

## Students

### ADMINISTRATIVE REGULATION REGARDING SEARCH AND SEIZURE

1. **Search of a Student and His or Her Effects**
  - A. All searches of students shall be conducted or directed by an authorized school administrator, i.e., the principal or assistant principal, in the presence of a witness.
  - B. A search of a student's handbag, gym bag, cellular telephone, personal electronic device or similar personal property carried by a student may be conducted if there are reasonable grounds for suspecting that the search will produce evidence that the student has violated or is violating either the law or the rules of the school. A student's other effects are also subject to the same rule. Effects may include motor vehicles located on school property.
  - C. A search of a student's person may be conducted only if there are reasonable grounds at the inception of the search for suspecting that the search will reveal evidence that the student has violated or is violating either the law or the rules of the school. Moreover, the scope of the search shall be reasonably related to the objectives of the search and shall not be excessively intrusive in light of the age and sex of the student and the nature of the infraction. Metal detectors, breathalyzers and/or drug sniffing dogs may be used to detect the presence of contraband, including weapons, drugs or alcohol, in furtherance of this policy and to the extent authorized by law.
  - D. Strip searches are prohibited except when there are reasonable grounds for suspecting that such a search will produce evidence of conduct which places students, staff or school property in immediate danger. Such searches may be conducted at the request of the school principal, generally by a member of the police department. During such searches, a member of the school staff shall be present at all times as a witness,

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and both the police officer conducting the search and the witness shall be of the same sex as the student searched.

- E. Any evidence of illegal conduct or conduct violative of the rules of the school produced as a result of searches according to these regulations shall be subject to seizure. Where required by law and otherwise at the option of the building principal, such evidence shall be submitted to the police department for proper disposition. Evidence not submitted to the Police Department shall be disposed of as directed by the building principal.

#### 2. Search of a Locker, Desk and Other Storage Area

- A. The Board of Education provides lockers, desks, gym baskets and other storage areas in which pupils may keep and store personal belongings and materials provided by the Board of Education. Such storage areas are the property of the Board of Education.
- B. No pupil shall keep or store personal belongings or materials provided by the Board of Education in any storage area other than one provided by the Board of Education and designated for his/her use by the school administration.
- C. Each pupil shall be responsible for maintaining any storage area assigned to him/her for his/her use in an orderly and sanitary condition.
- D. No pupil shall keep or store in a storage area assigned to him/her for his/her use any item the possession of which is illegal or in violation of school regulations or that endangers the health, safety or welfare of self or others (such as matches, chemicals, ammunition, weapons, drugs, tobacco, alcoholic beverages, etc.).
- E. The use of lockers and other storage areas by pupils is a privilege. At all times such storage areas remain the property of the Board of Education. If the school administration reasonably suspects that a pupil is not maintaining a storage area assigned to him/her in a sanitary

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condition, or that the locker contains items the possession of which is illegal or in violation of school regulations or that endangers the health, safety or welfare of the student or others, it has the right to open and examine the storage area and to seize any such items that are found. The school administration may authorize law enforcement officials to search lockers/storage areas in accordance with Board Policy 5145, Section 2(A).

- F. When required by law and otherwise at the option of the building principal, items that have been seized shall be submitted to the police department for proper disposition. Items not submitted to the police department shall be disposed of as directed by the building principal.

#### 1. Search of School Property Using Trained Detection Dogs

When necessary to protect the health and safety of students, employees or property, and for the purpose of detecting the presence of illegal substances or contraband, including alcohol and/or drugs, the Board shall permit the administration to invite law enforcement agencies or other qualified agencies or individuals to search school property with specially trained dogs.

The use of trained detection dogs is subject to the following:

- A. All school property such as lockers, classrooms, parking areas, student cars, and storage areas may be searched.
- B. The Superintendent or his/her designee shall authorize the search and the Principal or his/her designee shall be present while the search is taking place.
- C. Dogs shall not be used in rooms occupied by persons except as part of a program designed to inform students/parents of the capabilities of the dogs. Individual(s) shall not be subjected to a search by dogs.
- D. Parents and students shall be notified of the Board's policy concerning search and seizure and this regulation, which shall be publicized to students. Specific dates of planned searches need not be released.
- E. When conducting a search of an individual or his/her effects based upon a dog's signal, the Principal or his/her designee shall conform to the requirements of the Board's policy and regulation pertaining to searches of

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a student, his/her effects and/or locker searches.

- F. The administration of the district shall have sole authority for determining internal disciplinary action in regard to illegal substances or contraband on school property.
- G. Although detection dogs may be under the control of law enforcement agencies, the Superintendent or his/her designee shall have sole determination as to when a sweep of school property will be conducted.
- H. When detection dogs are employed within the school building, the school should follow standard protocol for emergency procedures prior to the dogs and their handlers entering the building.

#### Legal References:

##### Connecticut General Statutes:

Section 10-221, Boards of education to prescribe rules  
Section 54-33n, Searches

New Jersey v. T.L.O., 469 U.S. 325 (1985)

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**BETHEL PUBLIC SCHOOLS**  
**BETHEL, CT**