

Policy 0502.60 Interviews and Administrative Searches

West Ada School District cooperates with various law enforcement agencies to safeguard the well-being, safety, and security of all students and staff. It is the preference of the West Ada School District that where possible the conduct of an interview of a student or a detainment of a student occur outside of school hours and outside of the school setting. However, when such activities cannot occur outside of the school setting, the principal or his/her designee will notify a parent or guardian of an interview or detainment of a minor student by law enforcement officials. The principal or his/her designee may request that he/she be allowed to be present during interviews.

In the case when a minor student is an alleged victim of child abuse, abandonment, and/or neglect and the parent or guardian is the suspected abuser, the principal or his/her designee will not notify a parent or guardian when the minor is being interviewed by law enforcement. In these cases, it shall be left to the determination of law enforcement as to whether or not a parent or legal guardian shall be allowed to be present during interviews. The school administration will not take affirmative steps to provide for the parent or legal guardian to be present.

School property, such as lockers and desks, are jointly held by the school and the pupil. School authorities have the right to conduct general inspection of all such property, including the personal effects left there by students, on a regular basis, without notice or the consent of the student and/or parent/guardian. Lockers can be searched to maintain the integrity of the school environment and to protect other students. During these inspections, items which are school property, such as overdue library books, may be collected. Students should not expect privacy to items left in such locations. A single desk, locker, cell phone, mobile computing device or vehicle may be searched if reasonable grounds exist to believe that evidence of a violation of the law or a school rule is contained therein.

Search of student's person will be conducted only if there is reasonable suspicion to believe that a breach of conduct rules or a crime is being committed by the student or that the search is necessary to prevent injury or violence to any person.

Definition of reasonable suspicion - The concept of "reasonable suspicion" as outlined in New Jersey vs. T.L.O. (1985) allows student searches by school officials if the officials have information that leads them to believe that a student has broken the law or school policy and that the search will yield evidence of a violation. A desk, locker, vehicle, phone, or person may be searched if

reasonable suspicion exists to believe that evidence of a violation of the law or a school policy is contained therein.

Seizure of Property If a search pursuant to this policy produces evidence that the student has violated or is violating the law or District policy, rules or procedures, such evidence may be seized and impounded by school authorities and disciplinary action may be taken. When appropriate, such evidence may be provided to law enforcement.

Legal References: Code of Idaho 33-6001,93-2 Attorney General Opinion