

Desks and School Lockers Desks and school lockers are property of the schools for temporary use by students. With reasonable concern for students' Fourth Amendment rights, the school principal or designee may inspect student desks and lockers to safeguard students, their property, and school property. The exercise of the right to inspect also requires protection of each student's personal privacy and protection from coercion. Students shall be notified in advance that Board of Education policy allows desks and lockers to be searched as provided in this policy.

Law enforcement officials authorized by the school principal, may search student lockers and other school property for weapons, contraband, or the fruits of a crime under the following circumstances:

1. When the school administrator believes that the search is justified at its inception and is reasonably related in scope to the circumstances, which justified it;
2. There are reasonable grounds to believe that the search will reveal evidence that a student has violated or is violating either school rules or laws.

Personal Searches The U.S. Supreme Court has unanimously affirmed that Fourth Amendment rights to be free from unreasonable searches and seizures apply to searches conducted by public school officials. However, students may be searched if:

1. there are "reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school," and
2. the search is "reasonable relating to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction."

Personal searches of students and searches of student property shall be limited to the search of purses, knapsacks, book bags, and the like; outer coats and jackets; footwear; belts; pockets; hair and hats.

Legal Reference: Connecticut General Statutes
10-221 Boards of Education to prescribe rules.
Section 54-33 on Searches
P .A. 94-115 An Act Concerning School Searches
New Jersey v. TLO. 469 U.S. 325; 105S CT. 733

Policy Adopted: 6/23/08

Policy Revised: 10/19/2015

Administrative Regulations Concerning Search and Seizure Policy

Justification for Student Searches Students have the right to be free of unreasonable searches and seizures under the fourth amendment of the constitution of the United States. Balanced against this right is the school officials' responsibility to create and maintain an environment consistent with school's educational mission. School officials have a duty to protect the health, safety and welfare of all students under their authority.

Prohibited Items Students are prohibited from bringing to school items or substances, which would disrupt the educational function of the school or which, are prohibited by school board policy or administrative regulations or by law. Examples of items or substances in this category are weapons, clubs, explosives, firecrackers, alcoholic beverages, and nonprescription drugs or drug paraphernalia.

Lockers and Other School Property) Lockers and other storage spaces are provided to students for their convenience. These storage areas remain school property, and as such, are subject to routine periodic inspections by school authorities as well as searches. Such inspections to allow responsible school authorities to confirm that lockers are being used appropriately in a manner consistent with the health and safety of all students. Students should not store items in lockers, which violate school board policy or administrative regulations or law.

Emergencies Circumstances, which put the safety of students or school staff at risk or could result in substantial property damage also, will constitute sufficient reasons for school or police officials to conduct a thorough search of all school property. A bomb scare is an example of such an emergency.

Principals, or designees, may also conduct searches of student lockers, their property, or students themselves when there are reasonable grounds to suspect that a particular student is in possession of an item or a substance that represents a material threat to school routine or is prohibited by school board policies or regulations or by law.

Student property shall include, but not be limited to, purses, knapsacks, book bags, and the like; outer coats and jackets; footwear; belts; pockets; hair and hats. School authorities in cooperation with police may use dogs to conduct sniff searches of school property.

Police Notification School authorities shall cooperate with appropriate law enforcement agencies in investigations of incidents on school property and in other investigations as outlined in board of education policy.

Lockers and other School Property) (Desks)

- I. The school principal or his/her designee shall maintain an accurate list of all locker assignments.

2. At the time a student is assigned a locker or other storage space, he or she shall be informed that school authorities are empowered to conduct random periodic inspections of school lockers as well as searches based on reasonable suspicion of a student's having illegal items or items violative of board policy or administrative regulation.
3. Students also will be informed of the following locker regulations:
 - a. Students are responsible for the contents of the locker assigned to them.
 - b. Students are not to give other students access to their locker.
 - c. Students who access lockers other than their own will be subject to disciplinary action.
3. The exercise of that right to inspect also requires protection of each student's personal privacy and protection from coercion. An authorized school administrator may search a student's desk or locker under the following conditions:
 1. When the school administrator believes that the search is justified at its inception and is reasonably related in scope to the circumstances, which justified it;
 2. There are reasonable grounds to believe that the search will reveal evidence that a student has violated or is violating either school rules or laws.

The search of a group of student's desks or a group of students' lockers where no particular student within the group is suspected may be conducted only if there is a reasonable suspicion of conduct immediately harmful to students, staff, or school property.

Lost or Abandoned Items Lost or abandoned items will be inspected by school authorities.

Student Searches

1. All searches of students shall be conducted or authorized by the principal or designee, in the presence of a witness.
2. Students may be asked to consent to searches. Consent, if given, shall be in writing. If the student is unwilling to give free and voluntary consent, the

school administrator may order the student to submit to a search, and if the student refuses to obey the order, insubordination charges may be brought against the student in accordance with applicable school regulations.

3. Searches should be no more intrusive than necessary to discover that for which the search was instigated.
4. A search of a student's handbag, gym bag or similar personal property carried by a student may be conducted if there is "reasonable grounds" for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school.
5. Locker searches shall be conducted in the presence of another staff member and in the presence of the student responsible for the contents of the locker, if possible.
6. Searches may include, if school authorities think necessary, a frisk or pat down of student clothing. Frisk or pat down searches shall be conducted by a member of the same sex as the student and in the presence of another staff member.
7. At no time should school officials conduct a search, which requires a student to remove more clothing than his/her shoes, hat, or jacket. If school authorities are convinced that a more intrusive search is required, they should advise the proper law enforcement agency.
8. A search of a student's person, or a search of a group of students where no particular student within the group is suspected, may be conducted only if there is reasonable suspicion of conduct immediately harmful to students, staff or school property. "Strip searches" of students are prohibited by employees of this school district.
9. Student searches, which disclose evidence of school misconduct, but not criminal misconduct, should be treated according to applicable policies and/or regulations.
10. In the event that a student search discloses evidence of criminal wrongdoing, the school principal or his/her designee shall determine whether or not police officials should be notified of the fruits of the search. If police officials are notified the student's parents should be advised of the fact as soon as possible.

Student Notification Students shall be informed annually that board policy allows student search and school desk/locker search.

Search and Seizure Checklist

1. What factors cause you to have a reasonable suspicion that the search of this student or his or her effects, locker or automobile will turn up evidence that the student has violated or is violating the law or the rules of the school?
 - (a) Eyewitness account:
 - (1) By whom:
 - (2) Date/time:
 - (3) Place:
 - (4) What was seen:
 - (b) Information from a reliable source.
 - (1) From Whom:
 - (2) Time received:
 - (3) How information was received:
 - (4) Who received the information:
 - (5) Describe information:
 - (c) Suspicious behavior. Explain:
 - (d) Time of search:
 - (e) Location of search:
 - (f) Student told purpose of search:
 - (g) Consent requested:
 - (h) Consent given:
2. Was the search you conducted reasonable in terms of scope and intrusiveness?
 - (a) What are you searching for:
 - (b) Sex of the student:
 - (c) Age of the student:
 - (d) Exigency of the situation:
 - (e) What type of search is being conducted:
 - (f) Who is conducting the search:
 - Position:
 - Sex:
 - (g) Witness (es):
3. Explanation of Search
 - (a) Time and location of the search:
 - (b) Describe exactly what was searched:
 - (c) What did the search yield:
 - (d) What was seized:
 - (e) Were any materials turned over to the police:
 - (f) Were parents notified of the search, including the reason for it and the scope: