

Unity School District - Board of Education

Board Policy 446.1

Student Locker Searches and Seizures

Last Revised 9/12/2023

Searches in General

Understanding the District has a legitimate interest in maintaining order of the educational environment, the principal or their designee may, upon reasonable suspicion that a search will reveal contraband, i.e., evidence of illegal activity or a school policy violation, conduct a search of a student's vehicle, locker, person, or personal property located on school grounds.

Prior to conducting a search under this policy, the District may request the student's consent to search unless the principal or their designee believes such notice or request for consent would interfere with the results of the search.

1. Reasonable Suspicion and Scope of Search:

- a. The principal or their designee must have a legitimate basis to suspect that the search will reveal contraband, i.e., evidence of illegal activity or a violation of school policy.
- b. The search shall be reasonably related in scope to the circumstances that justified the initial reason for the search.

2. The principal or their designee may conduct a search under this policy without having reasonable suspicion only when they have obtained the student's legally recognized consent to search.

Locker Searches

A student locker is provided by the District school for the convenience of the student, to be used solely and exclusively for the storage of outer garments, footwear, and school-related materials. No student shall use the locker for any other purpose.

The locker assigned to a student is the property of the School District. At no time does the District relinquish its exclusive control of such lockers. A locker may be searched as determined necessary or appropriate without notice, without student consent, without reasonable consent, and without a search warrant. The search may be conducted by the principal or their designee. ~~District Administrator, a building principal, a school liaison officer or other law enforcement officer at the request of school officials, a school employee designated by the district administrator.~~

Any unauthorized item found in a the locker will be seized in accordance with this policy removed.

~~The student is to use only the specific locker that they have been assigned.~~

Vehicle Searches

Parking spots on District grounds are provided for the convenience of student-drivers. Parking spots are extensions of school property. Therefore, to maintain the legitimate interest of order in the educational environment, the principal or their designee may search a student's personal or familial vehicle located on school grounds in accordance with the requirements of this policy and the Student Vehicle Registration Agreement.

The principal or their designee may seize the student's vehicle keys in accordance with this policy to gain

entry to the vehicle for purposes of a vehicle search. If the principal or their designee is unable to obtain the student's vehicle keys, the District shall request law enforcement make keyless entry with as little property damage as possible given the circumstances.

Person/Personal Property Searches

The District permits students to bring various types of personal property to school. Understanding the District has a legitimate interest in maintaining order of the educational environment, a student's person or personal property may be searched in accordance with the requirements of this policy.

1. Definition(s):

- a. "Person" means the student's physical body limited to the student's outer layer of clothing or inside the student's clothing pockets.
- b. "Personal Property" means any item a student brings onto school grounds. Such items include but are not limited to, a student's backpack, lunchbox, athletic bag, hygiene items, or school supplies.

2. Limitations:

- a. Under no circumstances shall a student be strip searched while under the authority of the school district or put in a position which is excessively intrusive in light of the age and sex of the student and the nature of the violation.
- b. If a student's person is searched, such search shall be done by a staff member of the same gender as the student.
- c. Searches of a student's person or personal belongings must be conducted outside the presence of other students.

Guidelines: Seizures from Search:

1. Items removed from a student's possession ~~the locker~~ may be held by the school for return to the adult student, or the parent(s) or guardian of a minor student, without liability to the school for safekeeping.
 - a. The adult student, or the parent(s) or guardian of a minor student, shall be notified by the principal of items removed from the ~~student's possession locker~~.
 - b. The adult student, or a parent(s) or guardian of a minor student, shall be informed of his/her right to obtain items that may have been removed from the ~~student's possession locker~~.
 - c. Disciplinary action may be ~~imposed enforced~~ as prescribed by the Student Handbook and board policy.
2. If the principal suspects that possession or storage of the unauthorized item found in the ~~student's possession locker~~ involves a violation of the law, the suspect ~~item will be material removed from the locker shall be~~ ~~and~~ turned over to law enforcement officials.
 - a. The adult student, or the parent(s) or guardian of a minor student, shall be notified by the inspecting principal of items removed from the ~~student's possession locker~~ and of the delivery thereof to law enforcement officials.
 - b. The adult student, or the parent(s) or guardian of a minor student, shall be informed of his/her right to obtain any other items that may have been removed from the ~~student's possession locker~~.

Violation(s)

1. A student's failure to cooperate with the District's choice to search their vehicle on school grounds may result in revocation of on campus driving privileges, and/or disciplinary action, up to and including suspension and expulsion.
2. A student's failure to cooperate with a search of the student's person, personal property, or locker, may result in limitations to what personal property the student may bring to school, revocation of locker privileges, and/or disciplinary action, up to and including suspension and expulsion.