

Policy 502.08: Search and Seizure

Status: ADOPTED

Original Adopted Date: 10/01/1997 | **Last Revised Date:** 04/01/2022 | **Last Reviewed Date:** 04/01/2022

All District property is held in public trust by the Board of Directors. School authorities may, without a search warrant, search students, or protected student areas based on a reasonable and articulated suspicion that a District policy, rule, regulation or law has been violated. The search shall be in a manner reasonable in scope to maintain order and discipline in the schools, promote the educational environment, and protect the safety and welfare of students, employees and visitors to the District facilities. The furnishing of a locker, desk or other facility or space owned by the school and provided as a courtesy to a student, even if the student provides the lock for it, shall not create a protected student area and shall not give rise to an expectation of privacy with respect to the locker, desk or other facility.

Lockers and desk inspections without prior notice may be conducted periodically throughout the school year and when conducted, the students will be present for the inspection. Lockers or protected student areas may be checked without a student being present based on a reasonable and articulated suspicion that a District policy, rule, regulation or law has been violated.

School authorities may seize any illegal, unauthorized or contraband materials discovered in the search. Items of contraband may include, but are not limited to, non-prescription controlled substances, marijuana, cocaine, amphetamines, barbiturates, apparatus used for controlled substances, alcoholic beverages, tobacco/nicotine, weapons, explosives, poisons and stolen property. Such items are not to be possessed by a student while they are on District property or on property within the jurisdiction of the District; while on school owned and/or operated school or chartered buses; while attending or engaged in school activities; and while away from school grounds if misconduct will directly affect the good order, efficient management and welfare of the District. Possession of such items will be grounds for disciplinary action including suspensions or expulsion and may be reported to local law enforcement officials. The Board believes that illegal, unauthorized contraband materials may cause material and substantial disruption to the school environment or presents a threat to the health and safety of students, employees, or visitors on the District premises or property within the jurisdiction of the District.

The administration may, from time to time, arrange for law enforcement officials to bring in drug-sniffing animals for the purpose of inspecting lockers, desks, cars, and other storage areas used by students. Drug-sniffing animals may be used in these areas without school officials holding any individualized suspicion of wrong doing on the part of a student or students. However, in the event that the drug-sniffing animal goes on "alert" at a locker, car, desk or other area on the school grounds, this shall create a reasonable suspicion for school official to initiate a further search, possibly including the student's possessions or the student him/herself.

Under no circumstances will drug-animals be used to sniff the bodies of students. Whenever a law enforcement-trained animal is brought into the school to inspect cars, lockers, or other storage areas, the administration will not ask students to be present for the inspection because Iowa law prohibits the use of drug-sniffing animals on students' bodies and the presence of students at their lockers or desk while the dog is working could create a conflict of law. There shall always be another adult present in addition to the school employee, whenever any students' locker, desk, car or other storage area is inspected.

It shall be the responsibility of the Superintendent, in conjunction with the principal to develop administrative regulations regarding this policy.
