I. Purpose

The purpose of this policy is to identify appropriate circumstances and general guidelines for the conduct of search and seizure of students, student(s) lockers or other storage area issued by school officials of the Lincoln School Department.

The Lincoln School Committee acknowledges that teachers and school administrators act in *loco parentis* in their dealings with students: their authority is that of the parent, not the State and is, therefore, not subject to the limits of the 4th Amendment.

Today's public school officials do not merely exercise authority voluntarily conferred on them by individual parents; rather, they act in furtherance of publicly mandated educational and disciplinary policies.

II. Policy Statement

The Administration is directed to develop and enact appropriate protocols and procedures to enact this policy including incorporation of this policy in student handbooks and to provide reasonable notice of this policy to students and parents.

The following rules shall apply to the search of a student and/or school property assigned to a specific student and the seizure of items in his/her possession:

1. General searches of school property may be conducted at any time without need to have prior reasonable suspicion as provided above.

2. Such searches shall be conducted by school authorities or their designee, including law enforcement officials..

3. A responsible witness (Principal, Assistant Principal, or other School Personnel) should be present for all searches.

4. Search of an area assigned to a specific student should be for specific items and in his/her presence, if appropriate. Although a search may be for a specific item, any contraband or improper items as described above may be seized, if found and appropriate discipline applied.

5. Any illegal items or other possessions reasonably determined to be a threat to the safety or security of others may be seized by school authorities. If possession of items are thought to constitute a crime, the following procedure will be implemented:

a. Notify the Superintendent.
b. All reasonable efforts shall be made to promptly notify parents or guardian.
c. Notify appropriate law enforcement authorities.
d. Secure locker with a school administrator until police arrive. Items or contraband should not be handled by anyone except police.

6. Items which may pose a danger to persons or property or which may be used to disrupt or interfere with the educational process may be removed from a student's possession for a period necessary to prevent the danger, disruption or interference.

7. In the implementation of this policy and to maintain a safe and orderly school environment it may be necessary, from time to time, to conduct searches, including K-9 searches. Searches generally fall into three categories. First, for events where large number of participants are expected (i.e., school social events, athletics) or where off-site experiences (i.e. field trips) are scheduled, the right is reserved to search all bags, either visually or with a metal detector. Refusal to consent to search will result non-admittance to the event. Second, where there is a reasonable suspicion that this policy or a law has been violated, individual non-intrusive searches may occur, either visually or with a metal detector. In these cases, the principal will designate two individuals to conduct the search, one of whom will be the same sex as the person suspected. Refusal to cooperate in an individual search will be considered insubordination and the refusal may be considered in the disposition of the matter. Third, in rare instances, individual circumstances may require daily or random searches.

8. Student email accounts are not confidential or private. They are the property of the Lincoln School Department. Employees, school committee members, and students have no reasonable expectation of privacy over these accounts or their contents. The Lincoln School Department may review all emails—included deleted messages—sent or received by employees, school committee members, and students. Email should be used primarily for school-related activities, and any personal use should be incidental and minimal. Email may not be used to solicit or persuade commercial ventures, religious or political causes, outside organizations, or other purposes unrelated to Lincoln Public Schools. Sending the same message indiscriminately to large number of recipients, commonly referred to as "spamming", is prohibited by law as well as by Lincoln Public School policy.

9. Lincoln Public Schools use a software service to monitor student activity online, filter content, and may alert school officials to possible self-harm ideation on school devices.

10. No school official will require, coerce or request a student or prospective student disclose the information used to access a student's social media account. No school official will require or coerce a student or prospective student divulge any personal social media account information. In addition, no school official will compel a student or applicant to add any school employee or volunteer to his or her list of contacts associated with a personal social media account or cause a student or applicant to alter settings that affect a third party's ability to view the contents of persona social media account. These provisions are meant to be followed pursuant to R.I.G.L. § 16-103 *et seq*.

11. Student interrogations by law enforcement officials or when a law enforcement officer is present shall follow the procedures outlined in RI General Law 16-21.5 et seq. which are incorporated herein by reference.

12. In appropriate cases, searches may include a student's vehicle.

III. School Lockers

The following rules shall apply to the assignment and usage of school lockers and/or school property assigned to a specific student or school personnel:

1. School building lockers or school property assigned to a specific student or school personnel are the property of the School Department. Lockers, locks, and/or school property assigned to a specific student or school personnel may be provided for the convenience and use of students or school personnel. While the School Department respects the right of privacy in the proper use of the lockers, the School Department reserves the right to open and inspect the contents of any locker or school-based storage area for any reason.

2. Search of a specific student(s), lockers or other storage areas by authorized school officials is permissible when there is reasonable suspicion for school authorities to believe that a student has on his/her person or when a locker may contain an item or substance which is:

    a. in violation of federal, state, and/or town laws, regulations or ordinances; or
    b. is in violation or contrary to school rules, directives or policy; or

    c. might pose a danger to any person or to the school facility; or

d. may disrupt the orderly educational process of the school or the District; or

e. Illegal items or other possessions reasonably determined to be a threat to the safety or security of others may be seized by school authorities; or

f. May create an exigent circumstance.

3. Lockers, both student and employee, in the school are and remain the property of the Lincoln School Department and are in the care, custody, and control of the Lincoln School Committee. The lockers may only be used for items related to school work. No illegal items or controlled substances such as alcohol or non-prescribed drugs, and no prohibited articles such as weapons of any kind whatsoever may be stored in school lockers. Every effort will be made to have the student present except in circumstances where either (a) the student is unavailable or (b) having the student present might jeopardize the safety or welfare of those present in the school building, then the student will be notified by the following school day.

4. Procedures for distribution, assignment, and usage of lockers, locks, and/or specific storage areas shall be the responsibility of building administrators

Any locker or school issued storage areas secured by a lock, whether owned by the student or the School Department, shall be removed at the request of a school administrator; however, the School Department may remove such lock in any case involving an emergency, refusal of the student to remove the lock, or inability to locate the student after a reasonable attempt has been made. There shall not be a requirement to attempt to locate any student whose absence from a class or school is not authorized.

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***TOWN OF LINCOLN SCHOOL COMMITTEE, Lincoln, Rhode Island***