

**REGIONAL SCHOOL UNIT No. 67**

**QUESTIONING AND SEARCHES OF STUDENTS  
ADMINISTRATIVE PROCEDURE**

The purpose of this administrative procedure is to provide guidelines for the conduct of student questioning and searches by the Superintendent as well as the building principal and assistant principal. These are guidelines only and may be adjusted within reasonable and lawful limits on a case-by-case basis. If at any time during the search and seizure process, a designated administrator feels a threat is imminent to any student or other personnel, law authorities are to be contacted immediately.

- A. Questioning by the Superintendent, principal and/or assistant principal.
1. The Superintendent, principal, and assistant principal are under no obligation to notify a student's parents/guardians prior to questioning a student regarding alleged violations of Board policies, school rules and/or federal/state laws. If law enforcement officers are involved, refer to policies KLG and KLG-R – Relations with Law Enforcement Authorities and Procedures.
  2. The Superintendent, principal, and assistant principal shall inform the student of the reasons for the questioning and provide an opportunity for the student to respond to any allegations. The Superintendent, principal, or assistant principal shall make a reasonable effort to question the student in a location out of the sight and hearing of other students.
  3. If a student fails to cooperate, lies, misleads or threatens any person during or after questioning, he/she may be subject to additional disciplinary action.
  4. School Administrators are required to document all searches and items seized or impounded. The Superintendent and the parents of the students involved shall be provided with a copy of such report (JIH-E).

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**B. Searches of Students and/or Personal Property in Students' Immediate Possession**

1. The Superintendent, principal, and assistant principal are authorized to search students and/or personal property in the students' immediate possession when, in their judgment, there are reasonable grounds to suspect that a student has violated or is violating the Board policies, school rules and/or federal/state laws anywhere on the R.S.U. No. 67 grounds and buildings, or any location where the student's conduct affects the operations, discipline or general welfare of the school.
2. All searches of students and/or personal property shall be authorized and conducted by a school administrator designated herein, in the presence of a witness, except where the circumstances render the presence of a witness impractical. A reasonable effort will be made to conduct searches out of the sight and hearing of other students.
3. Searches should be reasonably related to the suspected violation and no more intrusive than necessary to discover the evidence for which the search was instigated. Searches may include the student's outer clothing (e.g., pockets, jacket, shoes, hat) and personal belongings (e.g., purse, backpack, gym bag, lunch bag). Any pat down will be conducted by the same gender administrator. If no administrator is of the same gender as the student to be searched, the administrator will designate a member of the staff who is. However, administrators or designee, will not conduct a pat down of a student's buttocks, groin area or a female student's chest. The student may be given the opportunity to open any closed items or items that are not easily accessible to visual search. If the student refuses and the designated administrators herein have a reasonable suspicion of the presence of evidence; the administrator at his/her discretion may call a law enforcement agency.
3. Searches by designated administrators which disclose evidence that a student has violated Board policies or school rules will be addressed through school disciplinary procedures. Evidence of violation of federal/state laws may result in school disciplinary action and/or be forwarded and/or seized by law enforcement

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authorities for possible investigation/prosecution. If so, law enforcement authorities shall be contacted.

5. School administrators are required to document all searches and items seized/impounded on the Student Search Form, JIH-E.

C. Searches of Lockers, Desks and Other School Facilities

1. Building principals or assistant principals shall consult the Superintendent prior to conducting random searches. Students have no expectation of privacy in school storage facilities or for any items placed in such storage facilities. School administrators have the authority to inspect and search storage facilities and their contents on a random basis, with or without reasonable suspicion, and without notice or consent
2. Searches of individual student lockers, desks, or other storage facilities and their contents based upon reasonable suspicion will be conducted in the presence of the student and a witness, if practicable under the circumstances of the search. A reasonable effort will be made to conduct searches out of the sight and hearing of other students. The student may be given the opportunity to open any closed items or items that are not easily accessible to visual search. If the student refuses, the administrator shall open and search the items.
3. Any search which discloses evidence that a student has violated Board policies or school rules will be addressed through school disciplinary procedures. Evidence of violation of federal/state laws may result in school disciplinary action and/or be forwarded or seized by law enforcement authorities for possible investigation/prosecution.

D. Procedure for Parking Lot Patrols and Vehicle Searches

The following procedures should be observed when conducting parking lot patrols and resulting searches of student vehicles and their contents:

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1. Students may drive vehicles to school and park in designated areas in accordance with school rules. Authorized administrators retain the authority to patrol parking lots.
2. Plain view inspections shall be conducted by the Superintendent, building principal or assistant principal. If conducting a plain view inspection of the parking lot, the administrator should walk around each student vehicle and examine the visible contents by looking through the window of each vehicle. If the administrator sees something that gives rise to reasonable suspicion that the vehicle contains drugs, alcohol, weapons or other objects that violate school rules or the law, the vehicle shall be noted and after concluding the plain view inspection, the administrator shall search the vehicle.
3. If school administrators have a reasonable suspicion that a vehicle which a student has parked at school contains evidence that the student has or is violating Board policies or school rules, or federal/state laws, and/or there is substantial threat to the welfare and safety of the schools, a designated administrator will search the vehicle.
4. A student whose vehicle has been identified for searching shall be called to the parking lot. If a student refuses to unlock a locked vehicle or container inside the vehicle to be searched in accordance with this policy, the student's parent(s) shall be called to provide access. If the parent(s) also refuses to provide access, the student shall not be allowed to remove the vehicle from school property. The administrator may contact law enforcement officials at his/her discretion.

**E. Canine Patrols**

1. The Superintendent may authorize canine patrols of the school building and/or student parking lot; any authorization shall be in writing. Building principals shall then contact local law enforcement agencies to arrange for a canine patrol to be conducted.

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2. Teachers will be notified immediately prior to the initiation of a canine patrol, and shall be instructed not to allow students to go to the parking lot or to their lockers during the patrol. Students found in the parking lot at the initiation of a canine patrol will be sent to their classrooms.
3. Local law enforcement officers, accompanied by a building administrator or by the Superintendent, shall perform the canine patrol.
4. The administrator accompanying the patrol will note any vehicle or locker identified by the canine patrol as containing contraband.

**F. Procedures for Searching Vehicles and Lockers**

1. Any vehicle or locker suspected, due to reasonable suspicion, plain view inspection or canine inspection, to contain contraband shall be searched. Each search will be conducted by a team of two staff members, at least one of whom will be a designated administrator, and the law enforcement officers present.
2. If practical, the student should be present during a search of his/her vehicle. A reasonable effort may be made to conduct the search out of the sight and hearing of other students. The student may be given the opportunity to open any closed items or items that are not easily accessible to visual search. If the student refuses, the administrator shall open and search the items. Law enforcement officials may observe and/or actively participate in the search as detailed herein.
3. Any search which discloses evidence that a student has violated Board policies or school rules will be addressed through school disciplinary procedures. Evidence of violation of federal/state laws may result in school disciplinary action and/or be forwarded or seized by law enforcement authorities for possible investigation/prosecution.

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Cross Reference:   ADC – Tobacco Use and Possession  
                          ADC-R- Administrative Procedure  
                          EBCC – Bomb Threats  
                          JIH – Questioning and Searches of Students  
                          JIH-E – Student Search Checklist  
                          JICIA – Weapons, Violence and School Safety  
                          JK – Student Discipline  
                          JICH – Chemical Use by Students  
                          KLG – Relations with Law Enforcement Authorities  
                          KLG-R – Administrative Procedure

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