

SUPERINTENDENT'S REGULATION 7-3.7: STUDENT SEARCHES

Background

Students are entitled to the guarantees of the Fourth Amendment, and they are subject to reasonable searches and seizures. School officials are empowered to conduct reasonable searches of students and school property when there is reasonable cause to believe that students may be in possession of drugs, weapons, alcohol and other materials in violation of school policy or state laws. Students who bring contraband onto school grounds may be searched in order to secure the school environment so learning can take place and to protect other students from any potentially harmful effects stemming from the contraband. School property shall remain under the control of school officials, and shall be subject to search.

Guidelines

Student lockers are school property and remain at all times under the control of the school; however, students are expected to assume full responsibility for the security of their lockers. Periodic general inspections of lockers may be conducted by school authorities for any reason at any time without notice, without student consent, and without a search warrant.

Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to conduct routine patrols of student parking lots and inspections of the exteriors of student automobiles on school property. The interiors of student vehicles may be inspected whenever a school authority has reasonable suspicion to believe that illegal or unauthorized materials are contained inside. Such patrols and inspections may be conducted without notice, without student consent, and without a search warrant.

A student's person and/or personal effects (e.g., purse, book bag, etc.) may be searched whenever a school authority has reasonable suspicion to believe that the student is in possession of illegal or unauthorized materials. A school official of the same gender and an adult witness should be present whenever a search of a student's person and personal effects is done. School officials should refrain from touching the student's person and students should only be required to remove outer garments such as jackets, sweatshirts, etc. Students may be required to remove shoes and socks. Students may also be required to pull out their pockets. If extreme emergency conditions require a more intrusive search of a student's person, such a search may only be conducted in private by a school official of the same gender, with an adult witness of the same gender present, and only upon the approval of the Superintendent/Designee unless the health or safety of students will be endangered by the delay which might be caused by following these procedures, or the search is done by law enforcement.

Ordinarily, and if circumstances permit, the search of a person or his or her effects should be conducted out of the presence of other students.

To initiate a lawful search, a school official should have suspicion, which is based on reasons that can be articulated, to believe that:

1. a law or school rule has been or is being broken;
2. a particular student(s) has committed the violation or infraction;
3. the suspected violation or infraction is of a kind for which there may be physical evidence (i.e., contraband, instrumentality, fruits or spoils, or other evidence); and,
4. the sought-after evidence would be found in a particular place associated with the student(s) suspected of committing the violation or infraction.

Principals/Designees *must* complete a Student Search Report following any search of a student's person, property or locker (Attachment A).

Parents/Guardians must be notified of the search and the scope of the search following its completion.

Date Issued: February 21, 2012

Legal References: Code of Virginia, Section 22.1-279.7

ATTACHMENT/LINK:

Attachment A – SR Form 7-3.7

Approved: Jennifer B. Parish, Ed.D., Superintendent

POQUOSON CITY PUBLIC SCHOOLS

STUDENT SEARCH REPORT

SCHOOL: [Click here to enter text.](#)

I. Please explain the factors that cause you to have reasonable suspicion that the search of this student or his or her effects, locker, or automobile will turn up evidence that the student has violated or is violating the law or the rules of the school.

[Click here to enter text.](#)

II. Time of Search: [Click here to enter text.](#) **Location of Search:** [Click here to enter text.](#)

III. Student told purpose of search: [Click here to enter text.](#)

IV. Was the search you conducted reasonable in terms of scope and intrusiveness? [Click here to enter text.](#)

A. What are you searching for: [Click here to enter text.](#)

B. Gender of student: [Click here to enter text.](#) **Age of student:** [Click here to enter text.](#)

C. Who is conducting the search (name, position, gender: [Click here to enter text.](#)

V. Witness(s) name: [Click here to enter text.](#) **Gender:** **Position:** [Click here to enter text.](#)

Description of Search:

A. Describe exactly what was searched: [Click here to enter text.](#)

B. What did the search yield? [Click here to enter text.](#)

C. What was seized? [Click here to enter text.](#)

D. What materials, if any, were turned over to the police? [Click here to enter text.](#)

VI. Date/time parents were notified of the search, its reason and its scope:	Click here to enter text.
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Signature of Principal/Designee

Date

Signature of Witness

Date