

STUDENT SEARCHES

The District recognizes its responsibility to provide students and staff with a safe, drug-free environment that is conducive to learning. The Principal or designee retains the right to inspect school-owned lockers/desks and their contents. The lockers/desks are loaned to the student for school use only. Lockers/desks and their contents will be searched **without notice, without consent and without a search warrant** by school authorities when they suspect that they may contain any prohibited substances or items.

Searches of a student's person or personal belongings shall be undertaken when school authorities have reasonable grounds to suspect that the search will reveal evidence of violations of either the law or school rules. The scope of the search must not be excessively intrusive and shall take into consideration the age and sex of the student and the severity of the alleged violation involved. Such searches shall not be conducted in the presence of other students to the extent possible. No school official shall conduct a strip search of a student for any reason.

Trained canine units may be used to detect the presence of drugs or explosive devices on school property under the following conditions: (1) the presence of the canine unit on school property is authorized, in advance, by the District Administrator or designee or is pursuant to a court order or warrant, (2) a law enforcement officer specifically trained to work safely and competently with the canine unit must handle the canine, and (3) the canine unit is represented by the sheriff or chief of the law enforcement agency providing the service as capable of accurately detecting drugs and/or explosive devices. The District shall not use trained canine units to sniff a student's person, including articles of clothing a student is wearing or a bag while the student is holding it. A positive reaction by a trained canine unit will provide reasonable suspicion for a search of a student's locker, vehicle or other property in accordance with this policy and applicable laws.

Anything found during a search conducted in accordance with this policy that constitutes evidence of a violation of a particular law, Board policy or school rule, or that endangers the safety or health of any person, shall be seized and utilized as evidence if appropriate. Seized items that are legal and not a part of a legal or disciplinary proceeding shall be returned to the student's parent/guardian. Seized items that involve possible law or discipline violations shall be retained by the District or turned over to law enforcement authorities and the student and parent/guardian shall be notified of such action.

Search activities under this policy may be conducted by the District Administrator, a Principal or Assistant Principal, a school employee specifically designated by the District Administrator or Principal, or other law enforcement official at the request of or in conjunction with school authorities.

Students and their parents/guardians shall be informed of this policy annually through the student handbook.

LEGAL REF.: 118.32 – Wisconsin Statutes
 948.50 – Wisconsin Statutes
 Wisconsin Supreme Court Decision – *In Interest of Isiah B.* [176 Wis 2d 639]
 U.S. Supreme Court Decision – *New Jersey v. T.L.O.* (U.S. 105 S. Ct, 733, 83 L.Ed.2d, 1985)
 U.S. Constitution, 4th Amendment

CROSS REF.: 443 Student Conduct
443-Rule General Rules of Conduct
1997 Wisconsin Act 329 [Section 118.325 Wis. Stats]

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