

Section 8000 – Students

8130-R Searches of Motorized Vehicles, Lockers, and Students

8130-R

Search of Lockers

The lockers in the schools of the District shall be under supervision of the building Principal or designated representative. Students are to use lockers only for school-related materials and authorized personal items, such as outer garments, footwear, grooming aids, or lunch. Students are not to use lockers for any other purpose unless prior authorization has been obtained from the Principal. Students are responsible for the content of their lockers and should not share lockers, or divulge locker combinations unless authorized to do so.

The building Principal shall have custody of the combination or key to all locker locks in a storage place designed to guard against unauthorized access or use. He/She may search any locker at any time. Such search may be made without notice to the student to whom such locker has been assigned. Random searches will be conducted. Students are prohibited from placing locks, other than the regularly issued school lock, on their lockers. Law enforcement officers may be asked to assist, but school officials must supervise searches that school officials instigate pursuant to policy 8130.

If a law enforcement officer desiring to search a student's locker has a warrant for such search, the Principal shall immediately take such person to the student's locker and permit him/her to search the locker. Whenever possible, such search shall be made in the presence of the Principal.

If a law enforcement officer desires to search the student's locker without a warrant, the building Principal shall ask what facts lead the officer to believe that evidence of a crime will be lost, destroyed or moved if the search and seizure did not take place immediately, before a warrant is obtained. If the building Principal is not of the same opinion, he/she shall not participate in the search, but shall allow the law enforcement officer to proceed on his/her own responsibility. The Principal shall report the incident to the Superintendent who may notify the officer's superior of the incident.

Prohibited items recovered from a student's locker shall remain in the custody of the building Principal until such items are turned over to law enforcement officials. The Principal shall receive a receipt for such items so delivered.

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Search of Motorized Vehicles

The building Principal or designated representative may search any motorized vehicles brought onto school premises by a student at any time upon reasonable suspicion that the motorized vehicle contains an item(s) hazardous to the health, safety, and welfare of students, personnel, or property. These items include but are not limited to firearms, explosives, liquor, flammable material, dangerous weapons, narcotics, or other matter prohibited by law or school regulations from being on school property. Such search may be made without notice to the student. Students refusing to cooperate in allowing a search of the motorized vehicle shall immediately lose their parking/driving privileges and shall be subject to further disciplinary action up to and including long term suspension or expulsion.

Prohibited items recovered from motorized vehicles shall remain in the custody of the building Principal until such items are turned over to law enforcement officials. The Principal shall receive a receipt for such items so delivered.

Search of the Person

When it has been determined by the building Principal that there is reason to suspect that a student is in possession of an object which can jeopardize the health, welfare or safety of other students, that student shall be escorted to the appropriate location. This determination may be based on any information received by the building Principal or by a member of the faculty or staff. It also may be based on knowledge of the student's disciplinary problems, the student's association with known drug offenders, the students' exhibiting objects associated with drug use, or the students' exhibiting such objects as bullets or a knife sheath that could be associated with dangerous weapons.

Once in the Principal's office, the student shall be advised of the reason why he/she has been ordered to report to the Principal's office. The student shall then be requested to empty items such as, but not limited to, pockets, purses, shoulder bags, and briefcases. Items that the building Principal believes may be connected with illegal activity may remain in the custody of the building Principal, until such items are turned over to law enforcement officials, and if this is done, the Principal shall receive a receipt for such item so delivered.

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If the student refuses to comply with this request, the building Principal shall notify the student's parent(s)/guardian(s) and request that they come to the school at once. The building Principal shall advise the parent(s)/guardian(s) of the situation. If the parent(s)/guardian(s) of the student are unable to persuade the student to comply, the parent(s)/guardian(s) and the student shall be advised that law enforcement officials will be notified, and the matter turned over to an appropriate law enforcement agency.

If the parent(s)/guardian(s) refuse to come to the school or are unable to be notified and the student continues to refuse to cooperate, the building Principal shall notify law enforcement officials or security and inform them of the facts, which give him/her reasonable suspicion to believe that the student has illegal or dangerous objects on his/her person. Any further search of the student shall be at the discretion and under the control of the law enforcement officials with a valid warrant, if law requires a warrant. Once the building Principal has relinquished control of the student to the law enforcement officials, the building Principal or representative shall remain with the student and request to be present during any search of the student made by law enforcement officials on school property.

Upon any search, a written report shall be made indicating:

1. The name of the student,
2. The time, date and place of the search,
3. The reason(s) for the search,
4. Whether or not law enforcement officials were called,
5. Name of the person conducting the search,
6. Name(s) of person(s) present while search was conducted, and
7. Item(s) confiscated.

The Superintendent shall keep a copy of the written report on file.

Rules Accepted: June 29, 2009