

Student Privacy and Searches

Searches of Students and Their 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. School staff shall report a student's suspicious activity to the principal prior to initiating a search, except in emergency situations. A search is required when there are reasonable grounds to suspect a student has a firearm on school grounds, transportation or at school events.

Establishing reasonable grounds.

The following review of the basis for the search should occur before conducting a search:

- A. Identify 1) the student's suspicious conduct, behavior, or activity; 2) the source of the information; and 3) the reliability of the source of such information.
- B. If suspicion could be confirmed, would such conduct be a violation of the law or school rules?
- C. Is the student likely to possess or have concealed any item, material, or substance which is itself prohibited or which would be evidence of a violation of the law or a school rule?

Conducting the search.

If the principal, or his or her designee, determines that reasonable grounds exist to search a student's clothing, personal effects, desk, locker, assigned storage area, or automobile, the search shall be conducted as follows:

- D. If evidence of criminal activity is suspected to be present, and prosecution by civil authorities will be recommended if confirmed by the search, consult law enforcement officials regarding the appropriateness of a search by a law enforcement officer.
- E. If evidence of violation of a school rule is suspected, and if confirmed by the search will be handled solely as a student discipline action, proceed to search by asking the student to remove all items from pockets, purses, handbags, backpacks, gym bags, etc.
- F. If the student refuses to cooperate in a personal search, the student should be held until the student's parent or guardian is available to consent to the search. If a parent or guardian cannot be reached in a reasonable time, the principal may conduct the search without the student's consent.

Locker Searches

Lockers, desks, and storage areas are the property of the school district. When assigned a locker, desk, or storage area, a student shall be responsible for its proper care. A student may be subject to a fine for any willful damage to school property. Students are encouraged to keep their assigned lockers closed and locked.

A student's locker desk or storage area may be searched by district staff if reasonable grounds exist to suspect that evidence of a violation of the law or school rules will be uncovered. 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.

Building principals should refer to these procedures for conducting searches of students and their property for guidance in establishing whether a search is reasonable under the circumstances.

Principals may search all lockers, desks, or storage areas without prior notice given to students and without reasonable suspicion that the search will yield evidence of any particular student's violation of the law or school rules.

Administrative inspections, or health and welfare 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. Periodic inspections of lockers will reinforce the district's ownership of lockers and the minimal expectation of privacy students have in the contents of their lockers.

During a search of all student lockers, if the school official conducting the search discovers any container within the locker which may conceal contraband, the container may be searched according to district procedures 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, purse, backpack, gym bag, or any other item in which contraband material may be concealed.

Canine Searches

The attending officer and one (1) other officer shall accompany the dog to the school. While the dog works, building principals and/or administrators shall temporarily close the portion of the corridor containing lockers or classrooms to be searched.

The following procedure will be used if the dog alerts to a locker, desk or storage area including vehicles parked within 300 feet of district property:

- A. The locker, desk, or storage area will be noted. Adjacent items will also be marked. A second dog may be used to verify any initial alert.
- B. After a canine officer and handler have completed the search and left the building, the building principals will conduct searches of the alerts with the assistance of the school resource officer. The building principal shall notify the student that their locker, desk or storage area is going to be searched and invite them to be present. The administration shall conduct the search. However, when school authorities have a reasonable suspicion that a locker or storage contains materials which pose a threat to the health, welfare, or safety of the school population, student lockers may be searched without prior warning.
- C. If drug paraphernalia or controlled substances or those items thought to be controlled substances, as defined in policy _____, are found, the parent/guardian shall be contacted immediately and requested to come to the school. An investigation shall be conducted by the building principal and district security according to Board policy and school procedures.
- D. If no drugs are found, the student will return to class. The building principal shall contact the student's parents/guardians before the end of the school day to explain the procedure that has occurred. Where possible, the student will be invited to be present with the principal when the telephone call is made.

- E. The administration shall prepare a statement to be used for media inquiries as to why the district is conducting canine searches. The statement shall indicate that the goal of occasional use of canine searches is to determine if controlled substances are present in the school, and to prevent students from engaging in any drug-related activity at school. School administrators have a compelling interest in protecting and preserving the health, safety, and welfare of the school population.
- F. The Superintendent shall notify the Board in a timely fashion.