

## STUDENT POLICIES

### STUDENT CONDUCT

#### Searches and Interrogations

In recognition of certain societal problems which present themselves from time to time in our schools, the Board authorizes the Superintendent of Schools, Building Principals, Assistant Principals, and School Nurse to conduct searches of pupils and their possessions for illegal matter or matter which otherwise constitutes a threat to the health, safety, welfare, or morals of pupils attending our schools.

Personal searches of pupils and searches of their possessions (i.e.: pocket contents, bookbags, handbags, removal of outer coats and jackets, etc.) shall not be conducted unless founded upon reasonable suspicion.

Pupils shall be informed by the Administration that school lockers are not their private property but the property of the school district and may be opened and subject to inspection from time to time by school officials.

Realizing the intrusive nature of a search which requires a pupil to remove any and/or all clothing (with the exception of outer coats and jackets), the Board authorizes such searches to be conducted only upon the existence of probable cause as determined following a review of the facts by the Superintendent of Schools.

The Superintendent of Schools shall establish regulations regarding personal searches of students in accordance with this policy and the law.

Update  
Presentation: 4/4/90

First  
Vote: 4/11/90

Second  
Vote: 5/2/90

STUDENT POLICIESSTUDENT CONDUCTStudent Searches Regulation

1. Pursuant to Board policy, pupils may be subject to personal searches and searches of their possessions where reasonable suspicion exists to conduct such search.
2. Searches may be conducted by the Superintendent of Schools, a Building Principal, Assistant Building Principal, or school nurse.
3. A search based upon the reasonable belief that the health or safety of those in our schools is seriously and immediately threatened may be conducted with as much speed as is required to protect persons property.
4. Reasonable suspicion to conduct a search shall be based upon: The pupil's age; the pupil's history and record in school; the prevalence and seriousness of the problem to which the search is directed; the urgency necessitating an immediate search; and the probative value and reliability of information used as justification for the search.
5. The request for a search of a pupil or pupil's possessions shall be directed to the Building Principal or Assistant Building Principal, who shall attempt to obtain an admission from the pupil of possession of the illegal matter or matter which otherwise constitutes a threat to the health, safety, welfare, or morals of pupils or a voluntary consent to the search. The search shall be limited to the extent necessary to locate such matter.
6. Whenever practicable, the search should be conducted in the privacy of administrative offices and the student should be present when his/her possessions are being searched. In addition to the person conducting the search, another school district professional employee shall also be present.
7. No search which requires a pupil to remove any and/or all clothing, (with the exception of outer coats and jackets), may be conducted unless probable cause exists and the same has been authorized in advance by the Superintendent of Schools. Such searches shall be conducted by an administrator or nurse of the same gender as the pupil in the presence of another school district professional employee who is also of the same gender. Unless the circumstances necessitate an immediate search, the building principal shall attempt to inform the parent or guardian prior to the search in order to afford the parent or guardian an opportunity to be present at the search. If the parent or guardian cannot be contacted prior to the search, the parent or guardian shall be informed of the search in writing by the building principal as soon thereafter as is practicable.

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8. The Building Principal or Assistant Building Principal shall be responsible for the prompt recording in writing of each pupil search. Such writing should include the reasons for the search, information received that established the need for the search, (informants other than the school district employees will be considered reliable if they have previously supplied information which was accurate and verified, if they make an admission against their own penal interest or if the same information is received independently from several informants), the names of those persons who were present when the search was conducted, any substance or objects discovered, and the disposition of such matter. The written record will be retained in the office of the building principal.
9. The Building Principal or Assistant Building Principal shall be responsible for the custody, control, and disposition of any matter taken from a pupil. He or she will remain in control of such matter. It shall be the responsibility of said Building Principal to personally deliver such matter to police authorities when appropriate.
10. Under law, pupils have no reasonable expectation of privacy rights in school lockers, desks, or other storage places with respect to the school authorities. The Building Principal shall give notice to all pupils that lockers, desks, and other school storage places may be subject to inspection at any time by school officials.
11. No police officer shall be allowed to perform a pupil search unless authorized by a search warrant or upon demonstrating probable cause to establish that the commission of an illegal act is occurring on school premises. In the case of a police officer presenting a search warrant, the Building Principal shall first attempt to inform the parent or guardian of the police demand to search in order to afford the parent or guardian an opportunity to be present at the search. In the event that the parent or guardian cannot be contacted prior to a police search, the parent or guardian shall be informed of the search in writing by the building principal as soon thereafter as is practicable.