

## Search and Seizure\*\*

### 1. Condition Description

- a. The Board seeks to create a climate in schools which assures the safety and welfare of all students and staff.

### 2. Guidelines

#### a. Rights

Students may be assured that the rights of the individual shall always be balanced with the needs of the school. In search and seizure the following procedures shall be followed:

- (1) A search of a student's person or articles in his/her possession should be limited to instances of reasonable suspicion that a student is hiding evidence of an illegal or prohibited act;
- (2) Illegal or prohibited items (firearms, weapons, drugs, tobacco, alcohol, etc.) or other paraphernalia determined by school authorities to be a threat to the safety and security of the possessor or others will be confiscated by school officials;
- (3) Items, which may be used to disrupt or interfere with the educational process, may be removed temporarily from the student's possession;
- (4) A general inspection of school properties including, but not limited to, lockers or desks may be conducted on a regular basis. Items belonging to the school may be repossessed, and any sealed or concealed material in lockers or desks may be opened and inspected.
  - (a) Equipment, such as lockers and desks, belongs to the school district, and students are allowed to use them as a convenience.
  - (b) The Board insists that lockers or desks be properly cared for and not used for storage of illegal or prohibited items.
  - (c) Locking or otherwise securing student lockers or desks shall give the student exclusive possession of the locker or desk as to other students, but not exclusive possession as to the district, its administration or agents.
- (5) Student vehicles parked in the school parking lot, whether locked or unlocked, are subject to search based upon reasonable suspicion that the vehicle contains evidence of an illegal act. Signs shall be posted at school parking lot entrances advising students that their vehicles are subject to search.
- (6) All items seized, except illegal or prohibited items shall be returned to the true owner or possessor.

- (7) The student may be given the opportunity to be present when a search of personal property and possessions is conducted, if he/she is in school and there is no reason to believe that his/her presence would endanger anyone's health and safety.

b. Responsibility

Students shall not bring on the school grounds firearms or any other item determined by the school authorities to be a threat to the safety or security of anyone. Students shall not hide or seek to eradicate evidence of an illegal act.