

STUDENT INTERROGATIONS, SEARCHES AND ARRESTS

Code **JIH-R** Issued **9/04**

Justification for student searches

Students possess the right to be free of unreasonable searches and seizures under the fourth amendment to the United States Constitution. Balanced against this right is the responsibility of school officials to create and maintain an environment consistent with the center's educational mission.

Prohibited items

Students may not bring to the center items or substances which would disrupt the educational function of the center or which are prohibited by board regulations or by law. Examples of items or substances in this category include, but are not limited to, weapons, clubs, explosives, firecrackers, alcoholic beverages and nonprescription drugs or drug paraphernalia.

Lockers and other school property

The center provides lockers and other storage spaces to students for their convenience. These storage areas remain center property and, as such are subject to periodic inspections by center authorities. The director or his/her designee may search a student's locker when such employee has reasonable suspicion that the locker is improperly used for the storage of any substance or object, the possession of which is illegal, or may pose a hazard to the safety of the center. Unless an emergency exists, the student should be present and personally remove the contents of the locker for inspection. General locker searches may be called for at any time to include all lockers in a selected section of lockers for general housekeeping and safety of the center.

The director or his/her designee will maintain an accurate list of all locker assignments and either a master key or combinations to all lockers.

At the time a student is assigned to a locker or other storage space, he/she must be informed that center authorities are empowered to conduct random periodic inspections of lockers. The director will post notices of this inspection policy in appropriate locations throughout the center.

The director will also inform students of the following locker regulations.

- Students are responsible for the contents of the locker assigned to them.
- Students are to keep their lockers locked.
- Students are not to give other students access to their locker.

Emergencies

Circumstances which put the safety of students or center staff at risk or could result in substantial property damage also will constitute sufficient reasons for the director or police officials to conduct a thorough search of all center property. A bomb scare is an example of such an emergency.

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Student searches

No center personnel will conduct a search which may be considered a strip search.

All searches of students must be conducted or authorized by the director or his/her designee in the presence of a witness.

When the need to search a student arises, the student may be asked to consent to the search. In no event will the director threaten the student with harsher punishment or treatment for refusing to consent nor will the student be coerced or induced to give consent in any other manner. The consent, if given, will be put in writing.

Center personnel may, in the course of an investigation and upon reasonable suspicion, ask a student voluntarily to empty the contents of his/her pockets, wallet, purse or similar bags or places of potential concealment or to allow center personnel to search a wallet, purse, bag or other items of potential concealment not a part of immediate wearing apparel such as shoes or a jacket.

If a personal search is deemed necessary, or if the search of a pocket, wallet, purse or similar bag or place of potential concealment is deemed necessary and not voluntarily consented to by the student, center personnel will request the parent/legal guardian to perform the search or the matter may be turned over to the appropriate law enforcement agency.

Motor vehicles

The act of bringing a motor vehicle upon center premises will allow center officials to presume consent by the student, parent/legal guardian or owner of the vehicle for a search of that motor vehicle. Refusal by a student, parent/legal guardian or owner of the vehicle to allow access to a motor vehicle on center premises at the time of a request to search the motor vehicle will be cause for termination without further hearing of the privilege of bringing a motor vehicle onto center premises. The director or his/her designee may request a law enforcement officer to search a motor vehicle on center premises, subject to provisions of this policy.

Police notification

The director will contact law enforcement authorities with regard to possession of items that constitute a violation of law.

Issued 9/14/04