

INTERROGATIONS AND SEARCHES

SEARCHES BY STAFF: The right of inspection of students' school lockers is inherent in the authority granted school boards and administrators. This authority may be exercised as needed in the interest of safeguarding children, their property, and school property.

Nevertheless, exercise of that authority by school officials places unusual demands on their judgment so as to protect each child's constitutional rights to personal privacy and protection from coercion and to act in the best interest of all students and the schools.

The following rules apply to the search of school property assigned to a specific student (locker, desk, etc.), and the seizure of items in his possession:

1. There should be reasonable cause for school authorities to believe that articles are kept in the locker, desk, or other storage space whose possession constitutes a crime or rule violation.
2. Search of an area assigned to a student should be for a specifically identified item, and should be conducted in his or her presence and with his or her knowledge.
3. General housekeeping inspection of school property may be conducted with reasonable notice.
4. Illegal items (drugs, weapons, etc.) or other possessions reasonably determine to be a threat to the safety or security of others may be seized by school authorities at any time.

SEARCHES BY POLICE: A proper search warrant is required for any search of a student's personal property kept on school premises; however, a search may be conducted without a warrant if there is reason to believe any item that might pose an immediate threat to the safety or security of others is kept in a student locker, desk, or other storage space.

INTERROGATIONS: The school district has legal custody of students during the school day and during hours of approved extracurricular activities. If it is necessary for law enforcement officials to interrogate a student, the school will cooperate, but only after the police have obtained parent permission or documentation of unsuccessful attempts to contact parents.

DSS officials that wish to interrogate a student have the authority to do so without parental permission or attempt to contact. The school will also cooperate fully with DSS in these matters.

Legal Reference:

Cross References:

Adopted: July 9, 2012