

**Douglas Education  
Service District**

Code: **JFG**  
Adopted: 6/17/10  
Readopted: 10/15/15; 3/10/06  
Orig. Code(s): 7335

**Student Searches\*\***

The Board seeks to ensure a learning environment which protects the health, safety and welfare of ESD students and staff. To assist the Board in attaining this goal, ESD staff may, subject to the requirements below, search a student's person and property, including property assigned by ESD for the student's use. Such searches may be conducted at any time at a ESD facility or at a ESD activity.

All student searches for evidence of a violation of law, ESD policy or ESD administrative regulations conducted by ESD staff shall be subject to the following requirements:

1. The ESD staff person shall have individualized, "reasonable suspicion" based upon specific and articulated facts to believe that the student personally poses or is in possession of some item that poses an immediate risk or serious harm to the student, school officials and/or others at the school;
2. The search shall be "reasonable in scope." That is, the measures used are reasonably related to the objectives of the search, the unique features of the official's responsibilities and the area(s) which could contain the item(s) sought and not excessively intrusive in light of the age, gender, maturity of the student and nature of the infraction.

Routine inspections of ESD property assigned to students may be conducted at any time.

Use of drug-detection dogs and metal detectors or similar detection devices, may be used only on the express authorization of the Board.

ESD staff may seize any item which is evidence of a violation of law, ESD policy or ESD administrative regulation, or if the possession or use of it is prohibited by law, policy, regulation or rule.

Students may be searched by law enforcement officials at a ESD facility or when engaged in a ESD-related activity. Law enforcement searches ordinarily shall be based upon a warrant. ESD staff will attempt to notify the student's parent(s) in advance of any search and will be present for all law enforcement searches, whenever possible.

The superintendent shall have authority to create administrative regulations governing student searches to assist staff in the safe implementation of this policy. Administrative regulations shall be published in a handbook and distributed to students and/or parents/guardians upon enrollment in a ESD program or activity. The Board shall review the handbook prior to the start of each new school year.

END OF POLICY

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**Legal Reference(s):**

[ORS 334.125](#)

[OAR 581-021-0050 to -0075](#)

New Jersey v. T.L.O., 469 U.S. 325 (1985).

State ex. rel. Juv. Dept. v. M.A.D., 233 P3d. 437, 348 Or. 381 (2010).

State v. B.A.H., 263 P3d. 1046, 245 Or. App. 203 (2011).

State v. A.J.C., 326 P3d. 1195, 355 Or. 552 (2014).