

SALEM SCHOOL SYSTEM  
SALEM, CONNECTICUT

STUDENTS

SEARCH AND SEIZURE PROCEDURE

Lockers and Other School Property (Desks):

1. The school principal or his/her designees shall maintain an accurate list of all locker assignments and either a master key or combination to each locker.
2. At the time a student is assigned a locker or other storage space, he or she shall be informed that school authorities are empowered to conduct random periodic inspections of school lockers. Notice of this inspection policy also shall be posted in appropriate locations throughout the school.
3. Students will be informed of the following locker regulations:
  - A. Students are responsible for the contents of the locker assigned to them.
  - B. Students are to keep their lockers locked.
  - C. Students are not to give other students access to their locker.
4. When the administration exercises its right to inspect, it shall also recognize each student's right to privacy and protection from coercion. An authorized school administrator may search a student's desk or locker under the following conditions:
  - A. There is reason to believe that the student's desk or locker contains contraband material and the presence of said material poses a serious threat to the maintenance of discipline, order, safety, or health in the school.
  - B. The search of a group of students' desk or a group of students' locker where no particular student within the group is suspected may be conducted only if there is a reasonable suspicion of conduct immediately harmful to students, staff or school property.
5. Locker searches shall be conducted in the presence of another staff member and in the presence of the student responsible for the contents of the locker, if possible.

### Prescription Drugs:

Students who have a legitimate need to bring prescription drugs to school should register this information in the nurse's office, in accordance with Policy #5141.21 – Administration of Medicine.

### Lost or Abandoned Items:

Lost or abandoned items may be subject to inspection by school authorities.

### Student Searches:

1. All searches of students shall be conducted or authorized by the principal or designee, in the presence of a witness.
2. When the need to search a student arises, the student may be asked to give his/her consent to the search, but in no event shall the student be threatened with harsher punishment or treatment for refusing to consent, nor shall he or she be coerced or induced to give consent in any other manner. The consent, if given, shall be put in writing. If the student is unwilling to give free and voluntary consent, the principal may order the student to submit to a search. If the student refuses to obey the order, the principal may bring insubordination charges against the student as stipulated in applicable school regulations.
3. Searches should be no more intrusive than necessary to discover that for which the search was instigated.
4. Searches may include, a frisk or patdown of student clothing. Frisk or patdown searches shall be conducted by a member of the same sex as the student and in the presence of another staff member.
5. At no time should school officials conduct a search which requires a student to remove more clothing than his/her shoes or jacket. If a more intrusive search is required to expose contraband they will contact the proper law enforcement agency to conduct the search.
6. A search of a student's person, or search of a group of students where no particular student within the group is suspected, may be conducted only if there is a reasonable suspicion of conduct immediately harmful to students, staff or school property. "Strip searches" of students are prohibited by employees of this school district.
7. Student searches which disclose evidence of a breach of school policy, which does not constitute criminal misconduct, should be treated according to applicable policies and/or regulations.
8. In the event that a student search discloses evidence of criminal wrongdoing, the school principal or his/her designee shall notify police officials. If police officials are notified, the student's parents/guardian should be advised as soon as possible.

Student Notifications:

Students shall be informed annually that the board policy allows student search and school desk/locker search.

When any search of a student, his/her property or school property assigned to that student is conducted, Appendix A must be filled out within 24 hours by the person who conducted the search.

(cf. 5141.21 – Administration of Medicine)

Legal Reference: Connecticut General Statutes: 10-221 Boards of Education to prescribe rules. *New Jersey v. T.L.O.* 53u.s.l.w. 4083 (1985). PA-94-115 An Act Concerning School Searches.

Procedure Approved: September 9, 1997

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To be completed within 24 hours of search by the person responsible for the search.

Student Interrogations, Searches and Arrests:

1. Relevant Information:

A. What are you searching for: \_\_\_\_\_

B. Sex of student: \_\_\_\_\_

C. Age of student: \_\_\_\_\_

D. Urgency of the situation: \_\_\_\_\_

E. What type of search was conducted? \_\_\_\_\_

F. Who conducted the search? \_\_\_\_\_

Position: \_\_\_\_\_

Sex: \_\_\_\_\_

G. Witness(es): \_\_\_\_\_

2. What factors caused you to have reasonable suspicion that the search of this student, his or her effects, locker, or automobile would turn up any evidence that the student has violated the law or the rules of the school?

A. Eyewitness account:

1. By whom: \_\_\_\_\_

2. Date/time: \_\_\_\_\_

3. Place: \_\_\_\_\_

4. What was seen: \_\_\_\_\_

\_\_\_\_\_

B. Information from a reliable source:

1. From whom: \_\_\_\_\_

2. Time received: \_\_\_\_\_

3. How information was received: \_\_\_\_\_

4. Who received the information: \_\_\_\_\_

5. Describe information: \_\_\_\_\_

\_\_\_\_\_

C. Suspicious behavior. Explain: \_\_\_\_\_  
\_\_\_\_\_

3. Was the student told the purpose of the search? \_\_\_\_\_

4. Was student consent requested? \_\_\_\_\_

A. By whom: \_\_\_\_\_

B. When: \_\_\_\_\_

C. Witnessed by: \_\_\_\_\_

5. Details of Search

A. Describe the time and location of the search: \_\_\_\_\_

B. Describe exactly what was searched: \_\_\_\_\_

C. What did the search yield: \_\_\_\_\_

D. What was seized: \_\_\_\_\_

E. Describe any materials turned over to the police: \_\_\_\_\_  
\_\_\_\_\_

F. Were parents/guardians notified of the search, including the reason for it and the scope: \_\_\_\_\_

If not, why: \_\_\_\_\_