

STUDENT SEARCHES

The purpose of this policy is to define when it is appropriate to conduct student searches and provide guidance in how searches should be conducted. Searches may be used to protect the safety of the school community, eliminate illegal or prohibited items from the school, and protect the property of individuals or the school.

When there is reason to believe that there is a safety issue or prohibited items on the school grounds, a search may be conducted by the principal or his or her designee, as long as there is reasonable suspicion. Reasonable suspicion is defined under *New Jersey v. T.L.O.*, according to the U. S. Supreme Court:

Reasonable suspicion exists where there are "reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school."

In addition, searches may be conducted in common areas of the school building, school grounds as long as there is notice that such areas are not private.

Every attempt will be made to notify a student and have the student present prior to the search of or her personal property, his or her automobile, or his or her locker. The only exception to this if there is a general search for an item that poses a safety hazard to the school. Parent/guardians will be notified immediately if an item is found that could result in suspension.

Examples of appropriate searches include but are not limited to:

- Personal belongings of students brought onto school grounds. This includes: book bags, briefcases, pocketbooks, boxes, or other containers carried onto the school grounds as long as there is reasonable suspicion.
- Search of a person's outer garments which includes coats, jackets and pockets on clothing items as long as there is reasonable suspicion. All personal searches will be conducted by a school official in a private area, with at least one other adult present. (Only in the case of a clear and present danger, would a student be detained, or a more personally intrusive search be conducted. Every attempt will be made to contact the parent or guardian prior to a more personally intrusive search)
- Common areas such as halls, classrooms or other areas of the school where students freely travel. These areas are not private, and may be inspected at any time by school officials.
- Lockers, Desks or Student Storage Areas. All lockers, desks and student storage areas will remain the property of the school district. Students are encouraged to keep their assigned lockers or cabinets closed and locked against unlawful entry, but no student may use a locker as a depository for any

illegal, prohibited or hazardous item. The school reserves the right to authorize its employees to inspect a student's locker when the principal or his or her designee believes that the locker is improperly used for storage of any illegal, prohibited or hazardous item.

- Student automobiles based upon reasonable suspicion. Students are permitted to park on school grounds as a matter of privilege, not of right. The school retains authority to conduct routine patrols of student parking lots and inspections of the exterior of student automobiles on school property. The interiors of student vehicles may be inspected whenever a school principal or designee has reasonable suspicion to believe that there is an illegal item or an item that may pose a hazard to the safety of the school.

Communications

The student handbook shall contain information about protecting the safety of the school community and enumerate illegal and prohibited items in the school

Training

The principal or his or her designee will be trained in how to perform searches. This will include when and how to perform searches, guidelines on physical force, when to contact parents or guardians, and the safekeeping and proper disposal of any substance, object or material found.

LEGAL REFS: US Supreme Court decision under New Jersey v. T.L.O.
M.G.L. 71:3 7H, 2A
Chapter 94C NRSD Discipline Policy. NRSD Code of Conduct. NRSD Disciplinary Interventions. NRSD Right to Notice and Hearing for Suspension or Expulsion. NRSD Policy on Parental Notification.

First Reading: December 9, 1999

Adopted: March 2, 2000

First reading by Policy Sub Committee: September 16, 2015

Second reading by Policy Sub Committee: September 30, 2015

First reading by NRSC: October 7, 2015