

STUDENTS

Search and Seizure

Warrantless searches may be conducted when there are reasonable grounds for suspicion that the student has violated or is violating state or federal laws, city codes, ~~s~~School ~~b~~B~~S~~board policies or ~~division~~ regulations. Such searches shall be made by the principal/designee in the presence of the student if the student ~~he/she~~ is available.

Designated school officials may search any student when there is reasonable and articulable basis to believe that the student possesses an item which violates local, state or federal law, ~~s~~School ~~b~~B~~S~~board policies or ~~division~~ regulations, or which may be harmful to the school or its students and staff. Strip search of students is not permitted.

The ~~s~~Superintendent shall develop procedures for conducting search and seizure which conform to law and the guidelines promulgated by the Virginia Board of Education.

Editor's Note

See School Board Policy 5-37 and Division Regulation 5-37.1 for reporting to law enforcement personnel.

See Memorandum of Understanding between the Virginia Beach Police Department and the School Board 5/17/01.

Legal Reference

New Jersey v T.L.O., 469 U.S. 325 (1985).

Code of Virginia, ~~1950 as amended~~, § 22.1-279.7, as amended. Guidelines for student searches.

VDOE School Search Resource Guide (VDOE October 2000), as amended.

Vernonia School District 47 J v. Action, 515 U.S. 646 (1995)

DesRoches by DesRoches v. Caprio, 974 F. Supp. 542 (E.D.Va 1997)

Related Links

School Board **Policy 5-37**

~~Division~~School Board **Regulation 5-37_1**

Adopted by School Board: December 11, 1968
Amended by School Board: October 19, 1982
Amended by School Board: August 21, 1990
Amended by School Board: July 16, 1991
Amended by School Board: September 15, 1992
Amended by School Board: June 15, 1993 (Effective August 14, 1993)
Amended by School Board: October 9, 2001
Amended by School Board: 2022

APPROVED AS TO
LEGAL SUFFICIENCY

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