Searches of Students and Student Privacy

Searches of Students and Personal Property
Personal privacy is a fundamental aspect of individual liberty. All students possess the constitutional right to be secure in their persons, papers, and effects against unreasonable searches and seizures. Staff will take particular care to respect students' privacy.

School officials have authority to maintain order and discipline in the schools and to protect students from exposure to illegal drugs, weapons, and contraband. The superintendent, the principal, and other staff designated by the superintendent have the authority to conduct reasonable searches on school property in accordance with the law.

Any authorized school official will conduct searches according to the procedure associated with this policy.

Student Privacy

Adult Students, Emancipated Minors, and Confidential Health Information
State law provides that at certain ages, students attain the right to decide for themselves what records will remain confidential, even from their parents, and what activities the student will participate in. At age eighteen students become legal adults and must approve any disclosure of information about themselves from school records, except directory information if a request for confidentiality has not been filed. Students at age eighteen may also sign releases, authorizations, or permission slips to participate in school activities, and may sign themselves out of school and authorize their own absences.

Students between sixteen and eighteen who have been granted legal emancipation from their parents or guardians have the same rights as eighteen-year-old students.

Students over fourteen years of age have confidentiality rights in records indicating that they have been tested or treated for a sexually transmitted disease. Students thirteen years and older have confidentiality rights in records regarding drug, alcohol, or mental health treatment.

All students have confidentiality rights in family planning or abortion records.

Cross References:	3414 - Infectious Diseases 3245 - Students and Telecommunication Devices 3231 - Student Records
Legal References:	34 CFR § 99.5 What are the rights of students 42 CFR § 2.14 Minor patients RCW 9.02.100 Reproductive privacy—Public policy RCW 13.64.060 Power and capacity of emancipated minor RCW 28A.320.040 Bylaws for board and school government RCW 28A.600.020 Exclusion of student from classroom — Written disciplinary procedures — Long-term suspension or expulsion RCW 28A.600.210-240 School locker searches—Findings—No expectation of privacy—Authorization—Limitations—Notice and reasonable suspicion requirements RCW 70.02.220 Sexually transmitted diseases—Permitted and mandatory disclosures RCW 70.02.240 Mental health services—Minors—Permitted disclosures

RCW 70.02.265 Adolescent behavioral health services—Disclosures of treatment information and records—Restrictions and requirements

Management Resources: Policy News, June 1999 School safety bills impact policy

Wishram School

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