

CANINE INSPECTIONS

The Board of Trustees of the Ocosta School District is committed to providing students and employees with schools and work places that are free of drugs and weapons. To that end, the Board prohibits the presence of drugs, controlled substances, weapons of any type, explosive devices, alcohol, non-authorized medication or any other intoxicate (as those terms are defined by state or federal law or District policy) on District property or at any District sponsored event. This prohibition applies to employees, students, patrons, visitors, and any other person on District property.

All persons are responsible for the security of any vehicle, locker, desk, bag, or other item they possess or bring on to District property or to a District sponsored event. No person shall possess, place, keep, or maintain any article or material that is prohibited by law or District policy in items, lockers, vehicles, desks, or bags assigned to them or under their control while on District property or at a District sponsored event.

In conjunction with other District security measures, a dog may be used to sniff the air around lockers, desks, bags, items, or vehicles that are on District property or at a District sponsored event. A dog's alert constitutes reasonable suspicion and only the dog's official handler will determine what constitutes an alert by the dog. If the dog alerts on a particular item or place, the person having the use of, bringing onto District property or responsible for that place or item will be called to the scene to witness the inspection. All inspections shall be made in compliance with District policy and applicable law.

In the event the dog alerts on a locked vehicle, the owner or person bringing it onto District property shall be asked to open it for inspection.

Refusal to open the item for inspection may result in referring the matter to law enforcement officials, disciplinary action, including but not limited suspension or termination of employment for employees and suspension or expulsion for students and loss of parking privileges on District property for students. Visitors or patrons may be banned from District property.

Discovery of a prohibited substance may result in referral to law enforcement or disciplinary action including, but not limited to, termination of employment for employees and referral to law enforcement or disciplinary action in keeping with District policy for students.

Drug and Alcohol Screening

If there is reasonable suspicion to believe that an employee may be impaired due to drug or alcohol use, the employee may be asked to submit to a drug and alcohol screening test. Visitors will be asked to leave the premises. Drugs that will be tested for are those most commonly abused including, but not limited to: marijuana, cocaine, opiates and methamphetamines.

Use of Trained Dogs

In an effort to keep the schools free of drugs, the district may use specially trained, non-aggressive dogs to sniff out and alert staff to the presence of substances prohibited by law or district policy. The dogs may sniff the air around lockers, desks, bags, items or vehicles on district property or at district-sponsored events as long as they are not allowed to sniff any person. Trained dogs' sniffing of cars and lockers does not constitute a search under the Fourth Amendment. The alert of a trained dog to a locker or car provides reasonable cause for a search of the locker or car only if the dog is reasonably reliable in indicating that contraband is present.

The above inspections shall be unannounced and may be made at the discretion of the Superintendent or designee.

If law enforcement authorities are involved in the search, the search shall be conducted under criminal law standards rather than under the provisions of this policy. (*Picha v. Wielgos*, 410 F.Supp. 1214 (N.S. 111 1976)).

Legal References:

Penal Code

626.9 Firearms

626.10 Dirks, daggers, knives or razors; bringing into or possession of upon or within public school ground; exception

75 Ops Cal. Atty. Gen. 155 (1992)

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

Zamora v. Pomeroy (10th Cir 1981) 639 F.2d. 662

Horton v. Goose Creek ISD (5th Cir. 1982) 690 F.2d 470

O'Connor v. Ortega (1987) S. Ct. 1492

National Hotlines

- Center for Substance Abuse Treatment's Drug Information and Referral Hotline
1-800-662-HELP
- Nar Anon
1-800-333-1069
- Parents Resource Institute for Drug-Free Education (PRIDE)
1-404-577-4500
- Interquest Detection Canines
1-800-481-7768

Publications

The following list of brochures can be ordered for free by calling the National Clearinghouse for Alcohol and Drug Information at 1-800-729-6686:

- Growing Up Drug Free: A Parent's Guide to Prevention
- Helping Your Child Say No to Alcohol and Other Drugs
- What You Can Do About Drug Use in America

Policies

- 3250 Canine Inspections (Students)