

Student Searches**

Definitions

1. "Reasonable suspicion" means sufficient knowledge possessed by the district official at the time the official makes or authorizes the search which would lead a reasonable person to believe that a search of a particular student or place will likely turn up evidence of a violation of law, Board policy, administrative regulation or school rule. The official's knowledge may be based upon relevant past experience of the official, observation by the official and/or credible information from another person.
 - a. "Past experience" may provide the district official with information relevant to the violation as well as information which enables the official to evaluate the credibility of information from another person.
 - b. "Credible information from another person" may include information which the district official reasonably believes to be true and is provided by another district employee, a student, a law enforcement or other government official or some other person.
2. "Reasonable in scope" means that the manner and extent of the search are reasonably related to the objectives of the search, limited to the particular student or students most likely to be involved in the infraction and not excessively intrusive in the light of the student's age, sex, maturity and the nature of the infraction.

Routine Inspection of District Property Assigned to Students

1. Lockers, desks and other storage areas provided by the school and assigned to a particular student(s) are the property of the district, remain in the possession of the district and are under the control of the principal.
2. Students may use district-owned storage areas for the limited purpose of temporarily keeping items needed for attendance and participation in school instructional and activity programs only. No other purpose is permitted.
3. Students shall be provided notification that district-owned storage areas assigned to students are subject to routine inspection without prior notice for the following reasons:
 - a. Ensure that no item which is prohibited on district premises is present;
 - b. Ensure maintenance of proper sanitation;
 - c. Ensure mechanical condition and safety;
 - d. Reclaim overdue library books, texts or other instructional materials, property or equipment belonging to the district.

Voluntary Consent

When a district official has reasonable suspicion to believe that evidence of a violation of law, Board policy, administrative regulation or school rule is present in a particular district-owned storage area assigned to a student, or the clothing or the personal property of a student, the official has the option of making a search or asking the student to voluntarily provide the evidence sought. Before making a search, the official must ask for the student's voluntary

consent by requesting the student to empty the contents of the clothing storage areas or personal property. If the student refuses consent, the official may search using the least intrusive search method(s).

Emergency/Dangerous Circumstances

1. Where a district official has knowledge which would lead a reasonable person to believe that either an emergency or dangerous circumstance exists and that it is necessary to act to protect the safety of any person or property, the official may make a search to the extent necessary to relieve the emergency or dangerous circumstance.
2. In responding to such an emergency or dangerous circumstance, the actions of the official shall be no more intrusive than necessary.

Search for Evidence of a Violation

1. A search may be conducted of a district-owned storage area assigned to a student and, also, the personal property of the student may be searched. Personal property of a student includes, but is not limited to, wallets, purses, lunch boxes/sacks, book bag, backpack or other containers used to carry belongings.
2. All searches shall be based on reasonable suspicion and shall be reasonable in scope. A "strip search" is absolutely prohibited.
3. The student will generally be permitted to be present during a search of a district-owned storage area assigned to the student or during a search of the student's personal property. The student's presence is not required, however.
4. Search of a student's clothing will be limited to the student's coat, jacket or other such outerwear garments and also shoes, socks, hats and the emptying of pockets. This type of search will be conducted by a district official of the same sex as the student whenever possible.
5. Whenever possible, searches will be conducted in privacy, out of the view of other students, staff and others and in the presence of an adult witness of the same sex as the student.
6. Any item removed from the student as a result of the above procedures which is not evidence of a violation of a law, Board policy, administrative regulation or school rule will be returned to either the student, parent or police.

Search of Student Vehicles

1. Upon reasonable suspicion, student vehicles parked on district property may be searched. Additionally, district student vehicles on another district's property at activities under the jurisdiction of the district, including interscholastic activities sponsored by the Oregon School Activities Association (OSAA) or other such voluntary organizations approved by the State Board of Education, shall also be subject to such condition.
2. If a student or parent(s) refuses to allow access to a vehicle when requested under the circumstances described above, the student's privilege of bringing a vehicle onto district property will be terminated for the remainder of the school year. In addition, a refusal will subject the student to discipline up to and including expulsion. Law enforcement officials will be notified.

Discipline

Possession or use of unauthorized, illegal, unhealthy or unsafe materials will result in the following:

1. Seizure of the material:
 - a. Property, the possession of which is a violation of law, Board policy, administrative regulation or school rule will be returned to the parent or, if also a violation of law, turned over to law enforcement officials or destroyed by the district as deemed appropriate by the principal;
 - b. Stolen property will be returned to its rightful owner;
 - c. Unclaimed property may be disposed of.
2. Discipline up to and including expulsion and notification of law enforcement officials as appropriate or as otherwise required by law or Board policy.
3. Any incident involving discipline of a student as a result of a routine inspection of district storage areas made available for student use or other searches of a student or the student's personal property will be documented as required below.

Notice/Documentation

1. Notice of the Board's policy and pertinent provisions of this regulation will be provided to staff, students and their parent(s) annually, through the Student Rights and Responsibilities Handbook.
2. The district Student Search Form shall be completed during or directly after any formal search of a student's clothing or property. Documentation will be maintained as a part of the student's education records and retained in accordance with applicable Oregon Administrative Rules governing records' retention.

Student Search Form

1. Name, age, and sex of student:
2. Time and location of search:
3. Basis for search and nature of reasonable suspicion. What factors caused you to have a reasonable suspicion that the search of this student, his/her person or property or property assigned by the district for student use would turn up evidence of a violation of law, board policy, administrative regulation or school rules or the possession or use of is prohibited by law, policy, regulation or rule? Explain.

4. Describe exactly what was searched:

5. What did the search yield? Were any prohibited items/materials seized? Were seized items/materials turned over to the police? Parents? Others? Explain.

6. Name of the witness(es) and title/position to the search.

7. Signature of district official and title/position conducting the search:

Name: _____

Title: _____