

Title: Search and Seizure - Procedure

I. Searches, in General.

- A. Reasonable Suspicion: A search of a student or protected student area will be justified when there are reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating the law or the rules of the school.

Reasonable suspicion may be formed by considering factors such as, but not limited to, the following:

- (1) eyewitness observations of school personnel;
- (2) information received from reliable sources;
- (3) suspicious behavior by the student; or
- (4) the student's past history and school record.

- B. Reasonable Scope: A search of a student or protected student area will be permissible in its scope or intrusiveness when the measures adopted are reasonably related to the circumstances giving rise to the need for the search and the objectives of the search, and the search is not excessively intrusive in light of the age and gender of the student and the nature of the infraction. Reasonableness of scope or intrusiveness may be determined based on factors such as the following:

- (1) the age of the student;
- (2) the sex of the student;
- (3) the nature of the infraction;
- (4) the exigency requiring the search without delay and
- (5) objectives to be accomplished by the search.

II. Types of Searches.

- A. Personal Searches:

- (1) A student's person and/or protected student area on or about the student (e.g., purse, book bag, etc.) may be searched when a school authority has reasonable suspicion to believe that the student is in possession of illegal or contraband items and the search is reasonable in scope and intrusiveness.

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(2) More intrusive searches will require more compelling circumstances to be considered reasonable.

(a) Pat-Down Search: If a pat-down search or a search of a student's garments (such as jackets, socks, pockets, etc.) is conducted, it will be conducted by a school official of the same sex. Another adult witness of the same gender as the student will also be present when feasible.

(b) It is recognized that strip searches, body cavity searches and the use of a drug-sniffing animal to search a student's body are not to be permitted under Iowa statute.

B. Searches of Lockers, Desks and Other School Property

(1) Maintenance Inspections: Although school lockers are temporarily assigned to individual students, they remain the property of the District at all times. The District has a reasonable and valid interest in ensuring that the lockers are properly maintained. For this reason, periodic inspections of lockers are permissible to check for cleanliness, vandalism and general condition. General maintenance inspections may be conducted by school authorities at any time. Inspections will be performed in the presence of the student or at least one other person. Written notice of inspections shall be given by the District each year when school begins.

The furnishing of a school locker, desk or other facility or space owned by the District and provided as a courtesy to a student shall not create a protected student area or give rise to an expectation of privacy on the student's part with respect to such areas.

(2) Non-Maintenance Searches: The student's locker and its contents may be searched when a school official has reasonable suspicion that the locker contains illegal or contraband items. Such searches should be conducted in the presence of another adult witness and only with the authorization of the

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building principal.

C. Automobile Searches:

Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to conduct routine patrols of the student parking lots. The interior of a student's automobile on the school premises may be searched if the school authority has reasonable suspicion to believe that illegal, unauthorized or contraband items are contained inside. Such searches should be conducted in the presence of another adult witness and only with the authorization of the building principal.

A general notice of the District's search policy shall be included in the Code of Conduct for distribution to all students and/or parents.

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