

## STUDENT PRIVACY AND SEARCHES

Students are entitled to the guarantees of the Fourth Amendment and shall be secure in their persons, papers, and effects against unreasonable searches and seizures. However, school officials have the responsibility of maintaining a safe environment and are empowered to conduct a reasonable search of a student, of his/her personal property, and of school property when there is reasonable and individualized cause or grounds for suspecting or believing that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school. A search *is required* when there are reasonable grounds to suspect a student has a firearm on school grounds, transportation or at school events. Any search conducted must comply with applicable laws. School property shall remain under the control of school officials, and shall be subject to search.

### A. Searches of Students and Personal Property

1. Any search of a student conducted by a school district employee must be reasonably related to the discovery of contraband or other evidence based upon an individualized suspicion of the student's violation of the law or school rules.

For the purpose of this policy, “contraband” means items, materials, or substances the possession of which is prohibited by law or district policy, including but not limited to, controlled substances, alcoholic beverages, tobacco products, or any object that can reasonably be considered a firearm or a dangerous weapon.

2. Staff shall conduct searches in a manner which is not excessively intrusive in light of the age and sex of the student and the nature of the suspected legal or school rule violation.

No student shall be subject to a strip search or body cavity search by school staff.

School officials may consult with local law enforcement officials regarding the advisability of a search on school premises by a law enforcement officer if evidence of criminal activity is likely to be seized.

### B. Automobile Searches

Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to conduct routine patrols of student parking lots and inspections of the exteriors and visible interiors of student automobiles on school property. The interiors of student vehicles may be searched whenever a school official has reasonable cause or grounds for suspecting or believing that the search will turn up evidence that the individual student(s) has violated or is violating either the law or the rules of the school. Such patrols and searches may be conducted without notice, without student consent, and without a search warrant. School officials may consult with local law enforcement officials regarding the advisability of a search on school premises by a law enforcement officer if evidence of criminal activity is likely to be seized.

C. Locker Searches

Students may be assigned lockers for storing and securing their books, school supplies, and personal effects. Lockers, desks, and storage areas are the property of the school district. No right nor expectation of privacy exists for any student as to the use of any space issued or assigned to a student by the school. Lockers and other spaces are subject to search in accordance with district policy.

No student may use a locker, desk, or storage area to store any substance or object which is prohibited by law or school rules or which poses a threat to the health, safety or welfare of the occupants of the school building or the building itself.

Any student's locker, desk, or other storage area shall be subject to search if reasonable grounds exist to suspect that the search will yield evidence of the individual student's violation of the law or school rules.

All student lockers may be searched at any time without prior notice and without reasonable suspicion that the search will yield evidence of any particular student's violation of the law or school rules. If the school official conducting such a search develops a reasonable suspicion that any container inside the locker, including but not limited to a purse, backpack, gym bag, or an article of clothing, contains evidence of a student's violation of the law or school rules, the container may be searched pursuant to the District's procedures governing personal searches.

D. Notice

A copy of the policy and procedures are available upon request or on-line.

The superintendent shall establish procedures for conducting searches of students, their personal property, and their automobiles, and conducting searches of lockers, desks, and/or storage areas.

Cross References:	Board Policy 3231	Student Records
	3245	Students and Telecommunication Devices
	3414	Infectious Diseases
Legal References:	RCW 13.64.060	Power and Capacity of emancipated minor
	28A.320.040	Bylaws for board and school government
	28A.600.020	Exclusion of student from classroom — Written disciplinary procedures — Long-term suspension or expulsion
	28A.600.210-240	School official searches of student lockers
	WAC 392-400-215	Student rights

Management Resources:

*Policy News*, June 1999

School safety bills impact policy

**Adoption Date: 09.24.86**

**Issaquah School District**

**Revised: 10.12.94; 12.06: 07.11; 09.26.11**