
STUDENT PRIVACY AND SEARCHES

A. Searches of Students and Property

A student is subject to search 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 search, except in emergency situations.

Establishing reasonable grounds. Prior to conducting a search, school staff will review the basis for the proposed search as follows:

- a. 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; (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 the reliability of the source.
- b. Determine whether, if the student's suspected conduct is confirmed, the conduct would be a violation of the law or school rules.
- c. Determine whether the student likely possesses or has concealed any item, material, or substance that is itself prohibited or which would be evidence of a violation of the law or school rules.

Conducting the search. If the principal, or designee, determines that reasonable grounds exist to search a student's clothing and/or personal property, the search will be conducted as follows:

- 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 whether it is appropriate for a law enforcement officer to perform the search.
- b. If evidence of violation of a school rule is suspected, and if the violation confirmed by the search is expected to be handled solely as a student discipline action, staff will proceed by asking the student to remove all items from his or her pockets, purses, handbags, backpacks, gym bags, etc.
- c. If the student refuses to cooperate in 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 district. When assigned a locker, desk, or storage area, a student does not have a reasonable expectation of privacy with respect to items stored within that location.

An individual student's locker, desk, or storage area 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 search, except in emergency situations when the risk of

harm to students or staff demands immediate action. 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.

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.

Administrative inspections, or health and welfare inspections, may be conducted at any time for the purpose of locating misplaced library books, textbooks, or other 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 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.