

STUDENT SEARCH ACTIVITIES

It is the policy of the District to provide a safe and healthy environment for all persons in school buildings and on school premises. School officials have a duty to investigate any suspicion that items or materials harmful to the health and safety of students, school personnel, or property are present within the school or on school premises. This includes, but is not limited to, conducting search activities as outlined in this or other Board policies.

- **Locker Searches** – School lockers are the property of the School District of Jefferson. At no time does the District relinquish its exclusive control of lockers provided for the convenience of students. Lockers may be subject to random or periodic inspection at any time by designated school officials without notice and without student consent. Students are responsible for their assigned locker and its contents.

For purposes of this policy, “designated school officials” include the Superintendent, building principal, associate principal, Dean of Students, Athletic Director, school custodian or other employee designated by the Superintendent or building principal, and law enforcement officers at the request of or in cooperation with the Superintendent or building principal.

Whenever possible, locker searches shall be conducted in the presence of two school officials as described above.

Any unauthorized item found as a result of a locker search may be given to the adult student or the parent or guardian of the student, returned to its rightful owner, or forwarded to law enforcement officials as circumstances warrant. The adult student or parent or guardian of a minor student shall be notified of items removed from the locker and turned over to law enforcement officials.

The District does not assume any responsibility for loss, theft, or damage to personal property. In order to minimize risk, the District advises students not to carry unnecessary amounts of cash or other valuables. If students bring personal items to school, they are expected to exercise reasonable care to safeguard them. The District carries no accident insurance or other insurance coverage for any loss or injury for which the District does not have legal responsibility.

A record shall be kept of all locker searches, including the reason for the search and findings. Depending upon the search findings, the documentation may be used in subsequent school discipline or legal actions.

The building principal shall inform students annually of this policy.

- **Search of Students and/or Their Personal Belongings** – District staff may conduct a search of a student or the student’s personal belongings (e.g., backpacks) when the student voluntarily consents to the search or where there is reasonable suspicion that the student has in his/her possession items that violate the law, Board policies or school rules. The search shall be conducted in a reasonable manner and must not be overly intrusive in light of the age and sex of the student and nature of the infraction. Searches of a student’s person or personal belongings should generally be conducted outside the presence of other students. When searching a student’s person (such as pockets or shoes), the following protocol shall be followed:
 - A minimum of two school employees shall be present during the entire search;

- A minimum of one school employee of the same gender as the student shall be present for the entire search; and
- The student shall empty their own pockets or their own shoes/socks, as an example, as opposed to the employee placing their hands in the student's pockets.
- **Strip Searches** – No District official, employee, or person acting as an agent of the District shall conduct a strip search of a student.
- **Vehicle Searches** – The District may search student-operated vehicles parked on school premises when there is reasonable suspicion of a violation of the law, Board policies or school rules or the student has given consent to the search of the vehicle. A student's privilege of obtaining a permit to park a vehicle on school premises during the school day is conditioned on him/her signing a written acknowledgment that the vehicle is subject to any such search supported by reasonable suspicion.
- **Use of Drug-Detection Canine Units in Search Activities** – In an effort to maintain a drug-free school environment and protect the health and welfare of students and others, the School Board authorizes the use of trained canine units to detect the presence of illegal controlled substances in school buildings and on school premises. The canines must be accompanied by a qualified and authorized trainer who will be responsible for maintaining control of the canine and interpreting the canine's responses.

Canine units may be used without prior notification to students and/or school personnel. They may be used when:

1. There is a reasonable suspicion that illegal controlled substances may be on school premises but at unknown locations.
2. There is a belief that a random preventive canine search will be beneficial to the ongoing drug prevention efforts of the District.

Canine searches may include, but are not limited to, the exploratory sniffing of the outside of lockers, vehicles parked on school property, or any other areas of school property deemed appropriate by the Superintendent or designee. Canine units may not be used to sniff a student's person, including articles of clothing the student is wearing or a bag while the student is holding it. Students will be restricted to classrooms and kept out of hallways when canine units are in use in school buildings.

In the event that a drug-detection canine unit indicates the possible presence of illegal controlled substances in a locker, vehicle or other location, the area may be searched by school officials in accordance with Board policy and applicable legal requirements.

- **Internet Search** - To the extent prohibited by law, school employees shall not request or require a student to disclose the access information for any of the student's personal Internet accounts.

To the extent permitted by law, a school official conducting student-related search activities under this or any other Board policy may request the active assistance of a school liaison officer or other law enforcement official. School officials may remove any unauthorized item found as a result of a search. Items belonging to the student but removed or temporarily confiscated by the District will generally be held by the school for return to the student's parent or guardian (for students who are minors) or, if appropriate, turned over to law enforcement. The student and his/her

parent or guardian shall be notified of any unauthorized item belonging to the student/family that has been found and turned over to law enforcement officials.

The District does not assume any responsibility for loss, theft, or damage to personal property. In order to minimize risk, the District advises students not to carry unnecessary amounts of cash or other valuables. If students bring personal items to school, they are expected to exercise reasonable care to safeguard them. The District carries no accident insurance or other insurance coverage for any loss or injury for which the District does not have legal responsibility.

Students and their parents and guardians shall be informed of this policy and the specific provisions related to locker searches through the student handbook.

ADOPTED: July 23, 1984

REVISED: July 27, 1987
December 17, 1990
October 28, 2002
May 22, 2013
May 29, 2019

LEGAL REFERENCES:

Wisconsin Statutes

[Section 118.32](#) [strip search by school employees]
[Section 118.325](#) [locker searches]
[Section 118.45](#) [testing students for the presence of alcohol; policy required]
[Section 948.50](#) [criminal penalties; strip search by school employees]
[Section 995.55\(3\)](#) [access to personal Internet accounts of students]

Federal Laws

[U.S. Constitution, 4th Amendment](#) [protection from unreasonable search and seizure]

CROSS REF.:

REVIEW DATE: May 29, 2019