

## **STUDENT SEARCHES**

The Jackson Parish School Board is the exclusive owner of any public school building and any desk or locker utilized by any student contained therein or any other area that may be set aside for the personal use of the students. Any teacher, principal, administrator, or school security guard employed by the School Board, having a reasonable belief that any public school building, desk, locker, area or grounds of any public school contains any weapons, illegal drugs, alcoholic beverages, nitrate based inhalants, stolen goods, or other items the possession of which is prohibited by any law, School Board policy, or school rule, may search either physically or with the use of metal detectors such building, desk, locker, area or grounds of said public school. The acceptance and use of locker facilities or the parking of privately owned vehicles on school campuses by students shall constitute consent by the student to the search of such locker facilities or vehicles by authorized school personnel. In addition, the School Board reserves the right to inspect or search at any time lockers, desks, or any facilities, objects, or vehicles on the school campus, or used by students, for the purpose of enforcing compliance with any health, safety, or security policies, rules, or regulations. Any student not present during the search shall be informed of the search immediately thereafter.

Students and parents shall be notified in writing at the beginning of each school year of the School Board's authority to conduct unannounced searches of students, lockers, automobiles, school employees, and any other person or object on School Board property and at school sponsored events. Signs of high visibility informing the general public of the School Board's search authority shall be posted at entrances to all School Board buildings.

Upon any such violation, the student shall be automatically suspended and/or recommended for expulsion by school authorities, as appropriate. Investigative facts and/or seized items shall be immediately turned over to the proper law enforcement officials.

Whenever any search is conducted pursuant to this policy, as soon as is reasonably practical a written record shall be made thereof by the school administrator/designee conducting the search and such record shall include the name of the student and/or person(s) involved, the circumstances leading to the search and the results of the search. This written, dated and signed record shall be filed and maintained in the school administrator's office, and a copy of it shall be sent to the Superintendent within five (5) days. The student(s) and parent(s)/guardian(s) shall be given a written receipt for any item(s) seized and/or impounded by the school administrator/ designee.

No action taken pursuant to this policy by any teacher, principal, administrator, or school security guard employed by the School Board shall be taken maliciously or with willful and deliberate intent to harass, embarrass or intimidate any student.

### **SEARCH OF STUDENT'S PERSON**

The Jackson Parish School Board authorizes any teacher, principal, school security guard, or administrator under the employ of the School Board to search a student's person or his or her personal effects when, based on the attendant circumstances at the time of the search, there are reasonable grounds to suspect that the search will reveal evidence that the student has violated the law, a school rule, or a School Board policy. Searches may also be conducted to assure compliance with health, safety, and/or security laws, rules, or regulations. Such a search shall be conducted in a manner that is reasonably related to the purpose of the search and not excessively intrusive in light of the age or sex of the student and the nature of the suspected offense. Strip searches are specifically prohibited.

If a school administrator suspects the presence of firearms, weapons (defined as dangerous instrumentalities), illegal drugs, stolen goods, or other materials or objects the possession of which is a violation of School Board policy, random searches with a metal detector of students or their personal effects may be conducted at any time, provided they are conducted without deliberate touching of the student.

Any search of student's person, pat-down or otherwise, shall be done privately by one of the persons above authorized and of the same sex as the student to be searched. At least one (1) witness who is a school administrator or teacher, also of the same sex as the student, shall be present during the search. Detailed documentation shall be made of all searches. Items which are specifically prohibited by law, School Board policy or school regulations shall be immediately seized. The school administrator or designee shall immediately contact the student's parent or guardian, appropriate law enforcement agency (when appropriate) and the Superintendent. The Superintendent, upon further investigation, shall notify the School Board.

### SEARCH OF VEHICLES

The School Board shall require students who bring vehicles on campus to register those vehicles and to provide the school authorities with a *consent to search* of such vehicle signed by the student, parents and/or owner of the vehicle. Any vehicle parked on School Board property may be searched without consent at any time by a school administrator/designee when such school administrator/designee has articulable facts which lead the school administrator/designee to a reasonable belief that weapons, dangerous substances or elements, illegal drugs, alcohol, stolen goods, or other materials or objects the possession of which is a violation of law, School Board policy or school regulations will be found. Searches may also be conducted to assure compliance with health, safety, and/or security laws, rules, or regulations. Such searches shall be conducted in the presence of the student whenever possible.

If the automobile is locked, the student shall unlock the automobile. If the student refuses to unlock the automobile, proper law enforcement officials shall be summoned, and the student shall be subject to disciplinary action. Any student not present during the search shall be informed of the search immediately thereafter.

## USE OF CANINES

The administration is authorized to utilize canines, whose reliability and accuracy for sniffing out controlled substances, drugs, alcohol, guns, knives, weapons, or other materials or objects which are a violation of School Board policy have been established, to aid in the search for contraband in school-owned property and vehicles parked on school property. Canines shall not be used to search students unless school officials have established independently that there is reasonable belief that the student possesses such items on his/her person. The canines must be accompanied by a qualified and authorized trained official of the local or parish law enforcement agency, who will be responsible for the dog's actions. An indication by the dog that drugs, alcohol, weapons, or any other item of violation is present on school property or in a vehicle shall be reasonable cause for further search by school officials.

## CONFISCATION

Upon proper school personnel confiscating any firearm, bomb, knife, or other implement which could be used as a weapon, or any controlled dangerous substance, the principal or designee shall report the confiscation to the proper law enforcement officials. Any implement or material confiscated shall be retained, cataloged, and secured by the principal so as to prevent the destruction, alteration, or disappearance until such time as the implement or material is given to law enforcement personnel for disposal. Parents shall be notified of any item impounded. Any principal or designee failing to report any prohibited weapon or confiscated material or implement to the proper law enforcement officials or failing to properly secure any weapon or confiscated material or implement shall be subject to appropriate disciplinary action as may be determined by the Superintendent and/or Board.

## INDEMNIFICATION

Indemnification of any Board employee who is sued for damages based on any act or omission in the directing of and disciplining of school children shall be made by the St. Helena Parish School Board to the extent required by state law.

Ref: U.S. Const. Amend. IV; U.S. Const. Amend. XIV, Sec. 1; Horton v. Goose Creek Independent School District, 690 F. 2d 470 (5th Cir. 1982); Moore v. Student Affairs Committee of Troy State University, 284 F.Supp. 725 (M.D. Ala. 1970); State v. Stein, 203 Kan. 638 456 P.2d (1969); New Jersey v. T.L.O., 469 U.S. 325, 105 S.Ct. 733; La. Rev. Stat. Ann. ' ' 17:416, 17:416.3; Board minutes, 2-7-83, 5-7-01.