

**A. W. BEATTIE
CAREER CENTER**

SECTION: PUPILS
TITLE: SEARCHES
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FIRST READING: February 22, 2018
REVISED &
APPROVED: March 22, 2018

<p>1. Purpose</p> <p>2. Authority</p>	<p style="text-align: center;">226. SEARCHES</p> <p>The Joint Operating Committee (JOC) recognizes the need to respect the rights of students to be free from unreasonable searches and seizures while fulfilling the Career Center's interest in protecting and preserving the health, safety and welfare of the school population, enforcing rules of conduct, and maintaining an appropriate atmosphere conducive to learning.</p> <p><u>Individualized Suspicion Searches</u></p> <p>Individual students or their belongings, including lockers, automobiles, electronic devices, purses, backpacks, clothing, and other possessions, may be searched without a warrant when</p> <p>in school, on school grounds or when otherwise under school supervision, if there is a reasonable suspicion that the place or thing to be searched contains prohibited contraband, material that would pose a threat to the health, safety and welfare of the school population, or evidence that there has been a violation of the law, JOC policy, or Career Center's rules. The scope and extent of searches must be reasonable in relation to the nature of the suspected evidence, contraband or dangerous material and to the grounds for suspecting that it may be found in the place or thing being searched.</p> <p>Building administrators or designees may search electronic device cases. Building administrators or designees may search for and seize electronic devices but shall not examine the electronic content such as text messages, call logs, files, images or other data contained in a student's mobile telephone or other electronic device unless given permission to search. Searches of a device case and a consent-based search of the actual device content will only be conducted by an administrator. Permission to search may be secured from a student or parents, and a record maintained of how the consent was secured. If consent is not forth-coming, the device may be retained by the Career Center pending review with the Executive Director, or with the Solicitor or law enforcement as deemed advisable. Any such device must be properly inventoried and secured prior to being turned over to law enforcement or parent/guardian.</p> <p>In determining whether reasonable suspicion exists, the administrator or designee always should be able to articulate what is being looked for, and why it is thought to be located in the particular place to be searched. The scope of a search should be limited to the place or places the item sought is believed to be.</p>
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No student may place or keep in a locker any substance or object that is prohibited by law, JOC policy or Career Center rules, or that constitutes a threat to the health, safety or welfare of the occupants of the Career Center building or the building itself. Students are required to ensure that their lockers do not contain spoiled food items or beverages, or soiled clothing which may attract pests, create odors or cause unhealthy conditions. A student locker may be opened and inspected for cleanliness, with or without the consent of the student, whenever there are odors, pests or other indications that a locker contains spoiled food, soiled clothing in need of laundering or similarly unhealthy matter.

Students are exclusively responsible for locking their assigned lockers to ensure the security of their personal belongings and school property entrusted to them. Students are permitted to secure their assigned lockers only with locks provided by the Career Center unless exceptions are approved by the administration.

Prior to an individual locker search or inspection the student to whom the locker is assigned shall be notified and be given an opportunity to be present. However, when there is a reasonable suspicion that a locker contains materials which pose a threat to the health, welfare or safety of the school population, students lockers may be searched without prior notice to the student.

The principal or a designated staff person will be present whenever a student locker is inspected for cleanliness or is searched. The principal or designee shall maintain written records of all occasions when a locker is searched or inspected. Such records shall include the reason(s) for the search, persons present, objects found and their disposition.

Vehicle Inspections and Searches

The administration may establish rules and procedures governing certain privileges enjoyed by students, such as the privilege of parking a vehicle on school grounds, that make the student's consent a condition of access to the privilege.

Handling and Disposal of Items Found in the Course of Searches

Any item or material found during a search or inspection, in the student's possession of which is in violation of law, district policies or school rules, or otherwise is evidence of such a violation, may be confiscated, and may be used as evidence in student discipline proceedings or a criminal investigation, even if such items or material were not the original objective of the search or inspection.

The administration shall be responsible to ensure that confiscated items or material are properly inventoried and secured until the conclusion of disciplinary action, if any, and are then properly disposed of if not appropriate to be returned to the student. Items or materials that are evidence of a criminal offense, or that are not lawful for ordinary citizens to possess will be promptly turned over to proper law enforcement authorities for custody or disposal.

Searches by or at the Request of Law Enforcement Officials

The legal standards governing searches initiated by school officials are less strict than the standards applicable to law enforcement authorities in many situations (i.e. probable cause vs. reasonable

suspicion). When searches of students, student belongings, vehicles or lockers are conducted by or at the request of law enforcement officials, with or without the involvement of school staff, the law enforcement officials are solely responsible for ensuring that a warrant has been issued or that exigent circumstances exist which permit the search to be lawfully conducted in accordance with the standards applicable to law enforcement actions. Career Center staff will not interfere with or obstruct searches initiated by law enforcement, but may assist when law enforcement officials have requested such assistance and have represented that a warrant has been issued or that they otherwise have proper authority for a lawful search.

General Searches Without Individualized Suspicion

When certain criteria are present, general searches of Career Center premises, students and their belongings, including student lockers or vehicles parked on school property, may be conducted during the school day or upon entry into school buildings or Career Center activities, for the purpose of finding or preventing entry onto Career Center property or activities of controlled substances, weapons or other dangerous materials. Such searches normally will be conducted in a minimally intrusive manner using screening methods such as dogs or other animals trained to detect controlled substances, explosives or other harmful materials by smell, as well as metal detectors and other technology. Career Center staff may also assist in searching student bags and materials in response to a threat (e.g., a bomb threat). When such screening methods provide a reasonable suspicion that particular students, items or places possess or contain controlled substances, weapons or other dangerous material, screening may be followed by physical searches of those particular students, items or places on an individualized basis.

General searches not based on individualized suspicion must be approved in advance by the Executive Director or designee. For example, a general search of student bags and equipment may occur before overnight or out-of-state trips. For student trips, building administrators must communicate the search process to students and parents in advance of that trip. Coordination with law enforcement officials will be accomplished as provided in the memorandum of understanding with the applicable law enforcement agency.

In a timely manner, the administration will inform the board that a general search was conducted and provide basic information of any prohibited items.

References:

24 P.S. 510
 22 PA Code 12.14
 Pol. 218.1
 Pol. 223
 Pol. 227
 Pol. 805
 24 P.S. 510
 22 PA Code 12.14
 Pol. 218.1
 Pol. 223
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