JIH-R (PROCEDURE) - QUESTIONING AND SEARCHES OF STUDENTS AND STUDENTS' LOCKER/STORAGE FACILITIES ADMINISTRATIVE PROCEDURES

The purpose of this administrative rule is to provide procedures for the conduct of student questioning and searches by authorized school administrators pursuant to Policy JIH. School administrators have the discretion to request the assistance of law enforcement authorities where there is a reasonable suspicion of a substantial threat to the safety, health and welfare of the schools, students or staff. Law enforcement authorities will not participate in searches except where there is a reasonable suspicion of a substantial threat to the safety, health and welfare of the schools, students or staff.

During a search if an item is found that violates Board policies or Board rules, or is a reasonable suspicion of a substantial threat to the safety, health and welfare of the schools, students or staff it shall be seized. Illegal items such as prohibited substances, weapons, firearms, etc., shall be turned over to law enforcement authorities. Other items shall be stored in a secure location until a determination is made regarding appropriate disposition.

School administrators are required to document all searches and items seized or impounded and inform the Superintendent and the parents of students involved.

I. Questioning by School Administrators

   I. School administrators are under no obligation to notify a student's parents/guardians prior to questioning a student regarding alleged violations of Board policies, and/or Board rules.

   II. School administrators shall inform the student of the reasons for the questioning and provide an opportunity for the student to respond to any allegations. School administrators shall make a reasonable effort to question the student in a location out of the sight and hearing of other students.

II. Searches of Students, Personal Property in Students' Immediate Possession While on School Property

   I. School administrators are authorized to search students and/or personal property in students' immediate possession while on school property in accordance with Policy JIH.

   II. All searches of students and/or their personal property shall be authorized and conducted by a school administrator in the presence of a witness, except where the circumstances render the presence of a witness impractical. A reasonable effort will be made to conduct searches out of the sight and hearing of other students.

   III. Searches shall be reasonably related to the suspected violation and no more intrusive than necessary to discover the evidence for which the search was instigated. Searches may include pat downs and searches of the student's outer clothes (e.g., pockets, jacket, shoes, hat) and personal belongings (e.g., purse, backpack, gym bag, lunch bag). The student may be given the opportunity to open any closed items or items that are not easily accessible to visual search. If the student refuses, the administrator may open and search the items. If the search produces a reasonable suspicion of the presence of evidence, a broader search may be justified.

   IV. Searches which disclose evidence that a student has violated Board policies or Board rules will be addressed through school disciplinary procedures. Where there is a reasonable suspicion of a substantial threat to the safety, health and welfare of the schools, students or staff, evidence of such threat may be forwarded to law enforcement authorities for possible investigation/prosecution.

III. Searches of School Lockers, Desks, and Other School Storage Facilities on School Property

I. School administrators shall consult with the Superintendent prior to conducting random searches. Students have no expectation of privacy in school storage facilities or for any items placed in such storage facilities. School administrators have the authority to inspect and search storage facilities and their contents on a random basis, with or without reasonable suspicion, and without notice or consent.

II. Searches of individual student lockers, desks, or other storage facilities and their contents based upon reasonable suspicion will be conducted in the presence of a witness. If practical under the circumstances of the search, a reasonable effort will be made to conduct searches out of the sight and hearing of the other students. If practical, the student may be given the opportunity to open any closed items or items that are not easily accessible to visual search. If the student refuses, the administrator may open and search the items.

III. Any search which discloses evidence that a student has violated Board policies or Board rules will be addressed through school disciplinary procedures. Where there is a reasonable suspicion of a substantial threat to the safety, health and welfare of the schools, students or staff, evidence of such threat may be forwarded to law enforcement authorities for possible investigation/prosecution.

IV. Patrolling of Parking Lots and Searching Vehicles

I. Students may drive vehicles to school and park in designated areas in accordance with school rules. School administrators retain the authority to patrol parking lots.

II. If school administrators have a reasonable suspicion that a vehicle which a student has parked at school contains evidence that the student has or is violating Board policies or Board rules, a school administrator will search the vehicle in the presence of a witness, except where the circumstances make the presence of a witness impractical.

III. If practical, the student should be present during the search. A reasonable effort will be made to conduct searches out of the sight and hearing of other students. The student may be given the opportunity to open any closed items or items that are not easily accessible to visual search. If the student refuses, the administrator may open and search the items.

V. Canine Patrols and Searches

I. The Superintendent may request appropriate law enforcement authorities to conduct canine patrols anywhere on school property, including in hallways and parking lots, where there is a reasonable suspicion arising from weapons or explosives or a substantial threat to the safety, health or welfare of the schools, students or staff.

Cross reference:

- JICH- Student Use of Alcohol, Drugs, Tobacco and other Prohibited Substances
- JICIA- Weapons, Violence, and School Safety
- JIH- Questioning and Searches of Students
- JK- Student Discipline
- KLG- Relations with Law Enforcement Authorities
- KLG-R- Relations with Law Enforcement Authorities Administrative Procedure

Adopted:

- September 9, 2008

Revised:

- June 9, 2015

Revision #3
Created 2 November 2021 17:30:33 by Troy Patterson
Updated 10 October 2024 16:28:55