

## STUDENT PRIVACY AND SEARCHES

### A. 1. — Searches of Students and ~~Their~~ Property

A student is subject to search by district ~~staff-employees~~ if reasonable grounds exist to suspect that evidence of a violation of the law or school rules will be uncovered. School staff ~~shall-will~~ report a student's suspicious activity to the principal prior to initiating a search, except in emergency situations.

Establishing reasonable grounds. ~~The following review of the basis for the search should occur before~~ Prior to conducting a search, school staff will review the basis for the proposed search as follows:

- a. A. — Identify 1) Consider the following: (a) the student's age, sex, history, and school records; (b) the nature of the student's suspicious conduct, behavior, or activity; 2)(c) the prevalence and seriousness of the problem in the school to which the search would be directed; (d) the need to make the search without delay; and (e) the source of the information; and 3) the reliability of the source of such information.
- b. B. — If suspicion could be Determine whether, if the student's suspected conduct is confirmed, would sue the conduct would be a violation of the law or school rules?
- c. C. — Is Determine whether the student likely to possess or have has concealed any item, material, or substance which that is itself prohibited or which would be evidence of a violation of the law or a school rules.rule?

Conducting the search. If the principal, or ~~his or her~~ designee, determines that reasonable grounds exist to search a student's clothing, ~~and/or personal effects, desk, locker, assigned storage area, or automobile property,~~ the search ~~shall-will~~ be conducted as follows:

- a. A. — If evidence of criminal activity is suspected to be present, and if prosecution by civil authorities will be recommended if confirmed by the search, staff will consult law enforcement officials regarding the appropriateness of a search by whether it is appropriate for a law enforcement officer to perform the search.
- b. B. — If evidence of violation of a school rule is suspected, and if the violation confirmed by the search will-is expected to be handled solely as a student discipline action, staff will proceed to-search by asking the student to remove all items from his or her pockets, purses, handbags, backpacks, gym bags, etc.
- c. C. — If the student refuses to cooperate in a-personal the search, the student should be held until the student's parent or guardian is available to consent to the search. If a parent or guardian cannot be reached in a reasonable time, the principal or designee may conduct the search without the student's consent.

### B. Locker Searches

Lockers, desks, and storage areas are the property of the ~~school~~ district. When assigned a locker, desk, or storage area, a student ~~may does~~ not have a reasonable expectation of privacy with respect to items stored within that property location.

An individual student's locker, desk, or storage area may be searched by district ~~staff~~ employees if reasonable grounds exist to suspect that evidence of a violation of the law or school rules will be uncovered. School staff ~~shall~~ will report a student's suspicious activity to the principal prior to initiating a search, except in emergency situations when the risk of harm to students or staff demands immediate action. Principals of their designees will follow the procedures outlined above for determining whether reasonable grounds exist for the search and for conduction the search itself.

Principals or their designees may conduct a blanket search of all lockers, desks, or storage areas without prior notice given to students and without reasonable suspicion that the search will yield evidence of any particular student's violation of the law or school rules.

~~Building principals should refer to these procedures for conducting searches of students and their property for guidance in establishing whether a search is reasonable under the circumstances.~~

~~Principals may search all lockers, desks, or storage areas without prior notice given to students and without reasonable suspicion that the search will yield evidence of any particular student's violation of the law or school rules.~~

Administrative inspections, or health and welfare inspections, may be conducted at any time for the purpose of locating misplaced library books, textbooks, or other ~~school~~ district property or to ensure that all lockers, desks, or storage areas are being kept clean and free from potential health or safety hazards. Periodic inspections of lockers will reinforce the district's ownership of lockers and the minimal expectation of privacy students have in the contents of their lockers.

During a search of all student lockers, if the school official conducting the search discovers any container within the ~~locker, which locker, that~~ may conceal contraband, the container may be searched according to district procedures governing searches of students and their property. A "container" for the purpose of this policy may include, but is not limited to an article of clothing, a handbag, purse, backpack, gym bag, or any other item in which contraband material may be concealed.

### C. Vehicle Searches

A student's vehicle located on district property may be searched by district employees if reasonable grounds exist to suspect that evidence of a violation of the law or school rules will be uncovered. School staff will report a student's suspicious activity to the principal prior to initiating a vehicle search, except in emergency situations when the risk of harm to students or staff demands immediate action. In determining whether immediate action is warranted, school staff will consider the student's ability to drive the vehicle away from district property. Principals or their designees will follow the procedures outlined above for determining whether reasonable grounds exist for the search and for conducting the search itself.

During the search of a vehicle, if the school official conducting the search discovers any container within the vehicle that may conceal contraband, the container may be searched according to district procedures governing searches of students and their personal property.

