

5011 Searches of Students, Student's Property & School Owned Property 5011

- I. **Searches of Students and Students' Property:** A student is subject to search by District staff if reasonable grounds exist to suspect that evidence of a violation of the law or school rules will be uncovered. Except for emergency or unique situations, searches will be conducted by school administrators.
 - A. **Establishing Reasonable Grounds:** The following review of the basis for search should occur before conducting a search:
 - 1. Identify a) the student's suspicious conduct, behavior, or activity; b) the source of the information; and c) the reliability of the source of the information;
 - 2. If suspicion could be confirmed, would such conduct be a violation of the law or school rules?
 - B. **Conducting Searches of Individuals.** If the principal/designee determines that reasonable grounds exist to search a student's clothing, personal effects, desk, locker, assigned storage area or automobile, a search may be conducted. All searches will be conducted in as private a manner as possible by authorized school officials, and when appropriate in the presence of the accused students. All searches will be conducted by at least two school officials, one of which must be the same sex as the person to be searched.
 - 1. School officials may search a student by asking the student to remove all items from his/her pocket(s), handbag, backpack, gym bag, and the like.
 - 2. A pat-down search of a person may be conducted by a school official of the same sex on the basis of reasonable suspicion that such person may be in possession of contraband.
 - 3. Strip searches are forbidden. No clothing except cold weather outer garments will be removed before or during a search.
 - 4. If a student refuses to cooperate in a search, the student will be detained until the student's parents or guardians consent to a search. If the parent or guardian cannot be reached in a reasonable time, or if the parent/guardian refuses consent, the principal may contact the police department for assistance with the search.
 - 5. Students will not be physically detained unless school officials deem them to be a danger to themselves or others.
 - 6. If school officials suspect that a search or investigation will result in a serious criminal offense, then the school official will contact the police department for assistance.

II. Locker and Other School Property Searches.

- A. Lockers, desks, and storage areas are the property of the school district, not the student. The users of lockers, desks, and other storage and compartment areas

have no reasonable expectation of privacy from school employees as to the contents of those areas. Such areas may be subjected to searches at any time with or without reasonable suspicion. Students are not to use any school area or property to contain anything that should not be at school. When assigned a locker, desk, or storage area, a student shall be responsible for its proper care.

- B. Administrative inspections may be conducted at any time for the purpose of locating misplaced library books, textbooks or other school property or to ensure that all lockers, desks, or storage areas are being kept clean and free from potential health or safety hazards.
- C. School staff shall report a student's suspicious activity to the principal prior to initiating a search, except in emergency situations when the risk of harm to students or staff demands immediate action.
- D. During a search of student lockers, desks, etc., if the school official conducting the search discovers any container within the locker which may conceal contraband, the container may be searched according to the District's procedure governing searches of students and their property. A "container" for the purpose of this policy may include, but is not limited to, an article of clothing, a handbag, backpack, gym bag, or any other item within which contraband material may be concealed.
- E. The District may determine reasonable grounds for a search by using appropriately placed cameras that are duly noted to the public, metal detectors, and by the use of trained canines in cooperation with appropriate law enforcement agencies.

III. Search of Student Vehicles on School Property. Students recognize that parking their vehicles on school property is a privilege and not a right. As part of this privilege, school officials may search a student's vehicle while parked on school property if the official has reasonable suspicion that a violation of school rules or the law exists. Students consent to having their vehicles searched by parking in school parking lots.

In situations when student's vehicles are parked on public property and school officials have reasonable suspicion that a violation of law exists, those officials will notify law enforcement authorities.

Adopted: 11/2007

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