

## **Student Searches and Questioning\*\***

### **Searches**

The Board seeks to assure a learning environment which protects the health, safety and welfare of students and staff. To assist the Board in attaining these goals, district officials may search a student's person and property, including property assigned by the district for the student's use. District officials may seize any item which is evidence of a violation of law, district policy or rules, or which the possession or use of is prohibited by law, policy or rules.

The superintendent will develop rules for implementing this policy in a manner which both protects students' rights and provides a safe learning environment without unreasonable interference following these basic procedures:

1. A search may be conducted when there is reasonable suspicion to believe that evidence or a prohibited item is present in a particular place;
2. Evidence, or a prohibited item, may be seized by district officials;
3. A search of district property assigned to students, including but not limited to lockers or desks, may occur from time to time. Students will be notified that a search of district property has occurred and will be notified of any evidence or prohibited item seized;
4. At the time district property is assigned to students for their use, the district shall inform students of conditions for the use of such property and of the intent of the district to conduct searches from time to time;
5. The search shall be "reasonable in scope." That is, the measures used are reasonably related to the objectives of the search and not excessively intrusive in light of the age, sex, maturity of the student and nature of the infraction;
6. Students may be searched by law enforcement officials on district property or when the student is under the jurisdiction of the district upon the request of the law enforcement official. Law enforcement requests ordinarily shall be based on a warrant. District officials will attempt to notify the student's parent(s) in advance and will be present for all such searches, whenever possible.

### **Questioning**

When law enforcement officials find it necessary to question students during the school day or during periods of cocurricular activities, an administrator will be present when possible. An effort will be made to

inform the parent, guardian or person in a parental relationship. However, in suspected child abuse cases, Oregon Department of Human Services, Community Human Services, and law enforcement officials may exclude district personnel from investigation procedures and may prohibit informing the parents.

When law enforcement officials find it necessary to take a student into custody, the administrator will request that the officials act in a manner which causes the least possible disruption to the learning environment.

END OF POLICY

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Legal Reference(s):

[ORS 332.107](#)

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

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

Cross Reference(s):

KL - Public Complaints

KN - Relations with Law Enforcement Agencies