



5480.1: SEARCH AND SEIZURE

I. General Statement

Certificated staff are authorized to conduct searches of a student's person, clothing, automobile, and property under a student's control including, but not limited to, purses, handbags, book bags, and briefcases. Certificated staff are also authorized to search student lockers. Certificated staff may take into custody any objects or substances that are illegal under federal or state law, or in violation of District policy or rule.

II. Procedures for Non-District Property

The following procedures shall be followed with respect to searches and seizures under this Rule:

A. Reasonable Searches Permitted.

- 1. Searches of non-District property are to be conducted at such times and places as are reasonable under the circumstances. The scope of the search shall likewise be reasonable.**
- 2. Searches can be made under this Rule at any place on District property, at a District event, or at a place under District control or sponsorship.**

B. Person, Clothing, Automobiles, Personal Possessions, and Field Trips.

- 1. A search of a student's person, clothing, automobile, personal property or possessions will only be made if there is reasonable cause to believe that the student has possession or control of dangerous objects or substances that are illegal under federal or state law, or in violation of District policy or rule.**
- 2. A search of the person, clothing, automobile, personal property or possessions shall be made, whenever practicable, by two certificated staff members. When the search is made of the student's person, the search shall be conducted only by staff members of the same sex as the student being searched.**
- 3. Prior to leaving on a field trip or other off-campus activity sponsored or participated in by the District, the District may search any baggage, purses, or other containers in the possession of or under the control of a District student participating in the field trip or other off-campus activity. In addition, students may be subjected to alcohol and other drug screening and testing technology pursuant to District Policy 5490 and Rule 5490.1.**

III. District Property

Student Lockers. Student lockers are the exclusive property of the District and the District does not relinquish its control and ownership of lockers by making them available for students. Student lockers are provided to students only for student convenience, and this privilege may be withdrawn by the District at any time. The search and inspection of lockers and the taking into custody of objects or substances which are illegal, dangerous or in violation of District policy or rule may be conducted at any time by certificated staff without notice and without student consent. Whenever practicable, two certificated staff members shall be present at the time locker searches are conducted.

IV. Alcohol and other Drug Screening and Testing Technology

Students may be subjected to alcohol and other drug screening and testing technology pursuant to District Policy 5490 and Rule 5490.1.

V. Enforcement of this Rule

The refusal by a student to consent to or permit a search, or the refusal to surrender objects or substances which are illegal or violate District policy or rule, may subject such student to suspension, expulsion, or other disciplinary action.

VI. Law Enforcement Authorities

Police officers and other law enforcement authorities shall be permitted to conduct a search of a student, the student's clothing, and the student's possessions and property on District property, at a District event, or at a place under District control whenever such officers or authorities:

- A. Possess a judicial order providing for the same;**
- B. Are otherwise authorized by law to make a search; or**
- C. Exigent circumstances exist.**
- D. Neither school officials nor staff members shall participate directly or indirectly in any search or actions relating thereto conducted by a police officer or law enforcement official.**

Date of Adoption

July 13, 1988

Date of Revision

July 5, 1994

June 16, 1997

October 16, 2000

May 16, 2011

January 7, 2019

Reaffirmed

December 10, 2010

Related Policies and Rules

5400.1: Student Discipline

5410.1: Substance Abuse

5490: Use of Alcohol and other Drug Screening and Testing Technology

5490.1: Use of Alcohol and other Drug Screening and Testing Technology