

P1469 SEARCH AND SEIZURE - SCHOOL FACILITIES

BOARD POLICY:

The pupil has exclusive control over his/her locker, desk, work station, and other similar assigned areas of school property as against other pupils; but such possession is not exclusive as against the school and its officials. When a suspicion arises that a pupil is involved in illegal, illicit, or disruptive behavior, the principal has the authority to conduct a search and confiscate items considered illegal, illicit, disruptive, or a general nuisance to the educational process.

Administrative Implemental Procedures:

1. Only the principal, principal designee or security, shall be responsible for determining whether or not a search shall be conducted, except when such a search is required by a search warrant.
2. When possible, an attempt shall be made both to notify and allow the pupil to be present during the search of any space assigned to him/her.
3. When deemed appropriate, the principal should consider the proper involvement of the parent(s) or lawful custodian(s).
4. Whether the pupil is present or not, a second staff member shall be present.
5. A search may include both the defined spaces and any and all items contained therein.
6. Routine inspections of lockers, desks, work areas, and similar assigned areas may be held either upon advance notice by the principal or in accordance with previously announced classroom procedures by individual teachers.
7. The seizure or confiscation of items located in a pupil's locker, desk, work station, or similar assigned area shall be accomplished in this manner:
 - a. The seizure shall be witnessed by a second staff member and, if possible, by the pupil.
 - b. Each and every item seized must be identified and not commingled with other items previously or subsequently seized.
 - c. The principal, principal's designee or security shall prepare a summary report identifying the item(s) seized or shall take a photograph of the items which shall be maintained at a minimum until a suspension/expulsion case is finally resolved if a suspension/expulsion case is filed.
 - d. A copy of the summary report identifying the items confiscated or a photograph of the items shall be given to the lawful custodian upon written request being made to the office of the District Safety Services by the lawful custodian.
8. Those items considered to be illegal, disruptive, or a general nuisance to the educational process may be seized by staff. Items that are illegal to possess shall be turned over to law enforcement officials. Storage, return, or destruction of such items shall be at the discretion of the principal, Executive Director of Safety Services or a hearing officer, subject to legal impoundment. When maintained by the Officer of the Suspension/Expulsion Hearing Supervisor the items must be kept until all proceedings are concluded, including appeals or court cases.
9. Repossession of school property shall not be considered seizure.

10. Those pupils who are permitted to park on school property are allowed that privilege, which is not considered to be a student right. (K.S.A. 72-6526 and BOE Policy 2370 – *Vehicular Traffic – Regulations and Procedures*) The school retains the authority to conduct routine patrols of school parking lots and inspections of the exteriors of automobiles or other motor vehicles on school property. The interiors of vehicles on school property may be inspected whenever an authorized school official has a reasonable suspicion to believe that illegal, unauthorized, or disruptive materials are contained inside. Such patrols and inspections may be conducted without notice, without consent, and without a search warrant. Forced entry of vehicles, absent exigent circumstances, will not be made prior to contacting and the arrival of law enforcement authorities.

The Board attorney has approved this policy in form and content.

Administrative Responsibility: Superintendent or designee

Latest Revision Date: February 2018

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