

**SCOTLAND BOARD OF EDUCATION**  
**Board Policy**

## **Students**

### **Search and Seizure**

School administrators have the authority to conduct reasonable searches and seize materials in accordance with this policy for the purpose of maintaining a safe, orderly environment and for upholding standards of conduct established by the Board of Education or school. This policy does not apply to investigations conducted by law enforcement officials or to investigations conducted exclusively for the purpose of criminal prosecution. School officials carrying out a search and seizure are expected to be knowledgeable about the constitutional rights of students and appropriate procedures for conducting the search or seizure.

Reasonable suspicion that a student has unauthorized or illegal materials is generally required before an individual may be singled out for a search. Reasonable suspicion is not required if a student freely, voluntarily and knowingly consents and agrees to the search of his/her person or personal effects.

#### **1. Search of a Student and His/Her Effects**

Fourth Amendment rights to be free from unreasonable searches and seizures apply to searches conducted by public school officials. A student and his/her effects may be searched if there are “reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school.” The way the search is conducted should be “reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction.” Under no circumstances is a school official authorized to conduct a “strip search” of a student.

#### **2. Search of a Locker, Desk and Other Storage Area**

A. Lockers, desks and other storage areas provided by the school system for use by students are the property of the school system. Such storage areas are provided for the temporary convenience of students only. The Board of Education authorizes the administration and/or law enforcement officials to search lockers and other school property available for use by students for the presence of weapons, contraband or the fruits of a crime if there are reasonable grounds at the inception of the search for suspecting that the search will reveal evidence that the student has violated or is violating either the law or the rules of the school. Moreover, the scope of the search shall be reasonably related to the objectives of the search and shall not be excessively intrusive in light of the age and sex of the student and the nature of the infraction.

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### **Search and Seizure (continued)**

#### **2. Search of a Locker, Desk and Other Storage Area (continued)**

- B. If the school administration reasonably suspects that a student is not maintaining a locker or other storage area assigned to him/her in a sanitary condition, or that the storage area contains items the possession of which is illegal or in violation of school regulations or that endangers the health, safety or welfare of the student or others, it has the right to open and examine the storage area and to seize any such items that are found.
- C. When required by law and otherwise at the option of the building Principal, items that have been seized shall be submitted to the police department for proper disposition. Items not submitted to the police department shall be disposed of as directed by the building Principal.
- D. The decision to search shall be made by the Principal or the Principal's designee. The search shall be made in the presence of at least one witness. Should a student refuse to cooperate, the administration may contact the police to assist with the search. Discovery of illegal or dangerous materials shall be reported to the Office of the Superintendent.

#### **3. Use of Trained Dogs**

The District may elect to use specially trained drug dogs to alert the dog's handler to the presence of controlled substances in school facilities, grounds and parking lots, at the discretion of the Superintendent or designee. The trained drug dogs may sniff lockers, student motor vehicles, and other inanimate objects. Such inspections are not considered searches and do not require notice or consent. Only the trained dog's handler will determine what constitutes an alert by the dog. A drug dog's alert constitutes reasonable suspicion for district officials to search the lockers, personal items or vehicles. Such a search by District officials may be conducted without notice or consent, and without a search warrant.

Dogs may not be used for random searches of students or other persons.

#### **4. Use of Metal Detectors**

A metal detector can be used to search a student's person and/or personal effects whenever a school official has reasonable suspicion to believe that the student is in possession of a weapon. The search must be conducted by a school official. The search will be conducted in private, where feasible.

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#### **4. Use of Metal Detectors** (continued)

A school is authorized to conduct general searches of students and their personal effects with a metal detector before a student can gain entry to the school campus or any school-sponsored extracurricular activity. The search must be conducted in accordance with procedures established by the Superintendent or designee. Prior to initiating general searches, the school must:

- Substantiate to the Superintendent the need for general searches based upon a pattern or expectation of violence or disruption.
- Provide written notice, if feasible, to students and parents/guardians of the school policy governing general searches, but not of specific times or places where searches will be conducted.

(cf. 5131.111 – Video Surveillance)

Legal References: Connecticut General Statutes

Section 10-221 Boards of Education to prescribe rules

Section 54-33n Searches

*New Jersey v. T.L.O.*; 469 U.S. 325 (1985)