RECOMMENDED Descriptor Code: FGCA

SEARCHES OF LOCKERS

Definitions

This policy defines the following:

- *Personal possessions* include, but are not limited to, a student's vehicle, purse, backpack, bookbag, package(s), and clothing.

- *Reasonable suspicion* means that administration has grounds to believe that the search will result in evidence of a violation of district policy, rules, the law, and/or that the violation may be detrimental to the health, safety, or welfare of district students or staff. Reasonable suspicion may be based on a school administrator's personal observation, a report from a student, parent or staff member, a student's suspicious behavior, a student's age and past history or record of conduct both in and out of the school context, or other reliable sources of information.

Philosophy

The District retains ownership and control of all lockers. Access to all lockers is a legal right of school officials whose responsibility it is to protect the health, safety, and welfare of all students enrolled. Students shall have no reasonable expectation of privacy when using lockers. Student shall be given advanced notice of this policy through student handbooks or another form of notification.

Lockers may be subject to suspicionless searches, inspections for purposes such as routine maintenance, or searches where there is reasonable suspicion that locker(s) contains object(s) and/or substance(s) in violation of district policy, rules, the law, and/or that the violation may be detrimental to the health, safety, or welfare of district students or staff.

Search Procedure

When a locker is subject to a search, the principal/Superintendent should be accompanied by at least one other school staff member.

Students' personal possessions stored in lockers shall not be searched unless there exists reasonable suspicion that they contain an object(s) or substance(s) in violation of district policy, the law, and/or the violation may be detrimental to the health, safety, or welfare of enrolled students or staff. Searches of personal technology is governed in a separate district policy, FFI. Administrators shall make a reasonable attempt to have a student present during searches of personal possessions contained in locker(s) unless an emergency situation warrants an immediate search or the presence of the student would be inappropriate under the circumstances.

The Superintendent should be notified whenever a search has been conducted if the Superintendent was not involved in the search.

Use of Trained Dogs & Involvement of Law Enforcement
Trained dogs may be used to smell the outside of students' lockers. If the dog detects the possibility of objects and/or substances that are illegal or violate school policy, the principal/Superintendent shall search the locker in accordance with the search procedure above.

The principal/Superintendent may request the assistance of law enforcement to conduct any portion of a school-initiated search of a student's locker that would pose a safety threat if conducted by school staff. In all other cases, law enforcement must have probable cause in order to search a student's locker.

Violation
Personal possessions in violation of school district policy, rules, the law, and/or that may be detrimental to the health, safety, or welfare of district students will be confiscated until further directed by the Superintendent or law enforcement. Illegal substances found during a search of a student's personal possessions will be turned over to law enforcement authorities.

Students in violation of this policy, or any federal/state law, may be subject to disciplinary action in accordance with the district's student conduct and discipline policy (FF) as determined by the Superintendent or designee, and when appropriate, be referred to law enforcement.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- FGA, Student Education Records and Privacy
- FGCB-E, Search & Seizure of Students Form
- FF, Student Conduct and Discipline

End of Manvel School District #125 Policy FGCA ..... Adopted: 02/10/20

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