

STUDENTS**SEARCH AND SEIZURE POLICY**

- I. Search of a Student and His/Her Effects
 - A. Fourth Amendment rights to be free from unreasonable searches and seizures apply to searches conducted by public school officials. A student and his/her effects may be searched 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 way the search is conducted should be "reasonably 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."

- II. Search of a Locker, Desk and Other Storage Area
 - A. Lockers, desks and other storage areas provided by the school system for use by students are the property of the school system. Such storage areas are provided for the temporary convenience of students only. The Board of Education authorizes the administration and/or law enforcement officials to search lockers and other school property available for use by students for the presence of weapons, contraband or the fruits of a crime if there are reasonable grounds at the inception of the search for suspecting that the search will reveal evidence that the student has violated or is violating either the law or the rules of the school. Moreover, the scope of the search shall be reasonably related to the objectives of the search and shall not be excessively intrusive in light of the age and sex of the student and the nature of the infraction.

 - B. If the school administration reasonably suspects that a student is not maintaining a locker or other storage area assigned to him/her in a sanitary condition, or that the storage area contains items the possession of which is illegal or in violation of school regulations or that endangers the health, safety or welfare of the student or others, it has the right to open and examine the storage area and to seize any such items that are found.

 - C. When required by law and otherwise at the option of the building principal or principal's designee, items that have been seized shall be submitted to the police department for proper disposition. Items not submitted to the police department shall be disposed of as directed by the building principal or principal's designee.

STUDENTS**SEARCH AND SEIZURE POLICY (2)**

- III. The decision to search shall be made by the principal or the principal's designee. The search shall be made in the presence of at least one witness. Discovery of illegal or dangerous materials shall be reported to the Office of the Superintendent.

Legal References: Connecticut General Statutes:

Section 10-221, Boards of Education to prescribe rules

Section 54-33n, Searches

New Jersey v. T.L.O.; 469 U.S. 325 (1985)

Adopted: January 13, 1986
Revised: February 13, 1995
Revised: November 9, 2009

STUDENTS**SEARCH AND SEIZURE REGULATION**

I. Search of a Student and His/Her Effects

- A. All searches of students shall be conducted or directed by the building principal or principal's designee in the presence of a witness.
- B. A search of a student's handbag, gym bag or similar personal property carried by a student may be conducted if there are reasonable grounds for suspecting that the search will produce evidence that the student has violated or is violating either the law or the rules of the school. A student's other effects are also subject to the same rule. Effects may include motor vehicles located on school property.
- C. A search of a student's person may be conducted only if there are reasonable grounds at the inception of the search for suspecting that the search will reveal evidence that the student has violated or is violating either the law or the rules of the school. Moreover, the scope of the search shall be reasonably related to the objectives of the search and shall not be excessively intrusive in light of the age and sex of the student and the nature of the infraction. Both metal detectors and breathalyzers may be used to conduct searches to the extent authorized by Board policy.
- D. Strip searches of students are prohibited by employees of this school district. When there are reasonable grounds for suspecting that such a search will produce evidence of conduct which places students, staff or school property in immediate danger, the building principal or principal's designee will contact the proper law enforcement agency so a police officer can conduct the search. During such searches, a member of the school staff shall be present at all times as a witness, and both the police officer conducting the search and the witness shall be of the same sex as the student searched.
- E. Any evidence of illegal conduct or conduct violative of the rules of the school produced as a result of searches according to these regulations shall be subject to seizure. Where required by law and otherwise at the option of the building principal or principal's designee, such evidence shall be submitted to the police department for proper disposition. Evidence not submitted to the Police Department shall be disposed of as directed by the building principal or principal's designee.

STUDENTS**SEARCH AND SEIZURE REGULATION (2)**

II. Search of a Locker, Desk and Other Storage Area

- A. The Board of Education provides lockers, desks, gym baskets and other storage areas in which students may keep and store personal belongings and materials provided by the Board of Education. Such storage areas are the property of the Board of Education. School or police officials may conduct a thorough search of all school property in circumstances which put the safety of students or school staff at risk or could result in substantial property damage. School authorities in cooperation with police may use dogs to conduct sniff searches of school property and student-driven cars.
- B. No student shall keep or store personal belongings or materials provided by the Board of Education in any storage area other than one provided by the Board of Education and designated for his/her use by the school administration. Students are not to give other students access to their designated storage area or locker.
- C. Each student shall be responsible for maintaining any storage area assigned to him/her for his/her use in an orderly and sanitary condition.
- D. No student shall keep or store in a storage area assigned to him/her for his/her use any item the possession of which is illegal or in violation of school regulations or that endangers the health, safety or welfare of self or others (such as matches, chemicals, ammunition, weapons, drugs, tobacco, alcoholic beverages, etc.).
- E. The use of lockers and other storage areas by students is a privilege. At all times such storage areas remain the property of the Board of Education. If the school administration reasonably suspects that a student is not maintaining a storage area assigned to him/her in a sanitary condition, or that the locker contains items the possession of which is illegal or in violation of school regulations or that endangers the health, safety or welfare of the student or others, it has the right to open and examine the storage area and to seize any such items that are found. The school administration may authorize law enforcement officials to search lockers/storage areas in accordance with Board Policy 5145.2 Section II (A).

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- F. When required by law and otherwise at the option of the building principal principal's designee, items that have been seized shall be submitted to the police department for proper disposition. Items not submitted to the police department shall be disposed of as directed by the building principal or the principal's designee.

III. Search of lost or abandoned items.

- A. Lost, abandoned, or recovered items will be inspected by school authorities.

IV. Student Notification

- A. Students shall be informed annually that Board policy allows the search of a student and his/ her effects as well as lockers, desks, and other storage areas.

Legal References: Connecticut General Statutes:

Section 10-221, Boards of education to prescribe rules

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