

The School board seeks to maintain a safe and orderly environment in the schools. Principal/designees are authorized to question and/or search students in accordance with this policy and accompanying administrative procedures.

Students may not bring, possess or store at school any items or substances which are prohibited by law, Board policies and/or school rules, or which interfere with the operations, discipline or general welfare of the school.

Student use of all school storage facilities, including but not limited to lockers, desks, and parking lots, is a privilege granted by the school. All storage facilities are school property and remain under the control, custody and supervision of the school. Students have no expectation of privacy in school storage facilities or for any items placed in such storage facilities. Principal/designees have the authority to inspect and search storage facilities and their contents on a random basis, with or without reasonable suspicion, and without notice or consent.

If a search produces evidence that a student has violated or is violating the law, Board policies and/or school rules, such evidence may be seized and impounded by principal/designee and appropriate disciplinary action may be taken. Evidence may be forwarded to law enforcement authorities as required by law or as deemed appropriate by principal/designees.

School staff, students and parents shall be informed of this policy on an annual basis through handbooks and/or other means selected by principal/designee.

The superintendent is authorized to develop and implement with input from legal counsel, administrators, staff and others as appropriate, any administrative procedures necessary to carry out this policy. Such administrative procedures shall be subject to Board approval.

Adopted: Brooksville School Committee 12/6/99

Adopted: Castine School Committee 11/4/99

Adopted: Penobscot School Committee 10/12/99

Adopted: Blue Hill School Committee 10/13/99

**Questioning and Searches of Students
Administrative Procedure**

5802.1

The purpose of this administrative procedure is to provide guidelines for the conduct of student questioning and searches by Principal/designee. These are guidelines only and may be adjusted within reasonable and lawful limits on a case-by-case basis.

A. Questioning by Principal or designee

1. The Principal or designee will attempt to notify a student's parents/guardians prior to questioning a student regarding alleged violations of Board policies, school rules and/or federal/state laws. If law enforcement officers are involved, refer to policy - Relations with Law Enforcement Authorities.
2. Principal or designee shall inform the student of the reasons for the questioning and provide an opportunity for the student to respond to any allegations. Principal/designee shall make a reasonable effort to question the student in a location out of the sight and hearing of other students.
3. All questioning of students will be completed by the Principal or designee while one other adult is present.
4. If a student fails to cooperate, lies, misleads or threatens any person during questioning, he/she may be subject to additional disciplinary action.

B. Searches of Students and/or Personal Property in Students' Immediate Possession

1. Principal or designees are authorized to search students and/or personal property in the students' immediate possession when, in their judgment, there are reasonable grounds to suspect that a student has violated or is violating the Board policies, school rules and/or federal/state laws.
2. All searches of students and/or personal property shall be authorized and conducted by a Principal/designee in the presence of a witness.
3. Searches should be reasonably related to the suspected violation and no more intrusive than necessary to discover the evidence for which the search was instigated. Searches may include the student's outer clothing (e.g., pockets, jacket, shoes, hat) and personal belongings (e.g., purse, backpack, gym bag, lunch bag). If the search discloses evidence, a broader search may be justified.

4. Searches which disclose evidence that a student has violated Board policies or school rules will be addressed through school disciplinary procedures. Evidence of violation of federal/state laws may result in school disciplinary action and/or will be forwarded to law enforcement authorities for possible investigation/prosecution.
5. Principal/designees are required to document all searches and items seized/impounded on the Student Search Form or by another reasonable method.

C. Searches of Lockers, Desks and Other School Facilities

1. School staff, students and parents shall be informed of this policy/procedure on an annual basis.
2. Principal/designee shall consult with the Superintendent prior to conducting random searches.
3. Searches of individual student lockers, desks or other storage facilities and their contents based upon reasonable suspicion will be conducted in the presence of the student and a witness, if practical under the circumstances of the search.
4. Searches which disclose evidence that a student has violated Board policies or school rules will be addressed through school disciplinary procedures. Evidence of violation of federal/state laws may result in school disciplinary action and/or be forwarded to law enforcement authorities for possible investigation/prosecution.
5. Principal/designees are required to document all searches and items seized/impounded on the Student Search Form or by another reasonable method.

D. Involvement of Law Enforcement Authorities

1. Principal/designees have the discretion to request the assistance of law enforcement authorities in accordance with Board policy.

Adopted: Castine School Committee 11/4/99

Adopted: Penobscot School Committee 10/12/99

Adopted: Blue Hill School Committee 10/13/99

Student Search Checklist

This checklist is to be completed for each individualized student search incident as soon as possible after the search.

Name/Title of Person Performing Search and Completing Form: _____

Date: _____

1. Who was searched? _____
and location of search _____

2. Date, time

3. What factors caused you to have a reasonable suspicion that a search of this student or the student's possessions would provide evidence that the student has violated or is violating the law, Board policies or school rules?

4. Was student's consent requested? _____
Given? _____ (Consent is not required for search to be conducted)

5. What was searched (i.e.; person, personal belongings, storage facilities)?

6. Witness(es) to search

_____ 7. What did the search yield? _____ A. What evidence was seized? _____ B. What receipt issued for seized items? _____

8. Were police notified? _____ 9. Was any evidence released to police? _____ A. Who witnessed the search? _____

10. Were parents notified of the search, including the reasons and the scope?

A. If yes, how were they notified? _____

B. If no, why not? _____ 11. Other relevant facts (if any) _____

Signature of Person Performing Search and Completing Form:

NOTE: IF SEARCH RESULTED IN SCHOOL DISCIPLINARY ACTION AND/OR REFERRAL TO LAW ENFORCEMENT, THIS FORM SHOULD BE RETAINED IN STUDENT'S FILE.

IF SEARCH DID NOT RESULT IN DISCIPLINARY ACTION, THIS FORM SHOULD BE RETAINED IN SEPARATE FILE IN THE SCHOOL OFFICE.