

**STUDENTS**

**SEARCH AND SEIZURE**

The Board recognizes its responsibility to maintain order, safety and security in the schools. School authorities are authorized to conduct searches of students and their personal effects, as well as the property of the District, in accordance with the following regulations.

**Students and Their Personal Effects**

School authorities (certified employees and school administrators) may search a student and/or his/her personal effects (e.g., purses, wallets, knapsacks, book bags, lunch boxes, etc.) when there are reasonable grounds for suspecting that the search will produce evidence that the student has violated or is violating either the law or the District rules. Reasonable grounds exist when there is a particular suspicion of illegal conduct or a violation of District rules with respect to the individual to be searched. The search itself must be conducted in a manner reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction. When feasible, the search should be conducted as follows:

- Outside the view of disinterested parties;
- In the presence of a school administrator or adult witness; and
- By an administrator or designee (of the same sex if the search is of a student)

Immediately following the search of a student, a written report shall be made by the school authority who conducted the search. The written report shall be submitted to the Building Principal and forwarded to the Superintendent. The parent(s)/guardian(s) of a student searched in accordance with this policy shall be notified of the search.

**School Property**

School property and equipment, including but not limited to desks and lockers, is owned and controlled by the District and the District may make reasonable regulations regarding use of school property. The Superintendent, or his/her designee, may examine and inspect locker contents on a regular basis throughout the school year.

School authorities are authorized to conduct area-wide, general administrative inspections of school property (e.g., searches of all student lockers) as a means of protecting the health, safety or welfare of the District, its employees and students, without notice to or consent of the student and without a search warrant.

**STUDENTS**

In all other cases, school authorities may search school property when there are reasonable grounds to suspect that the search will produce evidence that the student has violated either the law or the District’s rules. The Superintendent, in his/her sole discretion, also may request the assistance of law enforcement officials to conduct searches for illegal drugs, weapons, or other illegal or dangerous substances or materials, including searches through use of specially trained dogs.

**Lockers and Desks - Search and Seizure**

Lockers and desks are owned and maintained by the District. The student is granted a limited use of a locker and desk, subject to the right of the school administration to have access thereto at any time;

**Ownership and Ability to Search**

- a. For cleaning the lockers or desks;
- b. When, in the opinion of the school administration, a clear danger to health or safety exists; or
- c. When the school administration has reason to believe that the locker or desk contains materials which a student would not be legally entitled to have in his/her possession or which violates the law or District policy.

**Appropriate Items for Storage**

The only items that may be placed in a locker or desk are articles of clothing, school books, or supplies relating to school use, lunches and personal items which the student is legally entitled to have in his/her possession.

**Safety Precautions**

All sixth, seventh, and eighth grade students are assigned lockers with locks. Lockers are to remain locked when not in use. Gym lockers are assigned by the physical education teachers and are equipped with locks for all children in grades five through eight. The District will not accept responsibility for lost, stolen or damaged items stored in an unlocked locker.

**Seizure of Property**

If a search conducted in accordance with this policy produces evidence that the student has violated or is violating either the law or the District’s rules, such evidence may be seized and impounded by school authorities, and disciplinary action may be taken. When appropriate, such

evidence may be transferred to law enforcement authorities. Parent(s)/guardian(s) will be notified if evidence pertaining to their child is seized or transferred to law enforcement authorities.

**Implementation of Policy**

The Superintendent shall develop rules and regulations to implement this policy.

LEGAL REF.: A

Revised: October 14, 2003