

1 3231 STUDENTS

2 Searches and Seizure

3 The goal of search and seizure with respect to students is meeting the educational needs of children and
4 ensuring their security. The objective of any search and/or seizure is not the eradication of crime in the
5 community. Searches may be carried out to recover stolen property, to detect illegal substances or
6 weapons, or to uncover any matter reasonably believed to be a threat to the maintenance of an orderly
7 educational environment. The Board authorizes school authorities to conduct reasonable searches of
8 school property and equipment, as well as of students and their personal effects, to maintain order and
9 security in the schools.

10 The search of a student, by authorized school authorities, is reasonable if it is both: (1) justified at its
11 inception, and (2) reasonably related in scope to the circumstances which justified the interference in the
12 first place.

13 School authorities are authorized to utilize any reasonable means of conducting searches, including but
14 not limited to the following:

- 15 1. A “pat down” of the exterior of the student’s clothing;
- 16 2. A search of the student’s clothing, including pockets;
- 17 3. A search of any container or object used by, belonging to, or otherwise in the possession or control
18 of a student; and/or
- 19 4. Devices or tools such as breath-test instruments, saliva test strips, etc.

20 The “pat down” or “search” of a student, if conducted, will be conducted by a school official or employee
21 of the same gender as the student being searched.

22 **School Property and Equipment and Personal Effects of Students**

23 School authorities may inspect and search school property and equipment owned or controlled by the
24 District (such as lockers, desks, and parking lots).

25 The Superintendent may request the assistance of law enforcement officials, including their use of
26 specially trained dogs, to conduct inspections and searches of lockers, desks, parking lots, and other
27 school property and equipment for illegal drugs, weapons, or other illegal or dangerous substances or
28 material.

29 **Students**

30 School officials may search any individual student, his/her property, or District property under his/her
31 control, when there is a reasonable suspicion that the search will uncover evidence that he/she is violating
32 the law, Board policy, administrative regulation, or other rules of the District or the school. Reasonable
33 suspicion shall be based on specific and objective facts that the search will produce evidence related to
34 the alleged violation. The types of student property that may be searched by school officials include but
35 are not limited to lockers, desks, purses, backpacks, student vehicles parked on District property, cellular
36 phones, or other electronic communication devices.

1 Also, by parking in the school parking lots, the student consents to having his/her vehicle searched if the
2 school authorities have any other reasonable suspicion to believe that a violation of school rules or policy
3 has occurred.

4 Students may not use, transport, carry, or possess illegal drugs or any weapons in their vehicles on school
5 property. While on school property, vehicles may be inspected at any time by staff, or by contractors
6 employed by the District utilizing trained dogs, for the presence of illegal drugs, drug paraphernalia, or
7 weapons. In the event the school has reason to believe that drugs, drug paraphernalia, or weapons are
8 present, including by alert-trained dogs, the student's vehicle will be searched.

9 **Seizure of Property**

10 When a search produces evidence that a student has violated or is violating either a law or District policies
11 or rules, such evidence may be seized and impounded by school authorities and disciplinary action may
12 be taken. As appropriate, such evidence may be transferred to law enforcement authorities.

13 Legal Reference:

14 Safford Unified School Dist. No. 1 v. Redding, _____ U.S. _____, 129 S.Ct. 2633 (2009)

15 Terry v. Ohio, 392 U.S. 1, 20 (1968)

16 B.C. v. Plumas, (9th Cir. 1999) 192 F.3d 1260

17 Policy History:

18 Adopted on: July 1, 2000

19 Revised on: January 26, 2015