

STUDENT SEARCHES

The Board recognizes its responsibility to ensure that discipline is maintained in the schools and that a safe, orderly environment conducive to the educational process is preserved. Therefore, school officials may conduct reasonable searches of students and their possession, when in their judgment, there are reasonable grounds for suspecting that the search will reveal evidence that the student has violated or is violating either the Law or the policies or regulations of the school. The search must be reasonably related in scope to the circumstances which precipitated the search, and the school official conducting the search shall take into account the age and sex of the student and the nature of the alleged infraction.

Lockers and other storage facilities on school premises are school property and shall remain at all times under the control, custody, authority and supervision of the school authorities. Students will have prior notice that lockers and other storage facilities made available to them for temporary storage of their personal possessions remain under the control and ownership of the school administration and that the school administration has the right to search lockers, desks and other storage facilities for items which violate Law, school policies or regulations. Students will be asked to sign a statement acknowledging their understanding of this. Such searches may be conducted as part of a program of random searches or when reasonable grounds exist to suspect that the search will reveal evidence that the student has violated or is violating the Law or the policies and the rules of the school. Searches in response to reasonable grounds may be conducted by school officials as a result of a patrol of school premises by dogs trained to detect drugs or weapons. Only the Superintendent may determine when a canine patrol and any resulting search may be conducted.

Student parking on school grounds is a privilege. Student vehicles on school property may be searched by the administration or law enforcement officials when there are reasonable grounds for suspicion that the search will reveal evidence that the student has violated or is violating the Law or the policies or regulations of the school. Students will be asked to sign a statement acknowledging their understanding of this policy.

ADMINISTRATIVE PROCEDURE: STUDENT SEARCHES

The following protocol will be observed when conducting searches of students:

- (1) When the school official has reasonable suspicion that a student has possession of any items which violate law, school policies or regulations, he/she will call the student to a private location, if practical, and in the presence of a second staff member, inform the student that there is reason to believe that he/she is in possession of such items.

- (2) During any search of a student's person, i.e., a pat-down search or a search of garments being worn by the student except outer coats, sweatshirts or the like which may be removed and searched, the Principal and/or Assistant or designee will be present along with one other adult employee of the school, who will be of the same gender as the student being searched; and such search will be conducted in an appropriate private area, if practical.
- (3) During any search of property belonging to the student, the school official shall ask the student to open and fully reveal the contents of any container, compartment, bag or other item. If the student refuses to open the item or fully reveal its contents, the school official shall open and search the item to reveal its contents.
- (4) Any items which are illegal, prohibited by school policies or regulations, or which in the reasonable judgment of school officials, represent a threat to the safety and welfare of the school population may be seized by school authorities.
- (5) The seizure or confiscation of items located in a locker shall be accompanied in the following manner:
 - Each item seized must be identified in a written receipt issued to the student.
 - If items are found which are illegal, the police shall be called and such items will be turned over to the police. Such other items which are seized shall be secured in a locked desk, cabinet, vault or office.
 - The Principal or his/her designee shall prepare a report indicating the time and place of the search, who was present at the search, what items were seized as a result of the search, and the disposition of such items.
 - A copy of this report shall be given to the student, the student's parent/guardian and the Superintendent, no later than the next school day following the search. In complying with this section as regards notification to the student's parent/guardian, it shall be sufficient that the parent/guardian shall be orally notified of the search on the day it is conducted, and a copy of the report is mailed by the end of the next school day.

If a school official has reason to believe that a student is under the influence of alcohol or any illegal drug, the official may require the student, in addition to any other steps which are authorized by this policy, to submit to a non-intrusive testing protocol conducted by the school nurse or other certified school personnel.

A more expansive search of a student's person is permissible in emergency situations when the health and safety of the students, employees, or visitors on the school premises are threatened. Such a search should be conducted in private by a school official of the same sex, with an adult of the same sex present, unless the health or safety of students will be endangered by the delay which may be caused by these procedures.

The following protocol will be observed when conducting canine searches and searches of student lockers and their contents.

1. When the Superintendent has reasonable suspicion that a student(s) has possession of any items which violate law, school rules or regulations, he/she shall determine when a canine patrol or search will be conducted.
2. The time of the canine patrol will be chosen to create the least disruption to the academic program. The dogs will be brought in to the school at a time and in areas of the school where they will not be likely to encounter students.
3. There will be a code that will alert teachers to the fact that dogs are in the school, and teachers will refrain from issuing hall passes during this period.
4. As the dogs scan the lockers, if they identify a locker or lockers where there may be drugs or weapons, the administrator will make note of those lockers and continue the scan.
5. After the dogs have scanned the lockers, the dogs will be removed from the building.
6. The administrators of the school (Principal and Assistant Principal or identified designee) will immediately follow up on the scan by searching the lockers identified by the dogs.
7. There will always be two staff members present during any search of students or lockers or their contents.
8. If practical, a student shall be present during a search of the locker assigned for his or her use. The school official should first request that the student open and reveal the contents of any container, compartment, bag or other item stored in the lockers. To the extent that it is practical, this inspection should take place away from the lockers in a less public location. If the student refuses to open the item, the school official shall open and search the item to reveal its contents.

9. Any items, which are illegal, prohibited by school officials or regulations, or which in the reasonable judgment of school officials, represent a threat to the safety and welfare of the school population may be seized by school authorities. In case of seizure of items, the protocol described above concerning documentation and notification regarding student searches shall apply.

FIRST READING:	December 11, 1997
SECOND READING:	January 15, 1998
THIRD READING:	February 26, 1998
ADOPTION:	February 26, 1998

STUDENT AND PARENT CONSENT TO STUDENT PARKING PRIVILEGE

I acknowledge that the school has given me permission to park a car on school property. I understand that student-driven vehicles may be searched by the administration or law enforcement officials within the scope of the M.S.A.D. No. 75 Student Search Policy. I have received and read a copy of this policy and understand and accept its terms.

Student's Signature

Date

SEEN AND APPROVED:

Signature of Parent/Guardian

Date

STUDENT AND PARENT CONSENT TO SEARCH OF DESKS AND LOCKERS

STUDENT NAME: _____

Date: _____ **LOCKER NUMBER:** _____

I acknowledge that the school has given me permission to use a desk and locker located on school property. I understand that the desk and locker belong to the school and not to me. I have received and read a copy of the school's desk and locker policy. I understand and accept the terms of the desk and locker policy.

I HEREBY GIVE MY CONSENT TO THE OPENING, INSPECTION AND SEARCH, BY SCHOOL OFFICIALS, OF THE LOCKER AND DESK ASSIGNED TO ME, AND ITS CONTENTS, AT ANY TIME, FOR ANY REASON AND WITHOUT PRIOR NOTICE TO ME.

Student's Signature **Date**

SEEN AND APPROVED:

Signature of Parent/Guardian **Date**

LOCKER AND DESK SPACES

Lockers and desks used by students for the storage of their personal items are school property and shall remain at all times under the control, custody, authority and supervision of the school authorities. The school has absolute discretion whether or not to make lockers available to students for storage of students' personal items.

School authorities may, at any time and without prior notice to students, open, inspect and search desks and lockers and their contents.

All students, by using the school's desks and lockers, agree to the school's policies, rules and regulations relating to desks and lockers, including the school's right to open, inspect and search desks and lockers and their contents.

Students may not use any lock other than the lock supplied by the school. The use of any lock other than that supplied by the school may result in the forcible removal and destruction of the lock. The school shall not be liable for any damage to a non-school lock applied to a school locker or desk.