

STUDENT SEARCHES AND INTERVIEWS

The Board of Education is committed to ensuring an atmosphere on school property and at school functions that is safe and orderly. To achieve this kind of environment, any school official authorized to impose a disciplinary penalty on a student may question a student about alleged violations of law or the district code of conduct. Students are not entitled to any sort of “Miranda”-type warning before being questioned by school officials, nor are school officials required to contact a student’s parent before questioning the student. However, school officials will tell all students why they are being questioned.

The board authorizes the superintendent of schools, building principals, assistant principals, deans, directors and central office administrators, the school nurse and district security officials to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the district code of conduct. In addition, the board authorizes building principals to initiate bag searches and visual inspections of students in response to potential threats as part of the procedures included in the Pre-Clearance and Security Screening in Lieu of Evacuation section of the School Emergency/Disaster Preparedness Plan. (See administrative regulations for guidance in setting up these searches and inspections.)

An authorized school official may conduct a search of a student’s belongings that is minimally intrusive, such as touching the outside of a book bag, without reasonable suspicion, so long as the school official has a legitimate reason for the very limited search.

An authorized school official may search a student or the student’s belongings based upon information received from a reliable informant. Individuals, other than the district employees, will be considered reliable informants if they have previously supplied information that was accurate and verified, or they make an admission against their own interest, or they provide the same information that is received independently from other sources, or they appear to be credible and the information they are communicating relates to an immediate threat to safety. District employees will be considered reliable informants unless they are known to have previously supplied information that they knew was not accurate. Information may also be obtained through the use of metal detectors (see Policy 5154.1).

Before searching a student or a student’s belongings, the authorized school official should attempt to get the student to admit that he or she possesses physical evidence that they violated the law or the district code, or get the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought.

Student Searches and Interviews (Continued)

Whenever practicable, searches will be conducted in the privacy of administrative offices and students will be present when their possessions are being searched.

1. Student Lockers, Desks and Other School Storage Places

The rules regarding searches of students and their belongings do not apply to student lockers, desks and other school storage places. Students have no reasonable expectation of privacy with respect to these places and school officials retain complete control over them. This means that student lockers, desks and other school storage places may be subject to search at any time by school officials, without prior notice to students and without their consent.

2. Documentation of Searches

The authorized school official conducting the search shall be responsible for promptly recording the following information about each search in which physical evidence is found that violates the law or the district code, except those conducted as part of a Pre-Clearance and Security Screening:

1. Name, age and grade of student searched.
2. Reasons for the search.
3. Name of any informant(s), where appropriate.
4. Purpose of search (that is, what item(s) were being sought).
5. Type and scope of search.
6. Person conducting search and his or her title and position.
7. Witnesses, if any, to the search.
8. Time and location of search.
9. Results of search (that is, what item(s) were found).
10. Disposition of items found.
11. Time, manner and results of parental notification.

The principal or the principal's designee shall be responsible for the custody, control and disposition of any illegal or dangerous item taken from a student. The principal or his or her designee shall clearly label each item taken from the student and retain control of the item(s).

In the event the item must be turned over to police, the principal or the principal's designee shall be responsible for assuring that the dangerous or illegal items are personally handed over to police in accordance with established police procedures.

Student Searches and Interviews (Continued)

3. Police Involvement in Searches and Interviews of Students

District officials are committed to cooperating with police officials and other law enforcement authorities to maintain a safe school environment. Police officials, however, have limited authority to interview or search students in schools or at school functions, or to use school facilities in connection with police work. Police officials may enter school property or a school function to question or search a student or to conduct a formal investigation involving students only if they have:

1. A search or an arrest warrant; or
2. Probable cause to believe a crime has been committed on school property or at a school function; or
3. Been invited by school officials.

Before police officials are permitted to question or search any student, the principal or his or her designee shall first try to notify the student's parent to give the parent the opportunity to be present during the police questioning or search. ***In the absence of a search or arrest warrant, or in the event that the police officials do not have probable cause to believe that a crime has been committed on school property or at a school function, a student may not be questioned or searched without the consent of the student's parent.*** The principal or designee will also be present during any police questioning or search of a student on school property or at a school function.

Students who are questioned by police officials on school property or at a school function will be afforded the same rights they have outside the school. This means:

1. They must be informed of their legal rights.
2. They may remain silent if they so desire.
3. They may request the presence of an attorney.

4. Child Protective Services Investigations

Consistent with the district's commitment to keep students safe from harm and the obligation of school officials to report to child protective services when they have reasonable cause to suspect that a student has been abused or maltreated, the district will cooperate with local child protective services workers who wish to conduct interviews of students on school property relating to allegations of suspected child abuse, and/or neglect, or custody investigations.

Student Searches and Interviews (Continued)**4. Child Protective Services Investigations (Continued)**

All requests by child protective services to interview a student on school property shall be made directly to the principal or his or her designee. The principal or designee shall set the time and place of the interview. The principal or designee will be present during the interview. No student may be required to remove his or her clothing in front of a child protective services worker or school district official of the opposite sex.

A child protective services worker may not remove a student from school property without a court order, unless the worker reasonably believes that the student would be subject to danger of abuse if he or she were not removed from school before a court order can reasonably be obtained. If the worker believes the student would be subject to danger of abuse, the worker may remove the student without a court order and without the parent's consent.

Policy Adopted:

August 12, 2002

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August 21, 2023

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September 16, 2024

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Administrative Regulations**STUDENT SEARCHES AND INTERVIEWS
Bag Searches and Visual Inspections of Students
Guidelines**

The following guidelines are to be used in those circumstances in which a building implements the procedures under the Pre-Clearance and Security Screening in Lieu of Evacuation section of the School Emergency/Disaster Preparedness Plan.

- Whenever possible, advance notice in the form of a letter should be given to students and parents.
- Individuals approved to conduct bag searches and visual inspections of students include teachers, deans, assistant principals, principals, directors and central office administrators.
- Students who bring in book bags or purses will have them searched. Students are to be told that they may take out the items they need for the day and to pick up their bags in the main office at the end of the day. Students may bring items into the building that are contained in a clear plastic bag. Schools will have a supply of plastic bags available in the event they are needed. Individuals conducting the search are to wear plastic gloves.
- Visual inspections must occur in an open area.
- A table must be placed between the searcher and the students.
- Male searchers are to search male students; female searchers are to search female students.
- Searchers are not to touch students in any manner.
- Searchers are to conduct their inspections as follows:
 - Greet students;
 - Ask students to empty the contents of their pockets;
 - Ask students if they have a cell phone or other electronic devices (i.e. medical);
 - Ask to see the top of students' waistbands and the top of their socks;
 - Wish them a good day.

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