

Students

SEARCH AND SEIZURE

As necessary to protect the health, safety and welfare of students and staff, school officials may search students, their property and/or District property under their control, and may seize illegal, unsafe and prohibited items. The Governing Board requires that discretion, good judgment and common sense be exercised in all cases of search and seizure.

Individual Searches

A school administrator or designee may search individual students, their property and District property under their 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 the school. At no time shall the administrator or designee lay hands on the student during the execution of a search.

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

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

The principal or designee shall notify the parent/guardian of a student subjected to an individualized search as soon as possible after the search.

Student Lockers/Desks

The principal or designee may conduct a general inspection of school properties that are within the control of students, such as lockers and desks, on a regular, announced basis, with students standing by their assigned lockers or desks. Any items contained in a locker or desk shall be considered to be the property of the student to whom the locker or desk was assigned.

Because lockers and desks 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 or desk without student permission or prior notice when they have reasonable suspicion that the search will uncover evidence of illegal possessions or activities or when odors, smoke, fire and/or other threats to health, welfare or safety emanate from the locker or desk.

Use of Drug-Detection Dogs

In an effort to keep the schools safe and free of illegal drugs, the District may use specially trained nonaggressive dogs to sniff out and alert staff to the presence of substances prohibited by law or Board policy. The dogs may sniff the air around lockers, desks, or vehicles on District property or at District-sponsored events as long as they are not allowed to sniff any individual students.

SEARCH AND SEIZURE (continued)

Use of Drug-Detection Dogs (continued)

Drug-detection dogs shall not be used in rooms occupied by persons except for demonstration purposes, with the handler present. When used for demonstration purposes, the dog shall not be allowed to sniff any individual.

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 search.

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5144 - Discipline)

(cf. 51441.1 B Suspension and Expulsion/Due Process)

Notifications

At the beginning of each school year and whenever students are assigned lockers, desks or other District property, the Superintendent or designee shall inform students and parents/guardians of the possibility of random searches of students, their belongings and District properties under their control.

(cf. 5131.6 - Alcohol and Other Drugs)

Legal Reference: Education Code

32280-32288 School safety plans

35160 Authority of governing boards

35160.1 Broad authority of school districts

49050-49051 Searches by school employees

49330-49334 Injurious objects

Penal Code

626.9 Firearms

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