

Students

Series 500

Policy Title Search and Seizure

Code No. 502.8-R

I. Searches, in general.

A. Reasonable Suspicion: A search of a student by school authorities will be justified when there are reasonable grounds for suspicion that the search will turn up evidence that the student has violated or is violating the law or the rules of the school.

Reasonable suspicion may be formed considering factors such as the following:

- (1) eyewitness observations of school personnel;
- (2) information received from reliable sources;
- (3) suspicious behavior by the student; or
- (4) the student's past history and school record.

B. Reasonable Scope: A search will be permissible in its scope or intrusiveness when the measures adopted are reasonably related to the objectives of the search. Reasonableness of scope or intrusiveness may be determined on factors such as the following:

- (1) the age of the student;
- (2) the sex of the student;
- (3) the nature of the infraction; and
- (4) the emergency requiring the search without delay.

II. Types of Searches

A. Personal Searches

1. A student's person and/or personal effects (e.g., purse, book bag, etc.) may be searched when a school authority has reasonable suspicion to believe that the student is in possession of illegal or contraband items or has violated school district policies, rules, regulations or the law affecting school order.
2. Personally intrusive searches will require more compelling circumstances to be considered reasonable.
 - (a) Pat-Down Search: A pat-down search of any student must be conducted in private by a school authority of the same sex of the student, with another adult witness present.
 - (b) A more intrusive search, short of strip search, of the student's person, handbags, book bags, etc., is permissible in emergency situations when the health and safety of the students, employees, or visitors are threatened. Such a search may only be conducted in private by a school official of the same sex, with an adult of the same sex present, unless the health or safety of students will be endangered by the delay which may be caused by following these procedures.

B. Locker Searches and Desk Inspections

Although school lockers are temporarily assigned to individual students, they remain the property of the School District at all times. The School District has a reasonable and valid interest in insuring that the lockers are properly maintained. For this reason, lockers and desks are subject to unannounced inspections and students have no legitimate expectations for privacy in the locker or desk. General maintenance

inspections may be conducted by school authorities when students are present.

Any contraband discovered during such searches shall be confiscated by the administration. The administration may try to correct the problem through counseling, parental involvement, medical referrals, or other such referrals depending on the severity of the situation.

The student's locker or desk (coat, purse, backpack, etc.) and its contents may be searched when a school authority has reasonable suspicion that the contents contain illegal or contraband items or evidence of a violation of law or school policy or rule. Such searches should be conducted in the presence of another adult witness, when feasible.

C. Automobile Searches (moped, bikes)

1. Students are permitted to park on school premises as a matter of privilege, not of right. The school retains the authority to conduct routine patrols of the student parking lots. The interior of a student's automobile on the school premises may be searched if the school authority has reasonable and articulable suspicion to believe that illegal, unauthorized, or contraband items are contained inside.

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April 8, 1996
March 23, 1998
December 1, 2008
January 16, 2018

Legal Reference: (Code of Iowa)
New Jersey v. T.L.O, 105
733 L.W. 4083 (1985)

Iowa Code Section 808 A.1
Supp. (1997) 281 Inc. 12.3(8)

Cross Reference: 502.9 Interview of Students by Law Enforcement and Outside Agencies
503.1 Student Conduct