

## 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.

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*." That is the measures used are reasonably related to the objectives of the search and not excessively intrusive in light of the age, sex, 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.

### Desks and School Lockers

Desks and school lockers are the property of the schools. The right to inspect desks and lockers assigned to students may be exercised by school officials to safeguard students, their property and school property with reasonable care for the Fourth Amendment rights of students.

The exercise of the right to inspect also requires protection of each student's personal privacy and protection from coercion. An authorized school administrator may search a student's locker or desk under three (3) conditions:

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

## Students

### Search and Seizure

#### Desks and School Lockers (continued)

Use of drug-detection dogs and metal detectors, or similar detective devices may be used only on the express authorization of the Superintendent.

District officials may seize any item which is evidence of a violation of law, Board policy, administrative regulation or school rule, or which the possession or use of is prohibited by such law, policy, regulation or rule.

#### Student Search

A student may be searched if there are reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school the scope of the search must be reasonably related to the objectives of the search and the nature of the infraction.

Strip searches shall not be conducted by school authorities. All searches by the Principal or his/her designee shall be carried out in the presence of another adult witness.

Students may be searched by law enforcement officials on school property or when the student is under the jurisdiction of the district upon the request of the law enforcement official. Such requests ordinarily, shall be based on warrant, probable cause to believe a crime has been committed on school property or at a school function or by an invitation by school officials. The school Principal or designee will attempt to notify the student's parents in advance and will be present for all such searches.

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

*Safford Unified School District #1 v. Redding (U.S. Sup. CT 08-479)*

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MARLBOROUGH PUBLIC SCHOOLS

Marlborough, Connecticut