

STUDENTS

When a student injures, destroys, or defaces school property, including school buses, the student and his parent or guardian shall be required to pay for the damage.

Students who willfully and maliciously deface, destroy, or carry away school property shall be prosecuted in accordance with the Code of Virginia.

Legal Reference:

Code of Va., § 8.01-43. Action against parent for damage to public property by minor.--

"The Commonwealth, acting through the officers having charge of the public property involved, or the governing body of a county, city, town, or other political subdivision, or a school board may institute an action and recover from the parents or either of them of any minor living with such parents or either of them for damages suffered by reason of the willful or malicious destruction of, or damage to, public property by such minor. No more than \$2500 may be recovered from such parents or either of them as a result of any incident or occurrence on which such action is based." (1997)

Code of Va., § 8.01.44. Action against parent for damage to private property by minor.--

"The owner of any property may institute an action any recover from the parents, or either of them, of any minor living with such parents, or either of them, for damages suffered by reason of the willful or malicious destruction of, or damage to, such property by such minor. No more that \$2,500 may be recovered from such parents, or either of them, as a result of any incident or occurrence on which such action is based. Any recovery from the parent or parents of such minor shall not preclude full recovery from such minor except to the amount of the recovery from such parent or parents. The provisions of this stature shall be in addition to, and not in lieu of, any other law imposing upon a parent liability for the acts of his minor child." (1997)

Code of Va., § 18.2-138. Damaging public buildings etc.; penalty.--"Any person who willfully and maliciously (i) breaks any window or door of the Capitol, any courthouse, house of public worship, college, school house, city or town hall, or other public building or library, (ii) damages or defaces the Capitol or any other public building or any statuary in the Capitol, on the Capitol Square, or in or on any other public buildings or public grounds; or (iii) destroys any property in any of such buildings shall be guilty of a Class 6 felony if damage to the property is \$1,000 or more or a Class 1 misdemeanor if the damage is less than \$1,000.

Any person who willfully and unlawfully damages or defaces any book, newspaper, magazine, pamphlet, map, picture, manuscript, or other property located in library, reading room, museum or other educational institution shall be guilty of a Class 6 felony if damage to the property is \$1,000 or more or a Class 1 misdemeanor if the damage is less than \$1,000." (1990)

Code of Va., § 22.1-276. Liability of pupils for destruction of property.--"Each pupil

STUDENTS

Destroying or Defacing School Property (continued)

shall be required to reimburse the school board for any actual breakage or destruction of property owned by or under the control of the school board done by such pupil in pursuit of his studies." (1980)

Adopted by School Board: June 5, 1973