

***Search and Seizure***

The Board of Education recognizes that the privacy of pupils may not be violated by unreasonable search and seizure and directs that no pupil be searched without reason or in an unreasonable manner.

The Board acknowledges the need for in-school storage of pupil possessions and shall provide storage places, including desks and lockers for that purpose. Where locks are provided for such places, pupils may lock them against incursion by other pupils, but in no such places shall pupils have such an expectation of privacy as to prevent examination by a school official. The Board directs the school principals to conduct a regular search at least annually of all such storage places.

School authorities are charged with the responsibility of maintaining order and discipline in the schools and of safeguarding the safety and well-being of the pupils in their care. In the discharge of that responsibility, a teacher or administrator may search the person or property of a pupil, with or without the pupil's consent, whenever he or she has reasonable grounds to suspect that the search is required to discover evidence of a violation of law or of school rules. The extent of the search will be governed by the seriousness of the alleged infraction, the pupil's age, and the pupil's disciplinary history. Except in exigent circumstances, an intrusive search of a pupil's person or intimate personal belongings shall be conducted by a person of the pupil's gender.

Except as provided below, a request for the search of a pupil or a pupil's possessions will be directed to the building principal. To minimize potential liability and to insure that evidence seized from a student may be used in a student disciplinary hearing, the school official must insure that he or she had reasonable suspicion prior to the student search. This standard should be satisfied by personal observation of the objectionable conduct by the school official conducting the search, evidence furnished by a reliable informant (whose information has previously been verified) who relays the basis of his or her knowledge to the school official, or an admission by the student of possession or consent to search. A strip search may be performed only upon probable cause following review of the evidence by the school attorney.

The principal shall conduct a pupil search on the request of a law enforcement officer only on presentation of a duly authorized search warrant or probable cause.

In the case of imminent danger, a student may be searched for weapons. Reasonable suspicion in such case could also be based upon the comments of an unproven informant who informs that a student involved in a disciplinary incident is in possession of a dangerous weapon on his or her person. A search prompted by the reasonable belief that health and safety are immediately threatened will be conducted with as much speed and dispatch as may be required to protect persons and property.

The principal shall be responsible for the prompt recording in writing of each pupil search, including the reasons for the search, information received that established the need for the search and the name of the informant, if any; the persons present when the search was conducted; any substances or objects found; and the disposition made of them. The principal shall be responsible for the custody, control, and disposition of any illegal or dangerous substance or object taken from a pupil.