

Students

Search and Seizure

The Board seeks to ensure a learning environment which protects the health, safety and welfare of students and staff. To assist the Board in attaining these goals, District officials may, subject to the requirements below, search a student's person and property, including property assigned by the District for the student's use. Such searches may be conducted at any time on District property or when the student is under the jurisdiction of the District at school-sponsored activities.

~~In order to insure the welfare of each student and to insure the orderly operation of the schools, the Principal, Assistant Principal or Security Officer of each school, as the authorized agent of the Board of Education is authorized to search students and lockers under the appropriate circumstances.~~

All searches for evidence of a violation by the District shall be subject to the following requirements:

1. The District official shall have individualized reasonable suspicion to believe evidence of a violation of law, Board policy, administrative regulation or school rule is present in a particular place;
2. The search shall be reasonable in scope; the measures used are reasonably related to the objectives of the search and not excessively intrusive in light of the age, gender, maturity of the student and nature of the infraction.
3. District officials may also search when they have reasonable information that emergency/dangerous circumstances exist.

~~A.—Student Search~~

All student searches, searches of student property such as wallets and backpacks, and searches of school property shall be made in the presence of an adult witness.

~~The decision to search a student's locker or other such property shall be made by the school Principal or Assistant Principal.~~

~~All student searches and searches of school property shall be made in the presence of a witness. After the search is completed, either the Principal, Assistant Principal or Security Officer and the witness will sign a dated statement attesting to what was found. A copy of the signed statement will be forwarded to the Superintendent of Schools. Discovery of illegal or dangerous materials shall be reported to the office of the Superintendent of Schools immediately.~~

~~Circumstances Under Which A Search May Be Conducted~~

~~According to a decision of the United States Supreme Court, a student may be searched if there are reasonable grounds for suspecting that the search will turn up evidence that the student~~

~~has violated either the law or the rules of the school. Wallets, purses, handbags, brief cases, pockets, gym bags, or other student effects are also subject to being searched and are subject to the same rule.~~

~~The searches should be conducted in a manner reasonable related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction.~~

~~1. Strip Search~~

School personnel shall not conduct "strip searches" of students. (A strip search are those searches that require students to remove their clothes or require the inspection or feeling of parts of the student's bodies.) When it is believed that such a search is warranted due to the magnitude of the suspected criminal offense and the nature of the circumstances, the ~~Principal or Assistant Principal shall call the parents of the student involved and report his/her suspicions to the police~~ will be notified and will ~~who shall~~ be responsible for any such search.

~~2. Group Searches~~

~~All searches of students or their effects must be particularized. As group searches generally lack the grounds of particular suspicion of wrongdoing, they will not be permitted.~~

~~The Principal or designee may search a student's cell phone or other personal communication device if the administrator has reasonable suspicion that a search will reveal that a law, Board policy, regulation or school rule has been violated. The search must be reasonable in scope. Administrators may not search a student's cell phone or other personal communication device if the student's conduct consisted only of having such device out and/or using such device at an inappropriate time in violation of Board policy or school rules. However, under such circumstances, an administrator may confiscate the device and return it to the student at a later appropriate time; return may be conditioned upon a meeting with a student's parent/guardian. If the administrator has reasonable suspicion that the search will turn up evidence of sexting (i.e. nude and/or sexually explicit pictures of children), the administrator shall contact police officials prior to conducting a search. An administrator shall hand over to the police any evidence related to the potential commission of a crime.~~

~~B. School Property~~

~~Student lockers, desks, Chromebooks and laptops, and other such property are provided for the temporary convenience of the students, and remain the property of the school. The right to inspect lockers and other such school property may be exercised by school officials to safeguard the learning environment. The Principal or designee may search school property under three conditions:~~

- ~~1. There is reason to believe that the property contains the probable presence of contraband material.~~
- ~~2. The probable presence of contraband material poses a serious threat to the maintenance of discipline, order, safety and/or health in the school.~~
- ~~3. The student(s) have been informed in advance that school Board policy allows the property to be inspected if the administration has reason to believe that materials injurious to students and the school are contained therein.~~

~~are subject to examination at any time there is a reasonable suspicion that they contain prohibited or illegal items. Such property is also subject to being searched if there is a reasonable suspicion that the search will turn up evidence that the student has violated either the law or the rules of the school. (Prohibited items shall include, but are not limited to the following: firearms, weapons, explosives, poisons, alcohol, drugs, stolen property or other materials which may endanger the safety of persons or property in the school).~~

Notice

Students shall be informed, through notice in the student handbook where such exists, and through suitable announcements at the beginning of each year, and as deemed necessary during the year, of the Board's search and seizure policy.

[cf. 5145.123 Use of Metal Detectors](#)

[cf. 6141.321 Computers: Acceptable Use](#)

Legal Reference: Connecticut General Statutes

10-221 Boards of education to prescribe rules

[New Jersey v. T.L.O., 469 US 325; 105 S.Ct. 733](#)

New Jersey v. T.L.O., 53 U.S.L.W. 4083 (1985)

PA 94-115 An Act Concerning School Searches

[Policy revised:](#)

Hamden Public Schools

Policy adopted: July 12, 2004

HAMDEN, CONNECTICUT