

SEARCH AND SEIZURE

"Protected student area" includes, but is not limited to:

- (a) A student's body.
- (b) Clothing worn or carried by a student.
- (c) A student's pocketbook, briefcase, duffel bag, book bag, backpack, knapsack, or any other container used by a student for holding or carrying personal belongings of any kind and in the possession or immediate proximity of the student.

"Student search rule" requires that all searches of students, protected student areas, and District property provided as a courtesy to students be reasonably related in scope to the circumstances which give rise to the need for the search based upon consideration of relevant factors which include, but are not limited to:

- (a) the nature of the violation for which a search is being done.
- (b) the age and gender of the student who may be searched according to the rule.
- (c) the objective(s) to be accomplished by a search.

A District official may search a student, and protected student areas if both of the following apply: (a) the official has reasonable grounds for suspecting a search will produce evidence that a student has violated or is violating either the law or a school rule, and (b) the search is conducted in a manner which is reasonably related to the objective(s) of the search and which is not excessively intrusive in light of the age and gender of the student and nature of the possible violation. If the student is not or will not be present at the time of a search of a student protected area, the student shall be informed of the search either prior to or as soon as is reasonably practical after the search is conducted.

A District official may conduct periodic inspections, without prior notice, of all or a randomly selected number of District-owned property (e.g., school lockers, desks) provided as a courtesy to students. When such inspections occur, they shall be done in the presence of the students or done in the presence of at least one (1) other person.

A District official may not conduct a search which involves: a) a strip search; b) a body cavity search; c) the use of a drug sniffing animal to search a student's body; or d) a search of a student not of the same sex as the official.

The search of a student or of a protected student area by a peace officer who is not a District official or by a District official at the invitation or direction of a peace officer who is not a District official, shall be governed by the

statutory and common law requirements for police searches.

Reviewed 05/04/09, 6/9/14