends on evaluation of those factors and a power of attorney executed pursuant to ORS 109.056.

Legal Reference(s):

[ORS 30.765](#)
[ORS 164.345](#)
[ORS 164.365](#)

[ORS 334.125\(7\)](#)
[ORS 326.575](#)
[ORS 339.260](#)

[ORS 339.270](#)
[ORS 419C.680](#)

Cross Reference(s):

JO - Education Records