

STUDENT PERSONNEL
SEARCH OF STUDENTS AND PROPERTY OF STUDENTS
ADMINISTRATIVE PROCEDURES

Definitions:

- a. Contraband: Contraband means all substances or materials, the presence of which are prohibited by school policy or state law, including but not limited to controlled substances, drugs, alcohol or alcoholic beverages, abusable glue, volatile chemicals, aerosol paint, guns, knives, weapons, and incendiary devices. See references (b) and (c).
- b. Reasonable Suspicion: Reasonable suspicion is the standard for a search on school property or at school-related events and is based on the school official's specific reasonable inferences which he or she is entitled to draw from the facts in light of the school official's experience. Specific reasonable inferences may be drawn from instances including but not limited to a tip from a reliable student, suspicious behavior which suggests that contraband is present, smell indicating the presence of contraband, or a bulge in a pocket, etc. Reasonable suspicion should not be based on mere hunch.

Searches (Students and Properties Defined):

- a. School Property: Student lockers, desks, and other such property are owned by the school. The school exercises exclusive control over school property. Students should not expect privacy regarding items placed in school property because school property is subject to search at any time by school officials. Students are responsible for whatever is contained in desks and lockers issued to them by the school.
- b. Automobiles: Automobiles on school property are subject to search by a school official, if the school official has reasonable cause to believe that contraband is in or on the automobile.
- c. School Buses: Students and their personal effects are subject to search by a school or transportation official (Coordinator, Assistant Coordinator, Activities Coordinator), if this official has reasonable suspicion to believe that the student is in possession of contraband while being transported on a school bus or other school vehicle.
- d. Students: Student and their personal effects are subject to being searched by school officials, if a school official has reasonable suspicion to believe that the student is in possession of contraband.

Search Procedures:

- a. Student Lockers: Minnesota has a statute dealing specifically with locker searches. It clearly gives school officials the right to search school lockers. M.S. 121.72, Subd. 1 states: *School lockers are the property of the school district. At no time does the school district relinquish its exclusive control of lockers provided for the convenience of students. Inspection of the interior*

ISD NO. 31

SBR 700-40-5R

ORIGINAL: 19 MARCH 2001

PAGE 1 OF 2

of lockers may be conducted by school authorities for any reason at any time, without notice, without student consent, and without a search warrant. The personal possessions of students within a school locker may be searched only when school authorities have a reasonable suspicion that the search will uncover evidence of a violation of law or school rules. As soon as practicable after the search of a student's personal possessions, the school authorities must provide notice of the search to students whose lockers were searched unless disclosure would impede an ongoing investigation by police or school officials.

- b. Use of Canines: The administration is authorized to utilize canines, whose reliability and accuracy for sniffing out contraband have been established, to aid in the search for contraband in school-owned property and automobiles parked on school property. Canines shall not be used to search students unless school officials have established independently that there is reasonable suspicion to believe the student possesses contraband on his or her person. The canines must be accompanied by a qualified and authorized trainer who will be responsible for the dog's actions. An indication by the dog that contraband is present on school property or an automobile shall be reasonable suspicion for a further search by school officials.
- c. Use of Metal Detectors (Magnetometers): Weapons of any nature on school property or at school functions are prohibited by school policy and state law. See Reference (c). The presence of weapons is inherently dangerous to all persons in a school setting. When the administration has reasonable suspicion to believe that weapons are in the possession of unidentified students, when there has been a pattern of weapons found at school, or when violence involving weapons has occurred at a school, the administration is authorized to use stationary or mobile metal detectors.

If a metal detector is to be used in a particular school, the students will be notified of its use via the loudspeaker, at an assembly, or by similar means. On the day of its use, signs will be posted to warn students that each student will be required to submit to a screening for a metal as a condition of entering or continuing attendance at school.

When a metal detector is being used, students will be allowed to use only the entries designated. If a metal detector activates on a student, the student should be asked to remove metal objects from his or her person and walk through or be scanned again. If, after the removal of other metal objects and a third activation by the metal detector on the student, the student should be taken to a room out of view from the other students where the procedures suggested above for a search would be applicable.

- d. Notice of District Policy: Students will be provided notice of the district's policy and procedures concerning search and seizure through the student handbook or supplemental publication. A copy of the policy and procedure will also be posted in the principal's office or another prominent place in each secondary school. If a metal detector is to be used, additional notices required for its use will be posted and distributed.