

SEARCH AND SEIZURE

Alexandria City Public Schools (ACPS) is committed to maintaining a safe, welcoming, and friendly environment that fosters a spirit of mutual trust and respect. To promote a positive and productive environment for effective teaching and learning, ACPS encourages an atmosphere that is respectful of individual differences so students can learn and employees can work in a functional and non-threatening atmosphere.

A search involves an invasion of privacy. Whether a search of a student is permissible depends on balancing the student's right to privacy and freedom from unreasonable search and seizure against the school division's responsibility to protect the health, safety, and welfare of all persons in the school community and to carry out its educational mission.

To maintain order and discipline in the schools and to protect the health, safety and welfare of students and school personnel, school authorities may search a student, student belongings, student lockers, or student automobiles under the circumstances outlined in this policy and may seize any illegal, unauthorized, or contraband materials discovered in the search.

The locations where searches of students and student property may occur are not limited to a school building or school property. Searches may be conducted wherever the student is involved in a school-sponsored activity.

DEFINITIONS

Reasonable Suspicion of violation of school rules: A belief based upon objective facts which lead a school official to reasonably suspect that a school rule has been broken or is about to be committed. A reasonable suspicion must be based on the totality of the circumstances, including the school official's knowledge, training and experience. A reasonable suspicion does not exist unless the school official can articulate the objective factual basis for the school official's belief.

Reasonable Suspicion of a crime: A belief based upon objective facts which lead a law enforcement officer to reasonably suspect that a crime has been committed, is being committed, or is about to be committed. A reasonable suspicion must be based on the totality of the circumstances, including the officer's knowledge, training and experience. A reasonable suspicion does not exist unless the officer can articulate the objective factual basis for the officer's belief.

NOTE: Reasonable suspicion is a lower standard than demonstrating probable cause, proof by a preponderance of the evidence, or proof beyond a reasonable doubt.

Search of a "Student's Person" means a search of what a student has on their body, including clothing and any personal effects worn on the body. It may include a pat-down of the student's outer clothing.

Student belongings: include, but are not limited to, backpacks, mobile phones or other electronic devices, purses, jackets, or other personal effects.

Unauthorized: An item is unauthorized if it is dangerous to the health or safety of students

49 or school personnel, or disruptive of any function or process of the Division, or any item
50 described as unauthorized in ACPS policies, regulations, and/or school rules.

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52 **School Official:** For the purposes of this Policy, a school official is any employee of the
53 Division that is authorized to conduct searches of students.

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55 **Private Areas:** The genitalia, anus, groin, breast, or buttocks of any person.

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57 **Contraband:** All substances and materials in which students are prohibited from
58 possessing on school grounds by division policy and/or law.

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60 REASONABLE SUSPICION SEARCHES

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62 Personal Searches

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64 A student’s person (including outer clothing) and/or personal effects may be searched by and
65 ACPS administrator whenever the administrator has reasonable suspicion to believe that the
66 student is in possession of illegal or unauthorized materials or has violated or is about to violate
67 the law or a school rule and that the search will yield evidence of the violation.

68

69 All individual searches of students must be based on reasonable suspicion. , The search must
70 be justified at its inception and reasonably related in scope to the circumstances justifying the
71 search.

72

73 In the school environment, a search is constitutionally permissible and justified at its inception
74 when a school official has reasonable grounds, based on the totality of the known
75 circumstances, for suspecting that the search will reveal evidence that the student has violated
76 or is violating either the law or the rules of the school.

77

78 A search is “reasonable in scope” when it is reasonably related to the objectives of the search
79 and is not excessively intrusive in light of the age and gender of the student and the nature of
80 the suspected infraction.

81

82 A personal search may include the use of electronic scanning.

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84 Pat-Down Searches

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86 A pat-down search of a student is when a student is searched by a trained school official by
87 touching the student while the student is fully clothed. Pat-down searches may only be
88 conducted if a school administrator has established reasonable suspicion that evidence will be
89 found to corroborate suspicion that a law or school rule has been broken. If a pat-down search
90 of a student's person is conducted, it will be conducted in private by a school official of the
91 same gender as the student (unless requested otherwise by the student), and with an adult
92 witness of the same gender as the student present. Pat-down searches do not include private
93 areas. The respect and dignity of the student will be maintained at all times by school officials
94 during the pat-down search.

95

96 Strip searches involve an extreme intrusion into the rights of a student and may only be

97 conducted when an extremely serious situation exists requiring immediate action because of
98 an imminent threat of death or great bodily injury to a person or persons. If a strip search is
99 necessary the school official should contact the appropriate law enforcement official, and the
100 search should be conducted by a sworn law enforcement officer of the same gender, in the
101 presence of a same gender adult witness, unless otherwise requested by the student. School
102 officials may only conduct a strip search in cases where it is necessary to avoid the imminent
103 threat of death or great bodily injury to the student or another person. If a strip search must be
104 conducted by a school official, it must be by a same gender official with a same gender adult
105 witness, unless otherwise requested by the student, and the school official must have the prior
106 approval of the superintendent or superintendent's designee, unless the health or safety of a
107 student or other individual would be endangered by the delay.

108
109 Every pat-down and/or strip search will be documented in a manner determined by the Office
110 of Safety and Security Services. The justification for and results of the search must be included
111 in the report, which will be submitted to the principal or designee and shared with the student's
112 parent/legal guardian in the parent's/legal guardian's preferred language.

113 114 Vehicle Interiors

115
116 The interiors of student vehicles may be inspected whenever a school official has reasonable
117 suspicion to believe that the student has violated or is about to violate the law or a school rule
118 and that the search will yield evidence of the violation, or that illegal or unauthorized materials
119 or other evidence of illegal or otherwise prohibited activities are contained inside the
120 automobile.

121 122 **BLANKET AND RANDOM ADMINISTRATIVE SEARCHES**

123 124 Lockers, Desks, and Other School-Provided Storage

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126 Student lockers, desks, and similar school-provided storage facilities are school property and
127 remain at all times under the control of the school; however, students are expected to assume
128 full responsibility for the security of their lockers and are responsible for the content of their
129 assigned lockers at all times. Periodic general inspections of lockers, desks, and similar school-
130 provided storage facilities may be conducted by school authorities for any reason at any time
131 without notice, without student consent, and without a search warrant.

132 133 Vehicle Searches

134
135 School parking lots are ACPS property and all school rules and ACPS policies apply to parking
136 lots.

137
138 Student parking on ACPS property is a privilege, not a right. The school retains authority to
139 conduct routine patrols of student parking lots and inspections of the exteriors of student
140 automobiles on school property. The interiors of student vehicles may be inspected whenever
141 a school official has reasonable suspicion to believe that the student has violated or is about to
142 violate the law or a school rule and that the search will yield evidence of the violation, or that
143 illegal or unauthorized materials or other evidence of illegal or otherwise prohibited activities
144 are contained inside the automobile. Such patrols and inspections may be conducted without

145 notice, without student consent and without a search warrant. Such patrols and inspections
146 may be conducted without notice, without student consent, and without a search warrant.
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148 **School Computers**

149
150 The school computer system, as defined in Policy GAB/IIBEA: *Responsible Computer System*
151 *Use*, is school property. Students are only authorized to use the school’s computer system and
152 other similar educational technology consistent with the educational mission of the school and
153 in accordance with Policy GAB/IIBEA. School officials may search school computers,
154 software and internet access records at any time for any reason and without student consent.
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156 **Weapons Abatement**

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158 The process in which technology, equipment and/or staff are used to proactively prevent
159 weapons from entering a school facility.
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161 **CONSENT SEARCHES**

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163 When consent is given, the school official does not need to demonstrate grounds for reasonable
164 suspicion. A student’s consent is valid only if given willingly and with knowledge of the meaning
165 of consent.
166

167 Students will be told of their right to refuse to be searched, and that their refusal will not in itself
168 trigger administrative consequences.
169

170 Consent may be terminated at any time requiring that the search immediately stop. If the reasonable
171 suspicion standard is met, however, and consent is not obtained or has been withdrawn, the search
172 may still be conducted.
173

174 **SEARCHES INVOLVING LAW ENFORCEMENT**

175
176 School Resource Officers (SROs) may be present at student searches. Any searches conducted by
177 SROs must occur in accordance with the Memorandum of Understanding (MOU) between the
178 Alexandria City School Board and the Alexandria Police Department (APD).
179

180 **TRAINING**

181
182 Generally, the principal or designee is the school official authorized to conduct student searches.
183 The school official should be knowledgeable of the relevant laws, the Student Code of Conduct
184 and this policy, and be trained in proper search techniques. They must also adhere to this policy
185 for random and individualized searches. The administrative procedures that lead to a search should
186 support the least intrusive, most reasonable, and individualized search possible. The school official
187 should respect the individual privacy rights of the individual students.
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189 Each school principal must maintain a list of school officials who have been authorized to conduct
190 student searches.
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192 **SEIZURE OF ILLEGAL MATERIALS**

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194 If a properly conducted search yields illegal or contraband materials, such items are turned over to
195 the proper legal authorities for ultimate disposition.

196
197 **DATA COLLECTION AND REPORTING**

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199 All searches and seizures, including unannounced, random searches, will be documented and the
200 records maintained in accordance with procedures developed by the ACPS Office of Safety and
201 Security Services.

202
203 The Superintendent will provide the prior school year’s data reflecting all occurrences of search
204 and seizure for each school in the Division to the Board annually. The report will include non-
205 identifiable, disaggregated, demographic data for the students involved in the searches, including
206 any referrals to law enforcement.

207
208 All contact between law enforcement officers and ACPS students under this policy will be
209 conducted in accordance with the Memorandum of Understanding (MOU).

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- 212 Adopted: December 5, 1996
- 213 Amended: July 6, 2000
- 214 Amended: June 15, 2004
- 215 Amended: July 1, 2005
- 216 Amended: March 12, 2015
- 217 Amended: December 16, 2021
- 218 Amended: June 6, 2024

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- 220
- 221 Legal Refs.: *New Jersey v. T.L.O.*, 469 U.S. 325 (1985).
- 222
- 223 Constitution of the United States, Amendment IV.
- 224
- 225 Constitution of Virginia, Article I, section 10.
- 226
- 227 Code of Virginia, 1950, as amended, §§ 18.2-67.10, 22.1-279.7, 22.1-280.2:3.
- 228
- 229 *Virginia School Search Resource Guide* (Virginia Department of Education,
- 230 October 2000).

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- 232 Cross Refs.: CLA Reporting Acts of Violence and Substance Abuse
- 233 EGAA Reproduction and Use of Copyrighted Materials
- 234 GAB/IIBEA Responsible Computer System Use
- 235 JFC Student Conduct
- 236 JFCD Weapons in School
- 237 JFCF/JFCI Alcohol and Other Drugs (AOD) in Schools
- 238 KNAJ Relations with Law Enforcement Authorities