

**CAMBRIAN SCHOOL DISTRICT  
Board Policy**

**Policy 5145.12**  
Adopted: January 27, 2020  
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**STUDENTS**

**Interview, Search and Seizure**

**Interview**

When a peace officer is seeking to remove a child from school during school hours the interpretation of what constitutes an "emergency" is the responsibility of the peace officer.

In cases where a child is interviewed as a suspect, taken into custody, or placed in detention by a peace officer, the Principal or their designee will attempt to advise the parent or guardian of such action no later than when the child would usually return home after school.

If a conflict of opinion should arise between a public agency representative and the Principal of a school regarding the interpretation of this resolution or the rights of the individuals involved, the Principal should immediately consult the Superintendent of the District. If the conflict cannot be clarified in this manner the Superintendent should seek to resolve the differences with the supervising officer of the public agency representative involved.

A "child release log" shall be maintained in each school. Any person, as authorized above, who wishes to interview or remove a child from school shall be required to sign the log and enter the appropriate information as to child, purpose of interview or removal, destination, time and date.

No person other than a certificated school employee shall be allowed to interview a pupil during school hours without the prior consent of the Principal or their designee.

No person shall be allowed to remove a pupil from school during school hours without the prior permission of the Principal or their designee.

Permission shall be granted to properly identified public agency personnel in the lawful pursuit of their duties.

**Search and Seizure**

The Governing Board is fully committed to promoting a safe learning environment and, to the extent possible, eliminating the possession and use of weapons, illegal drugs, and other controlled substances by students on school premises and at school activities. As necessary to protect the health and welfare

of students and staff, school officials may search students, their property, and/or district property under their control and may seize illegal, unsafe, or otherwise prohibited items.

The Board urges that employees exercise discretion and good judgment. When conducting a search or seizure, employees shall act in accordance with law, Board policy, and administrative regulation.

The Superintendent or designee shall ensure that staff who conduct student searches receive training regarding the requirements of the district's policy and administrative regulation and other legal issues, as appropriate.

### **Individual Searches**

School officials may search any individual student, his/her property, or district property under his/her control when there is a reasonable suspicion that the search will uncover evidence that he/she is violating the law, Board policy, administrative regulation, or other rules of the district or the school. Reasonable suspicion shall be based on specific and objective facts that the search will produce evidence related to the alleged violation. The types of student property that may be searched by school officials include, but are not limited to, lockers, desks, purses, backpacks, student vehicles parked on district property, cellular phones, or other electronic communication devices.

Any search of a student, his/her property, or district property under his/her control shall be limited in scope and designed to produce evidence related to the alleged violation. Factors to be considered by school officials when determining the scope of the search shall include the danger to the health or safety of students or staff, such as the possession of weapons, drugs, or other dangerous instruments, and whether the item(s) to be searched by school officials are reasonably related to the contraband to be found. In addition, school officials shall consider the intrusiveness of the search in light of the student's age, gender, and the nature of the alleged violation.

Employees shall not conduct strip searches or body cavity searches of any student. (Education Code 49050)

Searches of individual students shall be conducted in the presence of at least two district employees.

The principal or designee shall notify the parent/guardian of a student subjected to an individualized search as soon as possible after the search.

### **Searches of Multiple Student Lockers/Desks**

All student lockers and desks are the property of the district. The principal or designee may conduct a general inspection of school properties that are within the control of students, such as lockers and desks, with students standing by their assigned lockers or desks. Any items contained in a locker or desk shall be considered to be the property of the student to whom the locker or desk was assigned.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3515 - Campus Security)

- (cf. 3515.3 - District Police/Security Department)
- (cf. 5131 - Conduct)
- (cf. 5131.7 - Weapons and Dangerous Instruments)
- (cf. 5144.1 - Suspension and Expulsion/Due Process)
- (cf. 0410 - Nondiscrimination in District Programs and Activities)
- (cf. 1312.1 - Complaints Concerning District Employees)
- (cf. 5145.3 - Nondiscrimination/Harassment)
- (cf. 4131 - Staff Development)
- (cf. 4231 - Staff Development)
- (cf. 4331- Staff Development)
- (cf. 5145.11 - Questioning and Apprehension by Law Enforcement)