

**1 Ovando School District #11**

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**3 STUDENTS**

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5 Searches and Seizure

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7 The goal of search and seizure with respect to students is meeting the educational needs of  
8 children and ensuring their security. The objective of any search and/or seizure is not the  
9 eradication of crime in the community. Searches may be carried out to recover stolen property,  
10 to detect illegal substances or weapons, or to uncover any matter reasonably believed to be a  
11 threat to the maintenance of an orderly educational environment. The Board authorizes school  
12 authorities to conduct reasonable searches of school property and equipment, as well as of  
13 students and their personal effects, to maintain order and security in the schools.

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15 The search of a student, by authorized school authorities, is reasonable if it is both: (1) justified  
16 at its inception, and (2) reasonably related in scope to the circumstances which justified the  
17 interference in the first place.

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19 School authorities are authorized to utilize any reasonable means of conducting searches,  
20 including but not limited to the following:

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- 22 1. A “pat down” of the exterior of the student’s clothing;
- 23 2. A search of the student’s clothing, including pockets;
- 24 3. A search of any container or object used by, belonging to, or otherwise in the possession  
25 or control of a student; and/or
- 26 4. Devices or tools such as breath-test instruments, saliva test strips, etc.

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28 School Property and Equipment and Personal Effects of Students

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30 School authorities may inspect and search school property and equipment owned or controlled  
31 by the District (such as lockers, desks, and parking lots).

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33 The Superintendent may request the assistance of law enforcement officials, including their use  
34 of specially trained dogs, to conduct inspections and searches of lockers, desks, parking lots, and  
35 other school property and equipment for illegal drugs, weapons, or other illegal or dangerous  
36 substances or material.

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38 Students

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40 School officials may search any individual student, his/her property, or District property under  
41 his/her control, when there is a reasonable suspicion that the search will uncover evidence that  
42 he/she is violating the law, Board policy, administrative regulation, or other rules of the District  
43 or the school. Reasonable suspicion shall be based on specific and objective facts that the search  
44 will produce evidence related to the alleged violation. The types of student property that may be  
45 searched by school officials include but are not limited to lockers, desks, purses, backpacks,  
46 student vehicles parked on District property, cellular phones, or other electronic communication

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4 devices.

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6 Students may not use, transport, carry, or possess illegal drugs or any weapons in their vehicles  
7 on school property. While on school property, vehicles may be inspected at any time by staff, or  
8 by contractors employed by the District utilizing trained dogs, for the presence of illegal drugs,  
9 drug paraphernalia, or weapons. In the event the school has reason to believe that drugs, drug  
10 paraphernalia, or weapons are present, including by alert-trained dogs, the student's vehicle will  
11 be searched, and the student expressly consents to such a search.

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13 Also, by parking in the school parking lots, the student consents to having his/her vehicle  
14 searched if the school authorities have any other reasonable suspicion to believe that a violation  
15 of school rules or policy has occurred.

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#### 17 Seizure of Property

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19 When a search produces evidence that a student has violated or is violating either a law or  
20 District policies or rules, such evidence may be seized and impounded by school authorities and  
21 disciplinary action may be taken. As appropriate, such evidence may be transferred to law  
22 enforcement authorities.

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26 Legal Reference: *Safford Unified School Dist. No. 1 v. Redding*, \_\_\_\_\_ U.S. \_\_\_\_\_, 129

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S.Ct. 2633 (2009)

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*Terry v. Ohio*, 392 U.S. 1, 20 (1968)

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*B.C. v. Plumas*, (9th Cir. 1999) 192 F.3d 1260

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#### 31 Policy History:

32 Adopted on: March 10, 2014

33 Reviewed on: February 10, 2014

34 Revised on: February 10, 2014