

SEARCH AND SEIZURE

When conducting a search or seizure, employees shall act in accordance with state and federal law and Constitutions, Board policy, and administrative regulation.

Employees shall not conduct strip searches or body cavity searches of any student. (Education Code 49050)

Employees shall not conduct random, suspicionless pat-down searches of students.

Searches of individual students shall be conducted in the presence of at least two district employees.

The district shall notify the parent/guardian of a student subjected to an individualized search as soon as possible.

Use of Contraband Detection Dogs

Contraband detection dogs shall not be used in classrooms or other district facilities when the rooms are occupied, except for demonstration purposes with the handler present. When used for demonstration purposes, the dog shall be separated from the students and not allowed to sniff any individual.

Prior to conducting an inspection, students shall be asked to leave the room that will be subject to the canine sniff. No student shall be forced to leave personal items behind for inspection, unless school officials have reasonable suspicion to search the item.

Only the dog's official handler shall determine what constitutes an alert by the dog. If the dog alerts on a particular item or place, the student having the use of that item or place, or responsibility for it, shall be called to witness the inspection.

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

Notifications

At the beginning of each school year and upon enrollment, the Superintendent or designee shall inform students and parents/guardians about the district's policies and procedures for searches, including written notice in the student handbook, in the annual notice to parents/guardians, on signs posted at district schools, and on the district website regarding:

1. The possibility of school officials searching any individual student, the student's property, or district property under the student's control when there is a reasonable suspicion that the search will uncover evidence that the student is violating the law, Board policy, administrative regulation, or other rules of the district or school. Reasonable suspicion shall be based on specific, objective, and articulable facts that the student has engaged in prohibited conduct that is the prerequisite to a search conducted to produce evidence related to the alleged violation.
2. The district's contraband dog detection program

SEARCH AND SEIZURE (continued)

Training

The Superintendent or designee shall ensure that staff, including site administrators, police officers, and other staff who may conduct or participate in student searches and seizures, receive annual training regarding the requirements of the District's search and seizure policy and other related legal issues, including the application of the 4th Amendment in schools.