

SEARCHES

Desks and school lockers are the property of the school. The right to inspect desks and lockers assigned to students may be exercised by school officials to safeguard students, their property and school property with reasonable care for the privacy rights of students

The exercise of the right to inspect also requires protection of each student's personal privacy and protection from coercion. An authorized school administrator may search a student's locker or desk under two (2) conditions.

1. That the student's desk or locker contains illegal items, which would, if present pose a serious threat to the maintenance of discipline, order, safety and health in the school. Such items would include, but not be limited to, chemicals, ammunition, weapons, drugs, and alcoholic beverages.
2. The student(s) have been informed in advance that Board policy allows desks and lockers to be inspected if the administration has reason to believe that materials injurious to the best interests of students and the school are contained therein.

Use of drug-detection dogs and metal detectors, or similar detective devices may be used only with the express authorization of the Executive Director.

District officials may seize any item which the possession of or use of is evidence of a violation of law, Board policy, administrative regulation or school rule, or is prohibited by such law, policy, regulation or rule.

A student and his/her belongings may be searched with a Director or Director's designee's permission if there are reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school. The scope of the search must be reasonable related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the suspected infraction.

Proper standards for conducting student searches shall consist of, but not be limited to, the following procedures:

1. All student searches must be conducted in the presence of two (2) faculty members. It is recommended that one faculty member be an administrator or an administrative designee. One faculty member will properly search the student/suspect while the second faculty member will serve as a witness to the procedure.
2. Female students should be searched by female faculty members.
3. Male students should be searched by male faculty members.

The LEARN Board of Directors authorizes the search of student lockers, desks, and other school property used by students for the presence of weapons, contraband, or the fruits of a crime if the:

1. Search is justified at its inception, and
2. Search as actually conducted is reasonable related in scope to the circumstances which justified it in the first place.

A search is justified at its inception when there are reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school. A search is

reasonably related in scope when the measures adopted are reasonable related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction.

Whenever it is necessary for law enforcement officials to execute a search or arrest warrant on school grounds, the administration shall attempt to notify the student's parent or guardian and refer him/her to the police. In addition, that the administration should make reasonable efforts, in cooperation with the participating law enforcement officials to ensure that student searches or arrests conducted pursuant to a warrant are conducted with as much respect for the student's privacy as possible.

As used in this policy, the term "parent" means either the parent or guardian of a student. The term "student" or "pupil" refers to a student enrolled in a LEARN program. Students who have reached the age of legal majority may have the right to consent to a certain involvement with law enforcement officials which would normally require parental consent. However, even when dealing with a student who has reached the age of legal majority, the procedures set forth above should be followed.

LEGAL REFERENCE: Public Act 94-115

Policy Adopted: November 10, 2004
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