

Students

Search and Seizure

To maintain order and security in the schools, school authorities are authorized to conduct reasonable searches of school property and equipment, as well as of students and their personal effects. "School authorities," includes school liaison policy officers.

School Property and Equipment as well as Personal Effects Left There by Students

School authorities may inspect and search school property and equipment owned or controlled by the school (such as lockers, desks, and parking lots), as well as personal effects left there by a student, without notice to or the consent of the student. Students have no reasonable expectation of privacy in these places or areas or in their personal effects left there. This paragraph applies to student vehicles parked on school property.

The Superintendent or designee may request the assistance of law enforcement officials to conduct inspections and searches of lockers, desks, parking lots, and other school property and equipment for illegal drugs, weapons, or other illegal or dangerous substances or materials, including searches conducted through the use of specially trained dogs.

Students

School authorities may search a student and/or the student's personal effects in the student's possession (such as purses, wallets, clothing, knapsacks, book bags, lunch boxes, etc.) when there is a reasonable ground for suspecting that the search will produce evidence the particular student has violated or is violating either the law or the District's Student Code of Conduct. The search itself must be conducted in a manner which is reasonably related to its objectives and not excessively intrusive in light of the age and sex of the student and the nature of the infraction.

School authorities may authorize the random use of manual or walk-through metal detectors on students and their personal effects when they enter school buildings in order to screen for weapons. If metal is detected, the student will be asked to remove the metal causing the alarm and then retested. If metal is again detected, the student or his/her personal effects will be searched. Any schools with installed walk-through metal detectors, whether used randomly or daily, must post a sign outside the entrance to be used for metal detector screenings stating: "Any person entering this building may be subject to search." Schools should also include information about its metal detector program in a student handbook, if any, distributed to students at the beginning of each year or term.

Separate lines should be available for male and female students to pass through walk-through units (or to be screened by manual wands); male school authorities should be assigned to monitor the line for male students, and female school authorities should be assigned to monitor the line for female students.

There should be adequate space near the metal detectors to maintain order among the students waiting to be screened, but the area should be arranged in a way that prevents students from bypassing the search procedure.

All entrances not used for the metal detector screens should be locked so as to prevent entry from the outside, but must remain operable from the inside to comply with the fire code. If feasible, school personnel should be posted near locked doors to prevent screened students from assisting others in circumventing the search procedure.

Tables must be placed adjacent to walk-through metal detectors, and shall have ample trays to accommodate the personal metal possessions of students passing through the detector.

Prior to student's passage through a walk-through metal detector, he or she shall be instructed to place any metal items in their possession into a tray, and to place any other personal items (coats, backpacks, purses, etc.) on the table for scanning with a hand-held wand or physical inspection.

If the alarm sounds when a student passes through the metal detector or when the wand is passed along the student's body, the student should be asked to remove whatever metal is causing the alarm and then retested. If the alarm sounds again, the student should be escorted by school officials to a place of privacy and patted down. If a weapon is discovered, the Rockford Police Department must be notified immediately, and the weapon must be held by the school official who discovers it until the law enforcement officials arrive at the building.

When feasible, the search should be conducted as follows:

- outside the view of others, including students;
- in the presence of a school administrator or adult witness; and
- by a certified employee or liaison police officer of the same sex as the student.

Immediately following a search, a written report shall be made by the school authority who conducted the search, and given to the Superintendent or designee. The student's parent(s)/guardian(s) shall be notified of the search as soon as possible.

Notification Regarding Student Accounts or Profiles on Social Networking Websites

The Superintendent or designee shall notify students and their parents/guardians of each of the following in accordance with the Right to Privacy in the School Setting Act, 105 ILCS 75/1 et. seq.:

1. School officials may not request or require a student or his or her parent/guardian to provide a password or other related account information to gain access to the student's account or profile on a social networking website.
2. School officials may conduct an investigation or require a student to cooperate in an investigation if there is specific information about activity on the student's account on a social networking website that violates a school disciplinary rule or policy. In the course of an investigation, the student may be required to share the content that is reported in order to allow school officials to make a factual determination.

Seizure of Property

If a search produces evidence that the student has violated or is violating either the law or the District's policies or 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.

LEGAL REF.: Veronia School District 47J v. Acton, 115 S.Ct. 2386 (1995).
T.L.O. v. New Jersey, 105 S.Ct. 733 (1985).
Safford Unified School Dist. No. 1 v. Redding, 129 S. Ct. 2633 (2009).
Cornfield v. Consolidated High School Dist. No. 230, 991 F.2d 1316 (7th Cir. 1993).
People v. Dilworth, 661 N.E.2d 310 (1996).
People v. Pruitt, 662 N.E. 2d 540 (Ill. App. 1st Dist. 1996).
105 ILCS 5/10-20.14, 5/10-22.6, and 5/10-22.10a.
Right to Privacy in the School Setting Act, 105 ILCS 75/1 et. seq.

CROSS REF.: 7.130, 7.150, 7.190
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