

Student Searches**

The Board seeks to assure a climate in the schools which is appropriate for institutions of learning and which assures the safety and welfare of personnel and students. To assist the Board in attaining these goals, district officials may, subject to the requirements below, search the student's person and property, including the facility or property, including property assigned by the district for the student's use. School officials may seize any property deemed injurious or detrimental to the safety and welfare of students and personnel if district officials have reason to believe an illegal act or a violation of school rules and administrative regulations is being committed or is about to be committed. Such searches may be conducted at any time on district property or when the student is under the jurisdiction of the district at school-sponsored activities.

All student searches conducted by the district shall be subjected to the following requirements:

1. The district official shall have individualized, "reasonable suspicion" based upon specific and articulated facts to believe that the particular student 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, sex, maturity of the student and nature of the infraction.

General search of school properties including, but not limited to, lockers or desks may occur at any time. District officials may seize any item which is evidence of a violation of law, board policy, administrative regulation or school rule, or which the possession or use of is prohibited by such law, policy, regulation or rule.

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

At the time school equipment is assigned to students for their use, students will be informed of conditions for the use of such equipment and of the intent of school personnel to conduct routine searches.

Students may be searched by law enforcement officials on district property or when the student is under the jurisdiction of the district. Law enforcement searches ordinarily shall be based upon 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.

The superintendent will develop procedures for implementing this policy in a manner which assures individual rights are protected and provides a safe learning environment without unreasonable interference. Provisions for staff, students and parent notice of the Board's policy and accompanying regulation shall be included.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[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).

Cross Reference(s):

KN - Relations with Law Enforcement Agencies