

STUDENT SEARCH AND SEIZURE

POLICY

It is the policy of the Board of Education that the superintendent, administrators, teachers, and security personnel shall have the authority to search a student and a student's property when there is reasonable suspicion. Reasonable suspicion as identified by Constitutional and State Law Standards "requires articulable facts, together with rational inferences from those facts, warranting an objectively reasonable suspicion that the student or students to be searched are violating or have violated a rule, regulation, or statute." It shall also be the policy of the Board of Education to allow seizure of prohibited property or materials found in any search. Students have no expectation of privacy concerning desk, lockers or other school property.

REFERENCE: 70 O.S. §24-102

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PROCEDURES

In accordance with the policy of the Board of Education, the following procedures shall govern student search and seizure.

The superintendent, administrators, teachers, or security personnel of this school (authorized personnel) may detain and search any student or students on the premises of the public schools, or while attending, or while in transit to, any event or function sponsored or authorized by the school only under the following conditions:

1. When any authorized person has reasonable suspicion that the student may have on the student's person or property (including vehicle), alcohol, dangerous weapons, unauthorized electronic devices, controlled dangerous substances as defined by law, stolen property if the property in question is reasonably suspected to have been taken from a student, a school employee, or the school during school activities, or any other items which have been or may reasonably be disruptive of school operations or in violation of student discipline rules.
2. School lockers and school desks are the property of the school, not the student. Students have no expectation of privacy concerning lockers, desks, or other school property. The users of lockers, desks, and other storage areas or compartments have no reasonable expectation of privacy from school employees as to the contents of those areas. Lockers, desks, and other storage areas or compartments may be subjected to searches at any time with or without reasonable suspicion. Students are not to use any school area or property to contain any item that should not be at school. Students shall not exchange lockers or desks or use any lockers or desks other than those assigned to them by the administrators.
3. Authorized personnel may search a student or property (including vehicle), within the limits of state and federal law (or this policy), whenever the student consents to such a search. Students refusing to submit to a search shall be suspended.
4. Authorized personnel conducting a search shall have authority to detain the student or students and to preserve any contraband seized.
5. Any searches of students as outlined herein will be conducted by an authorized person and shall be witnessed by at least one other authorized person who is of the same sex as the person being searched.

6. Strip searches are forbidden. No clothing except cold weather outer garments will be removed before or during a search.
7. Items that may be seized during a search - in addition to those mentioned in Paragraph 1 above - shall include, but not be limited to, any item, object, instrument, or material commonly recognized as unlawful or prohibited. Examples include but are not limited to:
 - prescription or non-prescription medicines
 - knives
 - brass knuckles
 - billy clubs
 - pornographic materials
 - caustic substances
 - explosive materials
 - illegal drug and/or drug-related paraphernaliaplus similar, but not specified, contraband. Any other items which may pose a threat to a student, the student body, or other school personnel, shall be seized, identified as to ownership if possible, and held for release to proper authority.
8. Any student found to be in possession of dangerous weapons, controlled dangerous substances, or other unlawful or prohibited items may be suspended as provided in STU-18 Student Behavior and Discipline Policy. Such suspension may be in addition to any civil or criminal liability.

**REFERENCE: 70 O.S. §24-102
70 O.S. §24-101.3**