

STUDENT PRIVACY AND SEARCHES

At certain ages, students attain the right to decide for themselves what records will remain confidential, even from their parents, and what activities the student will participate in. At age eighteen students become legal adults and must approve any disclosure of information about themselves from school records, except directory information if a request for confidentiality has not been filed. Students at age eighteen may also sign releases, authorizations or permission slips to participate in school activities, and may sign themselves out of school and authorize their own absences. Students between sixteen and eighteen who have been granted legal emancipation from their parents or guardians have the same rights as eighteen-year-old students. Students over fourteen years of age have the right to keep private from everyone any district records indicating that they have been tested or treated for a sexually transmitted disease. Students thirteen years and older have confidentiality rights in records regarding drug, alcohol or mental health treatment. All students have confidentiality rights in family planning or abortion records.

1. Searches of Students and Students' Personal Property

Personal privacy is a fundamental aspect of individual liberty. All students possess the constitutional right to be secure in their persons, papers, and effects against unreasonable searches and seizures. Staff shall take particular care to respect students' privacy.

The District has the authority to maintain safety, order, and discipline in the schools and to protect students from exposure to illegal drugs, weapons, and contraband. The superintendent, the principal, and other staff designated by the superintendent ("school officials") shall have the authority to conduct reasonable searches on school property as provided by law and board policy.

A search is required when there are reasonable grounds to suspect a student has a firearm or similarly dangerous weapon on school grounds, transportation or at school events.

Any search of a student conducted by a school district employee must be reasonably related to the discovery of contraband or other evidence of a student's violation of the law or school rules.

For the purpose of this policy, "contraband" means items, materials, or substances the possession of which is prohibited by law or district policy, including but not limited to, controlled substances, alcoholic beverages, tobacco or nicotine products, any object that can reasonably be considered a firearm or a dangerous weapon, or any object wrongly in the student's possession or control.

A search of a student may include the use of a metal detecting device, provided the use of such a device is supported by reasonable suspicion.

Two staff members, preferably one male and one female, shall conduct searches in a manner which is not excessively intrusive in light of the age and sex of the student and the needs of the search.

No student shall be subject to a strip search or body cavity search by school staff.

Whenever practicable, school officials should first consult with local law enforcement officials regarding the advisability of a search on school premises by a law enforcement officer if evidence of criminal activity is suspected.

The superintendent shall develop procedures regulating searches of students and their personal property.

