

Searches of Motorized Vehicles, Lockers and Students

Search of Lockers

The lockers in the schools of the District shall be under supervision of the building Principal or designated representative and assigned to the student for the storage of school materials and clothing necessary to school attendance. (Whenever the Principal is mentioned in this rule, it shall be construed so as to include “or designated representative.”) Law enforcement officials may assist school personnel in searching a locker and its contents.

The building Principal shall have sole 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 upon reasonable suspicion that the locker contains 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 to whom such locker has been assigned. Students are prohibited from placing locks, other than the regularly issued school lock, on their lockers. Students have no expectation of privacy in lockers or contents.

Any person other than the building Principal who wishes to search a student’s locker shall report to the building Principal before proceeding to the locker, and in no event shall such person be permitted to search the student’s locker without the Principal’s consent unless such person has a valid search warrant authorizing him/her to make such search.

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 and they 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, unless such items are turned over to law enforcement officials; and if this is done, the Principal shall receive a receipt for such items so delivered.

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 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 attempting to prohibit search of the motorized vehicle shall immediately lose their parking 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, unless such items are turned over to law enforcement officials; and if this is done, 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 ordered to report the building Principal's office. 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 student's exhibiting objects associated with drug use or the student's exhibiting such objects as bullets or a knife sheath which 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 Principals office.

The student shall then be requested to empty items such as, but not limited to, pockets, purses, shoulder bags and briefcases. Items which the building Principal believes may be connected with illegal activity may remain in the custody of the building Principal, unless 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.

If the student refuses to comply with this request, the building Principal shall notify the student's parent(s) or guardians(s) and request that they come to the school at once. The building Principal shall advise the parents of the situation. If the parents of the student are unable to persuade the student to comply, the parents 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 parents 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 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.

A written report of such search incident shall be made by the building Principal and submitted to the Superintendent. The written report shall contain the name of the student, the time, date and place of the search; the reason(s) for the search; the fact of whether law enforcement officials were called; the name of the person who conducted the actual search; the names of the persons present while the student was being searched; the result of the search, and whether the search was conducted pursuant to a warrant. The Superintendent shall keep a copy of the written report on file.