

BOARD POLICY

JCAB

STUDENTS

OCTOBER 15, 2001

INVESTIGATIONS AND SEARCHES OF INDIVIDUAL STUDENTS, LOCKERS, AND OTHER PERSONAL PROPERTY ~~INVESTIGATIONS AND SEARCHES BY SCHOOL OFFICIALS~~

~~Administrators, teachers, and other employees~~ and other school officials who have reasonable suspicion shall have the right to detain, and question, and search students and their personal belongings based upon reasonable suspicion that a prohibited or illegal act has occurred. ~~when in their judgment it is necessary to do so. A student's person may be searched by the principal or his or her designee based upon a reasonable suspicion that a prohibited act, as set forth in the Student Code of Conduct, has occurred.~~

~~A student~~ All lockers are school property of the school district, and a principal or his or her designee may enter the locker from time to time and inspect the contents contained therein without reasonable suspicion and without notice to or approval by the student. ~~of which students must have no expectation of privacy. Locker searches may be conducted at any time and may include sniffer dogs. Students are solely responsible for the contents of their lockers and are not to share their lockers or divulge their locker combinations to other students. Students are prohibited from placing locks on any locker without the advanced approval of school administration.~~

~~A student's automobile parked on school property may be searched without notice to or approval by the student.~~ Administrators and other school officials may conduct a search based upon reasonable suspicion, of any vehicle driven onto school property by a student, regardless of actual vehicle ownership.

In the course of a search conducted pursuant to this policy, the privacy rights of the student shall be respected regarding any items that are not illegal or against school policy rules. Illegal drugs, alcohol, weapons and other dangerous instruments, unauthorized items, items in violation of Board policy or school/district rules, and other items reasonably determined to be a potential threat to the safety or security of others, which are found during a search shall be seized by school personnel and may be used as evidence in a suspension or ~~expulsion~~ disciplinary hearing, and in addition, these items may be turned over to the proper ~~police~~ legal authority.

LEGAL REF.: In re Gault, 87 S. Ct. 1428 (1967); Tinker v. Des Moines, 393 U.S. 503, 506 (1969); Terry v. Ohio, 392 U.S. 1, 9 (1968); Jones v. Latexo School District, 499 F. Supp. 223 (D.C. Tex. 1980); MCL 380.1306, and New Jersey v. T.L.O., 469 US 325, (1985) (Legal References Updated 3/12/07)