

QUESTIONING AND SEARCHES OF STUDENTS ADMINISTRATIVE PROCEDURE

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

A) Questioning by school administrators

- 1) School administrators are under no obligation to notify a student's parents/guardians prior to questioning a student regarding alleged violations of school committee policies, school rules and/or federal/state laws. If law enforcement officers are involved, refer to policy KLG – Relations with Law Enforcement Authorities.**
- 2) School administrators shall inform the student of the reasons for the questioning and provide an opportunity for the student to respond to any allegations. School administrators shall make a reasonable effort to question the student in a location out of the sight and hearing of other students.**
- 3) If a student refuses to consent to a search directive, fails to cooperate, lies, misleads, or threatens any person during questioning, he/she may be subject to disciplinary action for such behavior.**

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

- 1) School administrators are authorized to search students and/or personal property in the students' immediate possession when, in their judgment, there is reasonable suspicion that a student has violated or is violating the school committee policies, school rules and/or federal/state laws.**
- 2) School administrators are authorized to search groups of students, including the entire student body, without individualized suspicion, when special circumstances exist, including, but not limited to, suspected ongoing violations of the board's drug or weapons policy, or when a potential threat to safety is identified.**
- 3) All searches of students and/or personal property shall be authorized and conducted by a school administrator in the presence of a witness, except where the circumstances render the presence of a witness impractical.**
- 4) 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.

- 5) Searches which disclose evidence that a student has violated school committee policies or school rules will be addressed through 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.
- 6) School administrators 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. School administrators 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 school committee 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. School administrators are required to document all searches and items seized/impounded on the Student Search Form or by another reasonable method.

D) Patrolling of Parking Lots

- 1) Students may drive vehicles to school and park in designated areas in accordance with school rules. School administrators retain the authority to patrol parking lots.
- 2) If school administrators have a reasonable suspicion that a vehicle which a student has parked at school contains evidence that the student has or is violating a federal/state law school committee policies, and/or school rules, and/or there is a substantial threat to the welfare and safety of the schools, the student will be directed to allow school administrators to search the vehicle. Law enforcement authorities also will be requested to render assistance in accordance with school committee policy KLG - Relations with Law Enforcement Authorities.

E) Involvement of Law Enforcement Authorities

- 1) School authorities have the discretion to request the assistance of law enforcement authorities in accordance with school committee policy.

**Cross Reference: JIH-E – Student Search Checklist
 KLG – Relations with Law Enforcement Authorities**

**Augusta Board of Education
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