

CANINE INSPECTIONS

The School Board members of the Hoquiam School District No. 28 are 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 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.

Questioning and Apprehension

School officials may search individual students and their property when there is a reasonable suspicion that the search will uncover evidence that the student is violating the law or the rules of the district or school. The Board urges that discretion, good judgement, and common sense be exercised in all cases of search and seizure.

The parent and/or guardian of a student subjected to an individualized search shall be notified by the district as soon after the search as possible.

Student Lockers

Because lockers are under the joint control of the student and the district, school officials shall have the right and ability to open and inspect any school locker without student permission when they have reasonable suspicion that the search will disclose evidence of illegal possessions or activity or when odors, smoke, fire, and/or other threats to student health, welfare or safety emanate from the locker.

For health and safety reasons, a general inspection of school properties such as lockers and desks may be conducted on a regular, announced basis, with students standing by their lockers or desks.

Any items contained in a locker shall be considered to be the property of the student to whom the locker was assigned. Notice of this policy shall be addressed in the student handbook.

Drug and Alcohol Screening

If there is a reasonable suspicion to believe that a student may be impaired due to drug or alcohol use, the student 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 a student refuses to consent to search of a vehicle, local law enforcement will obtain a search warrant based on the dog's alert on the vehicle. If any contraband is found in a vehicle, appropriate police action will be taken.

If law enforcement authorities are involved in the search, the search shall be conducted under criminal law standards rather than under 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

- 5290 Canine Inspections (Staff)

Adoption Date: 11.19

Hoquiam School District No. 28