MOORE NORMAN TECHNOLOGY CENTER

BOARD OF EDUCATION POLICY

POLICY # **534**

Adopted: December 18, 2014
Revised: January 22, 2024

STUDENT SEARCH AND SEIZURE

The superintendent or designees are authorized to detain and search any student and any property in the student's possession while on technology center premises, at technology center activities, or in transit under authority of the technology center, for any item possession of which by the student is illegal or prohibited by technology center policy, or for property believed to have been stolen from another student, an employee, or the technology center. The search shall be conducted according to the following guidelines:

Reasonableness

1. The decision to search must be based upon a reasonable suspicion that:

    A. A violation of the law or school policy or rules has occurred or is occurring;

    B. The student to be searched has committed the violation; and

    C. Particular evidence of the violation will be discovered in the search.

2. In deciding whether a suspicion is reasonable, all the circumstances surrounding the case should be considered, including:

    A. The student's age, history, and record in school;

    B. The prevalence and seriousness of the suspected violation;

    C. The school officials' prior experience in detecting the problem or recognizing suspicious behavior;

    D. The need to make a search without delay and further investigation;

    E. The specificity and source of the information used as justification for the search; and

    F. The particular instructor or official's experience with the student.

Scope

1. The scope or extent of the search shall be reasonably related to the kind of objects being searched for, and not excessively intrusive in light of the student's age and sex and the

nature of the suspected violation. When practical, the search shall be conducted by an individual the same gender as the student.

2. A search commenced to discover a particular kind of item may be expanded or continued for additional items if circumstances warrant.

3. No student's clothing, except cold weather outerwear, shoes, and hand and head coverings, except religious head coverings, shall be removed prior to or during the conduct of any warrantless search.

Discovered Items

1. Illegal items or other possessions or substances reasonably determined to be a threat to the safety or security of others may be seized by technology center authorities. These items will immediately be turned over to law enforcement officials for disposition as they see fit.

2. Items which are used to disrupt or interfere with the educational process may be temporarily removed from student possession.

3. The Superintendent may designate school personnel to transport any dangerous weapons, controlled dangerous substances, alcoholic beverages, or missing or stolen property that might be in a student's possession from a school site to a centralized location within the technology center or to local law enforcement offices for lawful disposal. While in transport, the designated school personnel shall carry their school identification and a letter from the superintendent confirming their authority to transport the items for disposal. All items transported for disposal shall be transported in a locked container.

Refusal to Submit to Search

A student who refuses to peaceably submit to a search based on reasonable suspicion or who refuses to turn over items discovered as a result of a search may be suspended for such refusals.

Reports

The person conducting the search shall prepare a report to be maintained in the office of superintendent and administrator's office, including the date, time, place, names of witnesses, purpose, basis, and result of the search.

Reference: OKLA. STAT. tit. 70, § 24-102