

SMYRNA SCHOOL DISTRICT

PROCEDURE

Section:	5000 Students	Office Responsible:	District Office
Procedure:	5102 Student Searches		
Related Policies:	5100.3 Student Code of Conduct - Secondary		

I. Purpose

The purpose of this procedure is to maintain a safe, orderly, and secure learning environment for all students, staff, and visitors at Smyrna High School. The school recognizes the importance of balancing student privacy rights with the school's obligation to protect the health, safety, and well-being of the school community.

This procedure establishes standards for individual student searches and random or suspicionless safety searches, including the use of handheld metal detectors and other security screening measures, as preventive tools to deter weapons and prohibited items on school property.

II. Legal Authority

This procedure is adopted pursuant to [Delaware Code Title 14, Section 4119](#) (14 Del. C. § 4119), which authorizes school district boards of education to utilize metal detectors and other security devices to prevent weapons, dangerous instruments, and contraband from entering public schools.

Under 14 Del. C. § 4119:

- School boards may determine whether and how to implement metal detectors and similar security devices.
- The purpose of these devices is to proactively enhance school safety and prevent dangerous items from entering school premises.
- Districts must adopt rules governing the use of such devices.
- Implementation must comply with state and federal law, including constitutional protections.
- The Delaware Department of Justice may provide model rules for guidance

III. Type of Student Searches

Student searches fall into two distinct categories, each governed by different legal standards:

A. Individual Student Searches (Reasonable Suspicion Required)

1. Standard Practice

School officials may conduct an individual search of a student when there is reasonable suspicion that the student possesses evidence of a violation of school rules or the law, and that the contraband may be located in the area searched.

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2. Reasonable Suspicion Defined

- Reasonable suspicion must be based on specific, articulable facts and rational inferences.

3. Scope of Individual Searches

- Searches must be reasonable in scope and directly related to the suspected violation.
- The intensity of the search must match the nature of the suspected infraction (e.g., searching a backpack for cigarettes after observing smoking).
- Searches shall not be excessively intrusive in light of the student's age, gender, location and the nature of the suspected offense.

B. Random or Suspicionless Searches (School Safety Measures)

1. Standard Practice

Random or suspicionless searches may be conducted when justified by broad school safety needs. The school shall implement such searches cautiously. Procedures shall be reviewed to ensure they do not disproportionately impact students based on race, ethnicity, disability, or other protected characteristics. Searches shall be conducted in a manner that minimizes stigma, fear, or disruption to the educational environment.

2. Examples of Random Searches

- Walk-through or handheld metal detectors
- Locker inspections or sweeps
- Use of drug- or weapon-detection dogs only in the event that there is declared to be a safety issue related to drugs and weapons, and the students themselves are not searched, but their personal effects may be.

3. Legal Requirements for Random Searches

Random searches must:

- Be truly random or school-wide, and not target specific students or groups
- Be reasonable in scope and level of intrusion
- Be conducted for a legitimate safety purpose

IV. Scope of the Procedure

This procedure applies to:

- All students while on school property
- School-sponsored events, both on and off campus
- Lockers, desks, backpacks, purses, vehicles parked on school property, and other school-related storage areas

Lockers and other school-issued storage areas remain school property and are subject to inspection.

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V. Administration of Searches

- Searches shall be conducted only by trained administrators, school safety personnel, or School Resource Officers, as permitted by law and district policy.
- Physical searches of a student's person shall only occur in accordance with district procedures.
- Searches shall be conducted respectfully and discreetly to the extent possible.

VI. Notification

- Students and parents/guardians shall be notified annually of this procedure through the Student Code of Conduct, school website, or official communication.
- Notice shall include an explanation of both individual and random search procedures and student rights.

VII. Handling of Prohibited Items

- Any weapon or prohibited item discovered shall be immediately secured.
- Disciplinary action shall be consistent with the Student Code of Conduct.
- Law enforcement shall be notified when required by law or when safety concerns necessitate such involvement.

VIII. Non-Discrimination

- No student shall be targeted, searched, or disciplined based on any protected characteristic.

IX. Metal Detector and Security Screening Procedures

A. Screening Process

- Students may be required to pass through walk-through or handheld metal detectors upon entry to the school or designated areas.
- Personal items (e.g., backpacks, purses) may be screened separately or with the student.

B. Secondary Screening

- If a metal detector is activated, school personnel may:
 - Request the student to remove metal objects and re-screen; or
 - Conduct a limited inspection of the student's belongings related to the activation.

C. Refusal to Participate

- A student who refuses to comply with a required security screening may be denied entry to the school or activity for that day, further screened, or referred to law enforcement.
- Refusal alone shall not constitute evidence of wrongdoing but may result in administrative consequences consistent with the Student Code of Conduct.

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X. Limits on Discipline Resulting from Random Searches

A. No Automatic Discipline

- A random or suspicionless search shall not, by itself, result in disciplinary action unless prohibited items are discovered or refusal of search.

B. Use of Information Obtained

- Information obtained through random searches shall be used only for safety and school discipline purposes, not as a general law-enforcement investigation tool. However, if evidence discovered during a random search gives rise to reasonable suspicion or probable cause, further action shall comply with applicable legal standards.

XI. Student Rights and Notice Statement

The following statement shall be included in the Student Code of Conduct and made available to students and families:

Smyrna High School is committed to maintaining a safe learning environment. Students have the right to be free from unreasonable searches. Random searches are conducted only for school-wide safety purposes and are not used to target specific students. Searches are conducted respectfully, fairly, and in accordance with state and federal law.

XII. Board Justification and Legal Standards

A. Balancing Safety and Privacy

- The Board of Education recognizes that while students retain constitutional privacy rights, schools have a legal duty to protect students from violence and dangerous conditions.

B. Legal Framework

- Individual student searches are governed by the reasonable suspicion standard.
- Random searches are permitted when justified by school-wide safety concerns, conducted randomly, and reasonable in scope.

XIII. Training and Oversight

A. Staff Training

- All staff involved in student searches shall receive training on:
 - Legal standards governing student searches
 - De-escalation techniques
 - Implicit bias and equity considerations
 - Proper documentation procedures

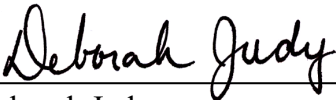
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B. Administrative Oversight

- The School Safety Supervisor or designee shall oversee implementation of this procedure.
- Complaints regarding searches shall be reviewed promptly and fairly.

Approval Acknowledged by:



Deborah Judy
Superintendent of Schools

Procedure Actions

Adopted: March 11, 2026

Revised: