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Purpose

To maintain order and discipline in the schools and to protect the health, safety and welfare of students and school personnel, school authorities may search a student, his/her personal effects, lockers, desks, cubicles and vehicles under the circumstances outlined below and may seize any illegal or prohibited substance, object or other material discovered in the search.

Authority

It shall be the policy of the Board that all lockers, desks and cubicles are and shall remain the property of the School District. As such, students shall have no expectation of privacy in their lockers, desks and cubicles.

No student may use a locker, desk or cubicle as a depository for any substance, object or other material that is illegal or prohibited by Board policy, District rules or school rules, or constitutes a threat to the health, safety or welfare of the occupants of the school building or the building itself.

While on school property, no student may have in their possession or stored in their personal effects (e.g., purse, book bag, etc.) or vehicle any substance, object or other material that is illegal or prohibited by Board policy, District rules or school rules, or constitutes a threat to the health, safety or welfare of the occupants of the school building or the building itself.

A student's refusal or failure to permit searches and seizures as provided in this policy will be considered grounds for disciplinary action.

The Board reserves the right to authorize its employees to inspect a student's locker, desk, or cubicle at any time, based on reasonable suspicion, for the purpose of determining whether the locker, desk or cubicle is being improperly used for the storage of any substance, object or other material that is illegal or prohibited or which poses a hazard to the health, safety or welfare of the occupants of the school building or the building itself.[\[1\]](#)

Delegation of Responsibility

The Board authorizes the administration to conduct random general searches of lockers, desks and cubicles when the District has a compelling interest in protecting and preserving the health, safety or

welfare of the school population and property.

The Board authorizes the administration to conduct routine patrols of student parking lots and inspections of the exteriors of the student vehicles on school property.

Students shall be notified at least annually, or more often if deemed appropriate by the administration, concerning the contents of this policy.

All Searches

Searches conducted by the administration may include but are not limited to the utilization of certified drug dogs, bomb detection dogs, metal detection units, or any other device used to protect the health, safety or welfare of the school population.

A school authority has reasonable suspicion when s/he observes circumstances and/or receives reliable information which leads him or her reasonably to conclude, in light of his/her experience that the student may be in possession of any illegal or prohibited substance, object or other material. For a suspicion to be reasonable, the school authority must be able to point to specific and articulable facts which, in conjunction with rational inferences deriving wherefrom, support his/her suspicion.

The Superintendent shall develop procedures to implement this policy which shall require the following:

1. Searches are to be made by an official, duly authorized for that purpose by the principal.
2. The principal or a representative shall be present whenever a search is conducted.
3. The principal shall be responsible for the safekeeping and proper disposal of any substance, object or other material found during a search.
4. The principal shall be responsible for the prompt recording, in writing, of each search, which record shall include the reason for the search, persons present, substance, object or other material found, and their disposition.
5. Searches are a matter for school administrators and/or the police; the media have no part in them.
6. Where a search of a student's person, personal effects, locker, desk, cubicle or vehicle results in the discovery of any illegal or prohibited substance, object or other material, the parents/guardians of the student shall be notified as soon as practicable after the search has been conducted.

Seizure of Illegal or Prohibited Substances, Objects or Other Materials

If a properly conducted search yields any illegal or prohibited substance, object or other material, such finding shall be turned over to proper legal authorities for ultimate disposition. Illegal or prohibited substances, objects or other materials seized during a student search will not be returned to the student and may be used as evidence against the student in a school disciplinary proceeding.

Personal Searches

A student's person and/or personal effects (e.g. purse, book bag, etc.) may be searched whenever a school authority has reasonable suspicion to believe that the student is in possession of any illegal or prohibited substance, object or other material. (Also see Weapons Policy No. 218.1)[2]

In the event there is reasonable suspicion to believe that the student is carrying on his/her person or in his/her personal effects any illegal or prohibited substance, object or other material, or any tangible thing that is potentially dangerous to himself/herself, students or staff, the student may be asked to voluntarily reveal the contents of pockets or other clothing and/or personal effects.

If the student does not comply with this request, and circumstances warrant, a pat-down search of that student's person and/or search of the student's personal effects may be conducted. Prior to a pat-down search of a student who is suspected of violating this policy, an attempt shall be made to notify parent(s)/guardian(s) of an imminent search. Such pat-down searches shall be conducted in private, by a school official of the same sex, with an adult witness of the same sex present, and must not be conducted without reasonable suspicion. A parent/guardian may be present at the time of such pat-down search.

If extreme emergency conditions require a more intrusive search of a student's person, such a search may only be conducted in private by a school official of the same sex, with an adult witness of the same sex present, and only upon the prior approval of the Superintendent or his/her designee, unless the health, safety or welfare of students will be endangered by the delay which might be caused by following these procedures.

Lockers/Desks/Cubicles

All lockers, whether locked or unlocked, are only on loan to students and shall remain the property of the School District. Further, desks, cubicles and other school property are only on loan to students and shall remain the property of the School District. Students shall have no expectation of privacy in lockers, desks, cubicles and other property of the School District.[3]

Students shall be required to sign a consent form in order to use a locker. Students are encouraged to keep their assigned lockers closed and locked against intrusion by other students, but no student may use a locker as a depository for any illegal or prohibited substance, object or other material, or any substance, object or other material which constitutes a threat to the health, safety, or welfare of the occupants of the school building or the building itself.[1]

The administration is authorized to inspect a student's locker, desk, or cubicle at any time, based on reasonable suspicion, for the purpose of determining whether the locker, desk or cubicle is being improperly used for the storage of any substance, object or other material that is illegal or prohibited or which poses a hazard to the health, safety or welfare of the occupants of the school building or the building itself.

The administration is authorized to conduct random general searches of lockers, desks and cubicles when the District has a compelling interest in protecting or preserving the health, safety or welfare of the school population and property.

Students shall be notified at least annually or more often if deemed appropriate by administration, concerning the contents of this policy.

The Superintendent shall develop procedures to implement this policy which shall require the following:

1. Each student shall be informed of the conditions governing the use of lockers when locker assignments are made and shall be required to sign waiver forms acknowledging that the lockers are School District property, that the student has no expectation of privacy in the lockers, and that the student accepts that the locker is subject to random search without notice to the student.
2. The principal shall open a student's locker for inspection on the request of a law enforcement officer only on presentation of a duly authorized search warrant or as otherwise required by law.

[4]

Vehicle Searches

Students are permitted to park on school property as a matter of privilege, not of right, and only with the permission of school officials. Each student shall be informed of the conditions governing the ability to park his/her vehicle on school grounds when parking stickers are issued. The student and his/her parent(s)/guardian(s) shall be required to sign a waiver form acknowledging that the vehicle is parked on School District property, that there is no expectation of privacy in the vehicle while it is on school grounds, and that the vehicle is subject to search without notice.

The District retains authority to conduct routine patrols of student parking lots and exterior inspections of student vehicles on school property. School officials may look into student vehicles parked on school property at any time. In this context, vehicles means all modes of transportation, including but not limited to, bicycles and all licensed motor vehicles, such as, but not limited to jeeps, trucks, motorcycles, mopeds, etc.

Where a school official has reasonable suspicion, including but not limiting to having made observations in plain view, the student shall be notified and given the opportunity to be present for the inspection of the interior of the vehicle. However, when there is reason to suspect that the student vehicle contains any substance, object or other material which poses an immediate threat to the health, safety and welfare of the school population, the student vehicle may be searched without prior notice, without student consent, and without a search warrant.

Searches of School Buildings and Property

Only appropriate police and/or school administrators may participate in general searches of school buildings and property.

The Superintendent shall be notified of all police searches.

Any illegal or prohibited substance, object or other material found during a search will be confiscated. Individuals involved will be interviewed by the principal and information forwarded to the police as deemed appropriate. Before interviewing students, the principal shall notify the parent/guardian. If possible, the parent/guardian should be present during the interview.

At the Request of School Administrator –

When the District has a compelling interest in protecting and preserving the health, safety or welfare of the school populations, random general searches may be made under the supervision of the school administrator by police officers of the appropriate police department. These searches may be conducted without the consent of students and without prior notice. Certified drug dogs, bomb detection dogs, metal detection units or any other detection device may be used at the request of the administrator, if deemed appropriate.[\[1\]](#)

At the Request of the Police –

General inspections of school property may be requested by police and conducted at the discretion of the principal. Such searches will normally be conducted after school hours, unless the principal believes a search during school hours will foster the health, safety or welfare of the student body.

Police seeking to search a building, bus or other school property must contact the Superintendent or principal as far in advance as possible prior to the search and inform the Superintendent or principal of the probable cause for the search or that they have a search warrant. Prior to a locker/desk/cubicle/vehicle search, students shall be notified and given an opportunity to be present. However, where school authorities have reasonable suspicion that the locker/desk/cubicle/vehicle contains any substance, object or other material which poses a threat to the health, safety or welfare of the school population, the search may be conducted without prior warning.

Searches Involving the Use of Dogs –

Approved searches of school property by contraband detection dogs will be made only by appropriately certified dogs and trained police or certified handlers under the supervision of the Superintendent, designee, or principal. During a search using dogs, students and teachers will be notified of a restricted movement drill. Before any canine enters a classroom, students and teachers will be guided by appropriate school personnel out of the area to insure that the animals do not come in direct contact with the staff and students.

DISCLAIMERS:

This policy is superseded by all current federal and state laws and mandates.

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Legal

1. 22 PA Code 12.14

2. Pol. 218.1

3. 24 P.S. 510

4. Pol. 225

PA Const. Art. I Sec. 8

U.S. Const. Amend. IV

Pol. 223

Pol. 227