

SEARCH AND SEIZURE

A. Scope and Purpose

When Lockers May be Searched

Any student locker on campus may be searched at anytime when the administration has a reasonable belief, considering the circumstances, that a student locker is being used to hold weapon(s) of any type, stolen property, explosive device(s), alcohol, drugs, or any inappropriate items. Lockers as used in this policy include desk, physical education department lockers, wood shop storage bins, etc.

The administration may consider any or all of the following in deciding whether there is reason to search a locker:

1. The source and content of the information.
2. The seriousness and prevalence of the problem to which the search is directed.
3. The emergency requiring a search.
4. The amount of intrusion resulting from the search weighted against the seriousness and prevalence of the problem to which the search is directed.
5. The student's past record and history.

B. General

Persons Who May Perform a Locker Search

Locker searches may be performed only by the principal, assistant principal or a designee of the principal. Generally, in the absence of an emergency situation, the search of the locker shall be observed by another adult. Whenever practicable the student will be present during the locker search. In emergencies the student need not be present while the search is conducted but all students shall be informed by means of the student handbook and any other means deemed appropriate by the administration, that lockers may be subject to search and seizure at all times where there is reasonable belief to conduct a search. After a search has been conducted without the student present, the student will be advised of the search, and when appropriate, the seizure.

SEARCH AND SEIZURE (Continued)

Immediately upon seizure of any item from a student locker, the District official who conducted the search shall record the time, place, circumstances of the search, and list all items seized. The District official shall file such report with the Principal's office along with any item seized which shall be sealed and stored appropriately to assure that it is not tampered with or destroyed. The student shall be dealt with in accordance with existing District policies concerning disciplinary procedures.

Individual Searches

In determining whether reasonable suspicion exists, school officials shall consider:

1. The student's age and previous behavior patterns.
2. The prevalence and seriousness in the school of the problem to which the search was directed.
3. The urgency requiring the search without delay.
4. The substantive value and reliability of the information used as a justification for the search.
5. The location of the student at the time of the incident which gave rise to reasonable suspicion.

Searches shall be made in the presence of at least one other district employee, unless a congruency situation exists. Employees will not conduct strip searches or body cavity searches.

C. Forms

None

D. Procedures

If the district uses metal detectors, then upon enrollment and at the beginning of each school year, students and parents/guardians shall receive notice that the district uses random metal detector scans as part of its program to promote safety and deter the presence of weapons. Signs shall be posted at all schools to explain that anyone may be scanned by metal detector for guns, knives or other illegal weapons when on campus or attending athletic or extracurricular events.

SEARCH AND SEIZURE (Continued)

The following procedures shall be followed when making metal detector scans:

1. Before walk-through, students shall be asked to empty their pockets of metal objects.
2. After an initial activation occurs, students shall be asked to walk through a second time.
3. If a second activation occurs, a hand-held metal detector will be used.
4. If the activation is not eliminated or explained, staff shall escort the student to a private area.
5. In the private area, an expanded search shall be conducted by a staff member of the same sex as the student.
6. The search shall be limited to the detection of weapons.

Use of Trained Dogs

Dogs shall not be used in rooms occupied by persons except for demonstration purposes, with the handler present. When used for demonstration purposes, the dog may not sniff the person of any individual and shall be well separated from the audience.

Only the dog's official handler will determine what constitutes an alert by the dog. If the dog alerts on a particular item or place, the student having the use of that place or responsibility for it shall be called to witness the search, unless a congruency occurs. If the dog alerts on a locked vehicle, the student who brought it onto district property shall be asked to unlock it for inspection.

Search of Student Lockers by Law Enforcement Officials

Notwithstanding anything in this policy, search and seizure activities of law enforcement officials shall be permitted where such search and seizure is conducted pursuant to a warrant issued by a Court for the purpose of such search and seizure.

E. Records Required

None

SEARCH AND SEIZURE (Continued)

F. Records Retained

None

G. Responsible Administrative Unit

Education Services

Student Services

Site Principals

H. Approved By

Assistant Superintendent of Educational Services