

Chinook School District

STUDENTS

3231
page 1 of 2

Searches and Seizure

The goal of search and seizure with respect to students is meeting the educational needs of children and ensuring their security. The objective of any search and/or seizure is not the eradication of crime in the community. Searches may be carried out to recover stolen property, to detect illegal substances or weapons, or to uncover any matter reasonably believed to be a threat to the maintenance of an orderly educational environment. The Board authorizes school authorities to conduct reasonable searches of school property and equipment, as well as of students and their personal effects, to maintain order and security in the schools.

The search of a student, by authorized school authorities, is reasonable if it is both: (1) justified at its inception, and (2) reasonably related in scope to the circumstances which justified the interference in the first place.

School authorities are authorized to utilize any reasonable means of conducting searches, including but not limited to the following:

1. A “pat down” of the exterior of the student’s clothing.
2. A search of the student’s clothing including pockets;
3. A search of any container or object used by, belonging to or otherwise in the possession or control of a student; and/or
4. Devices or tools such as breath-test instruments, saliva test strips, etc.

School Property and Equipment and Personal Effects of Students

School authorities may inspect and search school property and equipment owned or controlled by the District (such as lockers, desks, and parking lots).

The Superintendent may request the assistance of law enforcement officials, including their use of specially trained dogs, to conduct inspections and searches of lockers, desks, parking lots, and other school property and equipment for illegal drugs, weapons, or other illegal or dangerous substances or material.

Students

School authorities may search a student or a student’s personal effects, when reasonable grounds suggest a search will produce evidence that the particular student has violated or is violating a law or District student conduct rules. The search must be conducted in a manner that is reasonably related to its objectives and not excessively intrusive in light of age and sex of a student and the nature of the suspected infraction.

Students may not use, transport, carry, or possess illegal drugs or any weapons in their vehicles on school property. While on school property, vehicles may be inspected at any time by staff, or

by contractors employed by the District utilizing trained dogs, for the presence of illegal drugs, drug paraphernalia, or weapons. In the event the school has reason to believe that drugs, drug paraphernalia, or weapons are present, including by alert-trained dogs, the student's vehicle will be searched, and the student expressly consents to such a search.

Also, by parking in the school parking lots, the student consents to having his/her vehicle searched if the school authorities have any other reasonable suspicion to believe that a violation of school rules or policy has occurred.

Seizure of Property

When a search produces evidence that a student has violated or is violating either a law or District policies or rules, such evidence may be seized and impounded by school authorities and disciplinary action may be taken. As appropriate, such evidence may be transferred to law enforcement authorities.

Legal Reference: *Redding v. Safford Unified School District,*
 ---F.3d---, 2007 WL 2743594(C.A. 9 (Ariz.))
 Terry v. Ohio, 392 U.S. 1, 20 (1968)

Policy History:

Adopted on: June 1999

Revised on: February 2008