

512 SEARCH OF STUDENT LOCKERS, DESKS, PERSONAL POSSESSIONS, AND STUDENT'S PERSON POLICY

I. Purpose

The purpose of this policy is to provide for a safe and healthful educational environment by enforcing the school district's policies against contraband.

II. General Statement of Policy

1. Lockers and Personal Possessions Within a Locker

Pursuant to the Minnesota statutes, school lockers are the property of the school district. At no time does the school district relinquish its exclusive control of lockers provided for the convenience of students. Inspection of the interior of lockers may be conducted by school officials for any reason at any time, without notice, without student consent, and without a search warrant. The personal possessions of students within a school locker may be searched only when school officials have a reasonable suspicion that the search will uncover evidence of a violation of law or school rules. As soon as practicable after the search of a student's personal possessions, the school officials must provide notice of the search to students whose lockers were searched unless disclosure would impeded an ongoing investigation by police or school officials.

2. Desks

School desks are the property of the school district. At no time does the school district relinquish its exclusive control of desks provided for the convenience of students. School officials for any reason may conduct inspection of the interior of desks at any time, without notice, without student consent, and without a search warrant.

3. Personal Possessions and Student's Person

The personal possessions of students and/or a student's person may be searched when school officials have a reasonable suspicion that the search will uncover a violation of law or school rules. The search will be reasonable in its scope and intrusiveness.

4. Contraband

It shall be a violation of this policy for students to use lockers and desks for unauthorized purposes or to store contraband. It shall be a violation for students to carry contraband on their person or in their personal possessions.

III. DEFINITIONS

1. "Contraband" means any unauthorized item possession of which is prohibited by school district policy and/or law. It includes but is not limited to weapons and "look-alikes," alcoholic beverages, controlled substances and "look-alikes," overdue books and other materials belonging to the school district, electronic gaming devices, cell phones, and stolen property.

2. "Personal possessions" includes but is not limited to purses, backpacks, book bags, packages, and clothing.

3. "Reasonable suspicion" means that a school official has grounds to believe that the search will result in evidence of a violation of school district policy, rules, and/or law.

Reasonable suspicion may be based on a school official's personal observation, a report from a student, parent or staff member, a student's suspicious behavior, a student's age and past history or record of conduct both in and out of the school context, or other reliable sources of information.

4. "Reasonable scope" means that the scope and/or intrusiveness of the search are reasonably related to the objectives of the search. Factors to consider in determining what is reasonable include the seriousness of the suspected infraction, the reliability of the information, the necessity of acting without delay, the existence of exigent circumstances necessitating an immediate search and further investigation (e.g. to prevent violence, serious and immediate risk of harm or destruction of evidence), and the age of the student.

D. Seizure of Contraband

If a search yields contraband, school officials will seize the item and return it at an appropriate time to the student and/or the student's parents, or when appropriate, turn it over to legal officials for ultimate disposition.

E. Documentation and Report of Search

Once a search has been initiated the principal or their designee must fill out a Search Record form. This record shall indicate why the search was done, on what grounds the search was conducted, the outcome of the search, and what was done with any seized contraband. At the discretion of the administration a copy of the form may be placed in the student's cum file.

As soon as practicable after a search of personal possessions within a locker pursuant to this policy, the director and/ or their designee must provide notice of the search to parents unless disclosure would impeded an ongoing investigation by police or school officials.

Board Approved – 8/21/12

Revised: