

JH-R Questioning and Searches of Students Administrative Procedure

The purpose of this administrative procedure is to provide guidelines for the conduct of student questioning and searches by RSU 1 school administrators. These are guidelines only and may be adjusted within reasonable and lawful limits on a case-by-case basis. School administrators have the discretion to request the assistance of law enforcement authorities as they deem necessary and in accordance with Board policy.

Item(s) found during a search that: is an illegal item; violates Board policies or school rules; or represents a threat to the safety and welfare of the school population, will be seized. Illegal item(s) shall be turned over to law enforcement authorities. Other seized items will be stored in a secure location until a determination is made regarding appropriate disposition.

School administrators are required to document all searches and items seized or impounded. The Superintendent and the parents of students involved will be provided with a copy of such reports.

A. Questioning by RSU 1 School Administrators

1. School administrators are under no obligation to notify a student's parents/guardians prior to questioning a student regarding alleged violations of Board policies, school rules and/or federal/state laws. School administrators are under no obligation, but may, notify a student's parents/guardians prior or subsequent to questioning.
2. School administrators shall inform the student of the reasons for the questioning and provide an opportunity for the student to respond to any allegations. School administrators shall make a reasonable effort to question the student in a location out of the sight and hearing of other students.
3. If a student fails to cooperate, lies, misleads or threatens any person during questioning, he/she may be subject to additional disciplinary action.

B. Searches of Students and/or Personal Property in Students' Immediate Possession

1. When, in their judgment, there are reasonable grounds to suspect that a student has violated or is violating the Board policies, school rules, federal/state laws, or is interfering with operations, discipline or general welfare of the school, school administrators are authorized to search students and/or personal property in the students' immediate possession.
2. Searches of students and/or their personal property shall be authorized and conducted by a school administrator in the presence of a witness, except where the circumstances render the presence of a witness impractical. A reasonable effort will be made to conduct searches out of sight and hearing of other students.
3. Searches should be reasonably related to the suspected violation and no more intrusive than necessary to discover the evidence for which the search was instigated. When searches include pat downs and searches of the student's outer clothes (e.g., pockets, jacket, shoes, hat); and/or personal belongings (e.g., purse, backpack, gym bag, lunch bag), a witness will be present. The student may be given the opportunity to open any closed items and items that are not easily accessible to visual search. If the student refuses, the administrator will open and search the items. If the search produces a reasonable suspicion of the presence of evidence, a broader search may be justified. If a strip search appears to be necessary, law enforcement authorities will be contacted.
4. Searches which disclose evidence that a student has violated Board policies or school rules will be addressed through school disciplinary procedures. Evidence of violation of federal/state laws may result in school disciplinary action and/or be forwarded to law enforcement authorities for possible investigation/prosecution.

C. Searches of Lockers, Desks and Other School

Facilities

1. School administrators shall consult with the Superintendent prior to conducting random searches. Students shall have no expectation of privacy for items placed in any school storage facility. School administrators have the authority to inspect and search storage facilities and their contents on a random basis, with or without reasonable suspicion, and without notice or consent. 2. Searches of individual student lockers, desks or other storage facilities and their contents based upon reasonable suspicion will be conducted in the presence of the student and a witness, if practical under the circumstances of the search. A reasonable effort will be made to conduct searches out of the sight and hearing of other students. The student may be given the opportunity to open any closed items or items that are not easily accessible to visual search. If the student refuses, the administrator will open and search the items. 3. Searches which disclose evidence that a student has violated Board policies or school rules will be addressed through school disciplinary procedures. Evidence of violation of federal/state laws may result in school disciplinary action and be forwarded to law enforcement authorities for possible investigation/prosecution.

D. Patrolling of Parking Lots and Searching Vehicles

1. Students may drive vehicles to school and park in designated areas in accordance with school rules. School administrators retain the authority to patrol parking lots. 2. Upon a reasonable suspicion that a student vehicle parked at school or in a designated area contains evidence that the student has or is in violation of Board policies, school rules, of federal/state laws, and/or there is a substantial threat to the welfare and safety of the schools a school administrator may search the vehicle. The search will be executed in the presence of a witness, except where the circumstances make the presence of a witness impractical.

3. A reasonable effort will be made to conduct the search in the presence of the student and out of the sight and hearing of other students. The student may be given the opportunity to open any closed items or items that are not easily accessible to visual search. If the student refuses, the administrator will open and search the items.

E. Canine Patrols

1. For the purpose of maintaining a safe and orderly school environment, and/or to discourage drugs, weapons, and/or other illegal substances or items from being brought

onto school grounds, the Superintendent may authorize canine patrols to take place anywhere on school property, including hallways and parking lots, and may include school lockers and/or student vehicles in school parking lots.

2. The Superintendent is authorized to make requests for canine patrols through the appropriate law enforcement authorities. Only certified dogs and handlers may be used.
3. Whenever possible, canine patrols will be scheduled to minimize disruption of the academic program and risk of contact with students.
4. When canine patrols take place during the school day, teachers will be notified to keep students in their classroom during the patrol. Any students in the parking lot, or anywhere outside of a classroom, prior to a canine patrol will be instructed to report to the school office or appropriate classroom.
5. All student vehicles, lockers, backpacks and other belongings located in classrooms, and/or other school storage facilities may be scanned during a canine patrol. Any vehicle, locker, backpack or other belongings, or other storage facility identified by a canine patrol will be noted by the school administrators accompanying the patrol for subsequent action.
6. Immediately following removal of the canine patrol, each area noted as a concern during the canine patrol will be searched. Each search will be conducted by a school administrator in the presence of a witness, except where the circumstances make the presence of a witness impractical.
7. If practical, the student should be present during a search of his/her locker or vehicle. A reasonable effort should be made to conduct the search out of the sight and hearing of other students. The student may be given the opportunity to open any closed items or items that are not easily accessible to visual search. If the student refuses, the administrator will open and search the items.

Cross Reference: JIH -- Questioning and Searches of Students JIH-E -- Student Search Checklist

KLGA -- Relations with School Resource Officers and Law Enforcement Authorities

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