

**Tumwater School District
Procedures**

STUDENT PRIVACY AND SEARCHES

Searches of Students and Their Property

A student is subject to search by district staff if reasonable grounds exist to suspect that evidence of a violation of the law or school rules will be uncovered. School staff shall report a student's suspicious activity to the principal prior to initiating a search, except in emergency situations. A search is required when there are reasonable grounds to suspect a student has a firearm on school grounds, transportation or at school events.

Establishing Reasonable Grounds

The following review of the basis for the search should occur before conducting a search:

1. Identify
 - A. The student's suspicious conduct, behavior, or activity;
 - B. The source of the information; and
 - C. The reliability of the source of such information.
2. If suspicion could be confirmed, would such conduct be a violation of the law or school rules?
3. Is the student likely to possess or have concealed any item, material, or substance which is itself prohibited or which would be evidence of a violation of the law or a school rule?

Conducting the search

If the principal, or his or her designee, determines that reasonable grounds exist to search a student's clothing, personal effects, desk, locker, assigned storage area, or automobile, the search shall be conducted as follows:

1. If evidence of criminal activity is suspected to be present, and prosecution by civil authorities will be recommended if confirmed by the search, consult law enforcement officials regarding the appropriateness of a search by a law enforcement officer.
2. If evidence of violation of a school rule is suspected, and if confirmed by the search will be handled solely as a student discipline action, proceed to search by asking the student to remove all items from pockets, purses, handbags, backpacks, gym bags, etc.
3. If the student refuses to cooperate in a personal search, the student should be held until the student's parent or guardian is available to consent to the search. If a parent or guardian cannot be reached in a reasonable time, the principal may conduct the search without the student's consent.

Locker Searches

Lockers and desks are the property of the school district. When assigned a locker and desk, a student shall be responsible for its proper care. A student or his/her parent or guardian may be required to make payment in full for any willful damage to school property. Students are encouraged to keep their assigned lockers closed and locked.

General inspection of lockers may be made without prior notice given to students for the purpose of collecting library and textbooks and other school property. A search is required when there are reasonable grounds to suspect a student has a firearm on school grounds, transportation or at school events.

The school reserves the right to inspect individual lockers without advance notice. When possible, before opening a student's locker the principal, assistant principal or his/her designee shall seek the consent of the student to conduct a locker inspection. A third party shall always be present to witness such inspection. If the student is not available or does not consent to the inspection and when the search is prompted by a reasonable suspicion that the search will yield evidence of the student's violation of the law or school rules, the principal, assistant principal or his/her designee may open the locker and conduct a search using methods reasonable related to the objectives of the search.

The principal, assistant principal or his/her designee shall be responsible for completing a written report, which describes the purpose of the locker inspection, witnesses present, objects found during the locker inspection and their disposition.