

Special Policy and Safety Committee Meeting

Wednesday, February 12, 2025 5:00 PM

BOE Auditorium and via Zoom Meeting Platform, 129 Church Street, Bristol, CT 06010

1. **Call to Order and Pledge of Allegiance**
2. **Public Comment**
3. **Policy/Safety Discussion and Possible Action Item**
 - **Cabe's Model Policy P5145.123a & Chief of Police Morello's edits**
 - **Cabe Model Policy R5145.123a - suggested regulation**
 - **Cabe Model Policy with EDITS from 2/5/25 mtg.**
 - **Reasonable Suspicion language to add (sample)**
 - **BPS Policy 5145.12 Students Search & Seizure***
4. **Adjournment**

Students

Search and Seizure

Definitions

Include Definition

a. **“Reasonable suspicion”** means sufficient knowledge possessed by the District official at the time the official makes or authorizes the search which would lead a reasonable person to believe that a search of a particular student or place will likely turn up evidence of a violation of law, Board policy, administrative regulation or school rule. The official’s knowledge may be based upon relevant past experience of the official, observation by the official and/or credible information from another person.

(1) **“Past experience”** may provide the district official with information relevant to the violation as well as information which enables the official to evaluate the credibility of information from another student.

(2) **“Credible information from another person”** may include information which the district official reasonably believes to be true provided by another District employee, a student, a member of law enforcement or other government official or some other person.

b. **“Reasonable in scope”** means the manner and extent of the search are reasonably related to the objectives of the search, limited to the particular student or students most likely to be involved in the infraction and not excessively intrusive in light of the student’s age, sex, maturity or the nature of the infraction.

Justification for Student Searches

Students possess the right to be free of unreasonable searches and seizures under the Fourth Amendment of the Constitution of the United States. Balanced against this right is the school officials’ responsibility to create and maintain an environment consistent with the school’s educational mission. School officials have a duty to protect the health, safety and welfare of all students under their authority.

Prohibited Items

Students are requested not to bring to school items or substances which would disrupt the educational function of the school or which are prohibited by Board policy, administrative regulations or by law. Examples of items or substances in this category are weapons, clubs, explosives, firecrackers, alcoholic beverages and nonprescription drugs or drug paraphernalia.

A separate policy on this issue.

Students

Search and Seizure

Use of Metal Detectors

Version #1

When the administration has reasonable cause to believe that weapons are in the possession of unidentified students, when there has been a pattern of weapons found at school or when violence involving weapons has occurred at the school or at school sponsored events, the administration shall be authorized to use stationary or mobile metal detectors in accordance with procedures approved by the Board. Any search of a student's person as a result of the activation of the detector shall be conducted in private in accordance with the policy on personal searches.

Version #2

~~In view of the escalating presence of weapons in our schools, the Board authorizes the use of hand-held or walk-through metal detectors to check a student's person or personal effects as follows:~~

~~School officials or law enforcement officers may conduct metal detector checks of groups of individuals if the checks are done in a minimally-intrusive, nondiscriminatory manner (e.g., on all students in a randomly selected class; on every third individual entering an athletic event). Metal detector checks of groups of individuals may not be used to single out a particular individual or category of individuals.~~

~~If a school official or a law enforcement officer has reasonable suspicion to believe that a particular student is in possession of an illegal or unauthorized metal-containing object or weapon, he or she may conduct a metal detector check of the student's person and personal effects.~~

~~A student's failure to permit a metal detector check as provided in this policy will be considered grounds for disciplinary action.~~

The Superintendent shall develop regulations for implementing this policy.

Language to include in either version:

Upon enrollment and at the beginning of each school year, students and parents/guardians shall receive notice that the district uses metal detector checks as part of its program to promote safety and deter the presence of weapons. Signs shall be posted at all schools to explain that anyone may be scanned by metal detector for guns, knives or other illegal weapons when on campus or attending athletic or extracurricular events.

Students

Search and Seizure

Use of Metal Detectors (continued)

(cf. 5145.12 - Search and Seizure)

Legal Reference: Connecticut General Statutes

10-221 Boards of education to prescribe rules.

New Jersey v T.L.O., 53 U.S.L.W. 4083 (1985)

PA 94-115 An Act Concerning School Searches.

Policy adopted:

cps 7/00

A suggested regulation on this topic. Due to the lack of court decision on this issue, it is recommended that the regulation be approved by the Board.

Students

Search and Seizure

Use of Metal Detectors

The use of metal detectors in District schools are subject to the following procedures:

1. A notice will be posted in a central location at each (middle and high) school stating that weapons are not permitted at school and that students may be required to submit to a metal detector check. In addition, the metal detector policy will be included in future publications of the Student Code of Conduct and in Student/Parent Handbooks.
2. Before conducting the metal detector checks, the Building Principal or his/her designee or law enforcement officer ("officer") will enter the classroom and explain the scanning process to students in the class, emphasizing that the checks are intended to maintain safe schools.
3. Before walk-through, students shall be asked to empty their pockets of metal objects.
4. After an initial activation occurs, students shall be asked to walk through a second time.
5. If a second activation occurs, a hand-held metal detector will be used.
6. If the activation is not eliminated or explained, staff shall escort the student to a private area.
7. In the private area, an expanded search shall be conducted by a staff member of the same gender as the student, in the presence of an adult witness.

Note: Upon activation of the detector, any subsequent search should be limited to the detection of the metal that caused the activation in the first place. For example, a school official should not use the fact of the activation to search a container which could obviously not hold a weapon.

8. The search shall be limited to the detection of weapons.

Students

Search and Seizure

Use of Metal Detectors (continued)

Metal Detector Checks of Individual Students

Before conducting a metal detector check of an individual student, the administrator or officer must have individualized reasonable suspicion that the student is in possession of an illegal or unauthorized metal-containing object or weapon. The provisions of the Board Policy regarding personal searches shall be followed under these circumstances.

If a properly conducted search yields a weapon or any other illegal material, it shall be turned over to the proper legal authorities for ultimate disposition.

Regulation approved:

cps 7/00

A separate policy on this issue.

Students

Search and Seizure

Use of Metal Detectors

Version #1

When the administration has reasonable ^{suspicion} cause to believe that weapons are in the possession of unidentified students, when ~~there has been a pattern of weapons found at school or when violence involving weapons has occurred at the school or at school sponsored events,~~ the administration shall be authorized to ^{use hand held wands} use stationary or mobile metal detectors in accordance with procedures approved by the Board. Any search of a student's person as a result of the activation of the detector shall be conducted in private in accordance with the policy on personal searches.

electronic smoking devices or items unbelonging to the person

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If a school official or a law enforcement officer has reasonable suspicion to believe that a particular student is in possession of an illegal or unauthorized metal-containing object or weapon, he or she may conduct a ^{scan w/ hand held wand} metal detector check of the student's person and personal effects.

A student's failure to permit a ^{scan w/ a hand held wand} metal detector check as provided in this policy will be considered grounds for disciplinary action.

The Superintendent shall develop regulations for implementing this policy.

Shall be implemented in accordance w/ Policy 5145.12 Search + Seizure

Language to include in either version:

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weapons, for electronic smoking devices or items unbelonging to the person.

the use of hand wands

A separate policy on this issue.

Students

Search and Seizure

Use of Metal Detectors

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Search and Seizure

Use of Metal Detectors (continued)

(cf. 5145.12 - Search and Seizure)

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Search and Seizure

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2. Before conducting the metal detector checks, the Building Principal or his/her designee or law enforcement officer ("officer") will enter the classroom and explain the scanning process to students in the class, emphasizing that the checks are intended to maintain safe schools.
3. Before walk-through, students shall be asked to empty their pockets of metal objects.
4. After an initial activation occurs, students shall be asked to walk through a second time.
5. If a second activation occurs, a hand-held metal detector will be used.
6. If the activation is not eliminated or explained, staff shall escort the student to a private area.
7. In the private area, an expanded search shall be conducted by a staff member of the same gender as the student, in the presence of an adult witness.

Note: Upon activation of the detector, any subsequent search should be limited to the detection of the metal that caused the activation in the first place. For example, a school official should not use the fact of the activation to search a container which could obviously not hold a weapon.

8. The search shall be limited to the detection of weapons.

Students

Search and Seizure

Use of Metal Detectors (continued)

Metal Detector Checks of Individual Students

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If a properly conducted search yields a weapon or any other illegal material, it shall be turned over to the proper legal authorities for ultimate disposition.

Regulation approved:

cps 7/00

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Note: Upon activation of the detector, any subsequent search should be limited to the detection of the metal that caused the activation in the first place. For example, a school official should not use the fact of the activation to search a container which could obviously not hold a weapon.

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Search and Seizure

Use of Metal Detectors (continued)

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If a properly conducted search yields a weapon or any other illegal material, it shall be turned over to the proper legal authorities for ultimate disposition.

Regulation approved:

cps 7/00

Students

Search and Seizure

Desks and school lockers are the property of the schools. The right to inspect desks and lockers assigned to students may be exercised by school officials to safeguard students, their property and school property with reasonable care for the Fourth Amendment rights of students.

The exercise of the right to inspect also requires protection of each student's personal privacy and protection from coercion. An authorized school administrator may search a student's locker or desk under three (3) conditions:

1. There is reason to believe that the student's desk or locker contains the probable presence of contraband material.
2. The probable presence of contraband material poses a serious threat to the maintenance of discipline, order, safety and health in the school.
3. The student(s) have been informed in advance that school Board policy allows desks and lockers to be inspected if the administration has reason to believe that materials injurious to the best interests of students and the school are contained therein.

Use of drug-detection dogs or similar detective devices may be used only on the express authorization of the Superintendent.

District officials may seize any item which is evidence of a violation of law, Board policy, administrative regulation or school rule, or which the possession or use of is prohibited by such law, policy, regulation or rule.

Student Searches

A student may be searched if there are reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school the scope of the search must be reasonably related to the objectives of the search and the nature of the infraction. A student will be asked to present any contraband to the administration or police prior to a physical search.

School officials shall not conduct such searches. Students may be searched by law enforcement officials on school property or when the student is under the jurisdiction of the district upon the request of the law enforcement official. The school Principal or designee will attempt to notify the student's parents allowing them to be present.

Legal Reference: Connecticut General Statutes

[54-33n](#) Search of school lockers and property

[10-221](#) Boards of Education to prescribe rules

New Jersey v. T.L.O., 469 US 325; 105 S.CT. 733

Policy Adopted: March 1, 1995

Policy Revised: April 4, 2007

BRISTOL PUBLIC SCHOOLS

Bristol, Connecticut

5145.12 Regulation

Students

Search and Seizure

1. Search of a Student and His/Her Effects

- A. All searches of students shall be conducted or directed by an authorized school administrator, i.e., the principal or vice principal, in the presence of a witness.
- B. A search of a student's handbag, gym bag, cellular telephone, personal electronic device or similar personal property carried by a student may be conducted if there are reasonable grounds for suspecting that the search will produce evidence that the student has violated or is violating either the law or the rules of the school. A student's other effects are also subject to the same rule. Effects may include motor vehicles located on school property.
- C. A search of a student's person may be conducted only if there are reasonable grounds at the inception of the search for suspecting that the search will reveal evidence that the student has violated or is violating either the law or the rules of the school. Moreover, the scope of the search shall be reasonably related to the objectives of the search and shall not be excessively intrusive in light of the age and sex of the student and the nature of the infraction. Metal detectors, breathalyzers and/or drug sniffing dogs may be used to detect the presence of contraband, including weapons, drugs or alcohol, in furtherance of this policy and to the extent authorized by law.
- D. Strip searches are prohibited except when there are reasonable grounds for suspecting that such a search will produce evidence of conduct which places students, staff or school property in immediate danger. Such searches may be conducted at the request of the school principal, generally by a member of the police department. During such searches, a member of the school staff shall be present at all times as a witness, and both the police officer conducting the search and the witness shall be of the same sex as the student searched.
- E. Any evidence of illegal conduct or conduct violative of the rules of the school produced as a result of searches according to these regulations shall be subject to seizure. Where required by law and otherwise at the option of the building principal, such evidence shall be submitted to the police department for proper disposition. Evidence not submitted to the Police Department shall be disposed of as directed by the building principal.

2. Search of a Locker, Desk and Other Storage Area

- A. The Board of Education provides lockers, desks, gym baskets and other storage areas in which students may keep and store personal belongings and materials provided by the Board of Education. Such storage areas are the property of the Board of Education.
- B. No student shall keep or store personal belongings or materials provided by the Board of Education in any storage area other than one provided by the Board of Education and designated for his/her use by the school administration.
- C. Each student shall be responsible for maintaining any storage area assigned to him/her for his/her use in an orderly and sanitary condition.
- D. No student shall keep or store in a storage area assigned to him/her for his/her use any item the possession of which is illegal or in violation of school regulations or that endangers the health, safety or welfare of self or others (such as matches, chemicals, ammunition, weapons, drugs, tobacco, alcoholic beverages, etc.).
- E. The use of lockers and other storage areas by students is a privilege. At all times such storage areas remain the property of the Board of Education. If the school administration reasonably suspects that a student is not maintaining a storage area assigned to him/her in a sanitary condition, or that the locker contains items the possession of which is illegal or in violation of school regulations or that endangers the health, safety or welfare of the student or others, it has the right to open and examine the storage area and to seize any such items that are found. The school administration may authorize

law enforcement officials to search lockers/storage areas in accordance with Board Policy 5145, Section 2(A).

F. When required by law and otherwise at the option of the building principal, items that have been seized shall be submitted to the police department for proper disposition. Items not submitted to the police department shall be disposed of as directed by the building principal.

Legal Reference: Connecticut General Statutes

[10-221](#) Boards of education to prescribe rules

[54-33n](#) Searches

New Jersey v. T.L.O., 469 US 325; 105 S.CT.733

Stafford Unified District #1 v. Redding, U.S. Sup. CT 08-479

Regulation Adopted: May 2, 2018

BRISTOL PUBLIC SCHOOLS

Bristol, Connecticut