

Document Status: Draft Update

STUDENTS

7:140 Search and Seizure

In order to maintain order and security in the schools, school authorities are authorized to conduct reasonable searches of school property and equipment, as well as of students and their personal effects. "School authorities" includes school liaison police officers.

School Property and Equipment as well as Personal Effects Left There by Students

School authorities may inspect and search school property and equipment owned or controlled by the school (such as, lockers, desks, and parking lots), as well as personal effects left there by a student, without notice to or the consent of the student. Students have no reasonable expectation of privacy in these places or areas or in their personal effects left there. This paragraph applies to student vehicles parked on school property. In addition, Building Principals shall require each high school student, in return for the privilege of parking on school property, to consent in writing to school searches of his or her vehicle, and personal effects therein, without notice and without suspicion of wrongdoing.

The Superintendent or designee may request the assistance of law enforcement officials to conduct inspections and searches of lockers, desks, parking lots, and other school property and equipment for illegal drugs, weapons, or other illegal or dangerous substances or materials, including searches conducted through the use of specially trained dogs.

Students

School authorities may search a student and/or the student's personal effects in the student's possession (such as, purses, wallets, knapsacks, book bags, lunch boxes, etc.) when there is a reasonable ground for suspecting that the search will produce evidence the particular student has violated or is violating either the law or the school or District's student rules and policies. The search will be conducted by a school authority of the same sex as the student in a manner that is reasonably related to its objective of the search and not excessively intrusive in light of the student's age and sex, and the nature of the infraction.

The building administrator may request the assistance of law enforcement officials to conduct inspections and searches of lockers, desks, parking lots, and other school property and equipment for illegal drugs, weapons, or other illegal or dangerous substances or materials, including searches conducted through the use of specially trained dogs.

If a search produces evidence that the student has violated or is violating either the law or the school or district's policies or rules, evidence may be seized and impounded by school authorities, and disciplinary action may be taken. When appropriate, evidence may be transferred to law enforcement authorities.

Seizure of Property

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

Notification Regarding Student Accounts or Profiles on Social Networking Websites

The Superintendent, or designee, shall notify students and their parents/guardians of each of the following in accordance with the Right to Privacy in the School Setting Act, [105 ILCS 75/](#):

1. School officials may not request or require a student or his or her parent/guardian to provide a password or other related account information to gain access to the student's account or profile on a social networking website.
2. School officials may conduct an investigation or require a student to cooperate in an investigation if there is specific information about activity on the student's account on a social networking website that violates a school disciplinary rule or policy. In the course of an investigation, the student may be required to share the content that is reported in order to allow school officials to make a factual determination.

Use of Dogs

The Board authorizes the use of specially-trained dogs to detect the presence of drugs and devices such as bombs on school property under the following conditions:

- A. The presence of the dogs on school property is authorized in advance by the Superintendent, or designee, or is pursuant to a court order or warrant.
- B. The dog must be handled by a law enforcement officer or certified organization specially trained to safely and competently work with the dog.
- C. The dog is represented by the Sheriff or Chief of the law enforcement agency providing the service as capable of accurately detecting drugs and/or devices.

- D. The dog may be allowed to examine school property such as lockers as permitted by the building principal. Any limitation as to areas of school property to be examined by the dog shall be established by the Superintendent, or designee, at the time the use of dogs is authorized.
- E. Following a dog search, the building administrator shall be responsible for the prompt recording in writing of each search, including the reasons for the search; information received that established the need for the search; the persons present when the search was conducted; any substance or objects found and the disposition made of them; and any subsequent action taken. The principal shall be responsible for the custody, control, and disposition of any illegal or dangerous substance or object taken from a student.

The Superintendent or designee may request the assistance of a law enforcement agency in implementing any aspect of this policy. Where law enforcement officials participate in a search on school property or at a school activity pursuant to a request from the Superintendent, or designee, the search shall be conducted by the law enforcement officers in accordance with the legal standards applicable to law enforcement officers.

Anything found in the course of a search pursuant to this policy which constitutes evidence of a violation of the law or a school rule or which endangers the safety or health of any person shall be seized and utilized as evidence if appropriate. Seized items of value shall be returned to the owner if the items may be lawfully possessed by the owner. Seized items that may not be lawfully be possessed by the owner or may be determined to cause disruption to the learning process or interfere with safety and security shall be retained and/or destroyed.

The Superintendent, or designee, shall prepare administrative guidelines to implement this policy.

LEGAL REF.:

[105 ILCS 5/10-20.14](#), [5/10-22.6](#), and [5/10-22.10a](#).

Right to Privacy in the School Setting Act, [105 ILCS 75/](#).

Cornfield v. Consolidated High School Dist. No. 230, 991 F.2d 1316 (7th Cir. 1993). [PRESSPlus1](#)

People v. Dilworth, [169 Ill.2d 195](#) ~~661 N.E.2d 310~~ (Ill., 1996), *cert. denied*, 116 S.Ct. 1692 (1996).

People v. Pruitt, [278 Ill.App.3d 194](#) ~~662 N.E. 2d 540~~ (Ill.App. 1st Dist., 1996), *app. denied*, 667 N.E. 2d 1061 (Ill.App.1, 1996).

T.L.O. v. New Jersey, ~~105 S.Ct. 733~~ [469 U.S. 325](#) (1985).

Vernonia School Dist. 47J v. Acton, ~~115 S.Ct. 2386~~515 U.S. 646 (1995).

Safford Unified School Dist. No. 1 v. Redding, ~~129 S. Ct. 2633~~557 U.S. 364 (2009).

CROSS REF.: 7:130 (Student Rights and Responsibilities), 7:150 (Agency and Police Interviews), 7:190 (Student Behavior)

PRESSPlus Comments

[PRESSPlus 1](#). The Legal References are updated in response to a five-year review. **Issue 106, November 2020**