

## INTERROGATIONS AND SEARCHES

### Searches by the staff

Lockers and desks are school property which students have the privilege of using in which students **do not have an expectation of privacy** to the contents of their assigned lockers and desks which may be searched by school officials with reasonable cause to suspect that the search will reveal evidence of a violation of a school rule or criminal law. An alert by a properly trained drug detecting dog will constitute reasonable cause to search lockers or desks.

The following rules apply to the search of a student's clothing, book bags, gym bags, purses, etc., and the seizure of contraband discovered:

1. There must be individualized suspicion on the part of school authorities to believe that an article kept or hidden in the clothing, book bag, gym bag, purse, etc. constitutes evidence of a crime or school rule violation.
2. Search of personal property of a student shall be for a specifically identified item, and shall be conducted in the student's presence unless an immediate perceived threat exists to safety of students and employees.
3. General housekeeping inspection of school property may be conducted at any time.
4. Illegal items (drugs, weapons, etc.) or other possessions reasonably deemed to be a threat to the safety or security of others may be seized by school authorities at any time.
5. No strip searches (strip searches are defined as the removal of the layer of clothing immediately covering the skin or undergarment) shall be conducted by school personnel. Should school personnel believe that a strip search is necessary under the circumstances the school will immediately contact law enforcement and the student's parent or guardian if possible. The student shall remain in the immediate presence of a school official until a law enforcement officer arrives. The student may be requested to empty his or her pockets and refusal to comply constitutes insubordination and reasonable cause to contact law enforcement.
6. The school may, for purposes of conducting a search of school property assigned to a student or a search of a student, have a law enforcement officer present during the search.
7. The school may request law enforcement to bring a drug-detecting dog to school, without prior notice to students, for the purpose of identifying the presence of illegal drugs in school buildings, on school property, and student parking areas on and adjacent to school property.

## Searches of Student Property by Police

Unless the school requests law enforcement officer presence and assistance when the school is conducting a search, the school will request from a law enforcement officer a search warrant prior to any search initiated by a law enforcement officer of a student's personal property kept on school premises. School officials do not have authority to impede a law enforcement investigation but may request written justification for the action. The school officials shall contact the parent or guardian of minor students except as provided in this policy.

## Police / Department of Social Services interview/questioning of students:

(1) Requests from law enforcement officers to interview students at school will be respected; however, the parent or guardian will be notified of the request and the officer will be asked to wait until the parents have been notified and have indicated whether they or an attorney wishes to be present. This policy does not authorize school officials to obstruct an officer in the performance of his or her duty. The school may provide a private room for the interview to occur but under no circumstances will school employees be present during any such interview. The Superintendent or Principal may bring the student to the room if so allowed by the officer.

(2) Notwithstanding the foregoing, should the Department of Social Services (DSS) or a law enforcement officer state that they are investigating suspected child abuse or neglect and that they wish to talk with a student at school, the request to talk with a student shall be in writing and shall include the name of the person making the request, date of request, date of interview, and indicate that the request is made as part of an investigation of suspected child abuse or neglect. Finally, the request must state that the school is directed to not provide notification to the parents or guardians if the officer so indicates.

Adoption date: August 12, 1996

Reviewed \_\_\_\_\_

Amended: 2007, 2014