

DE SOTO AREA SCHOOL DISTRICT

446

STUDENT SEARCHES

To maintain order and discipline in the schools and to protect the safety and welfare of students and school personnel, school authorities may search a student, student lockers or student automobiles under the circumstances outlined below and may seize any illegal, unauthorized, or contraband materials discovered in the search.

As used in this policy, the term "unauthorized" means any item dangerous to the health or safety of students or school personnel, or disruptive of any lawful function, mission or process of the school, in violation of Board of Education policy or state law, or any item described as unauthorized in school rules available beforehand to the student.

A student's failure to permit searches and seizures as provided in this policy shall be considered grounds for disciplinary action.

The District shall include a copy of this policy in the student handbook that is distributed annually to each student enrolled in the District.

Personal Searches

A student's person and/or personal effects (e.g. purse, book bag, etc.) may be searched whenever a school authority has reasonable suspicion to believe that the student is in possession of illegal or unauthorized materials.

If a pat down search of a student's person is conducted it will be conducted in private by a school official of the same sex and with an adult witness present, when feasible.

If the school official has reasonable suspicion to believe that the student has on his or her person an item imminently dangerous to the student or to others, a more intrusive search of the student's person may be conducted. Such a search may only be conducted in private by a school official of the same sex, with an adult witness of the same sex present, and only upon the prior approval of the District Administrator or his/her designee, unless the health or safety of students will be endangered by the delay which might be caused by following these procedures.

A strip search as defined by state law shall not be conducted of any student by any school employee, official or agent.

Locker Search

Student lockers are school property and remain at all times under the control of the school, however students are expected to assume full responsibility for the security of their lockers. Periodic general inspections of lockers may be conducted by school authorities as determined necessary and appropriate without notice, without student consent, and without a search warrant. The search may be conducted by the District Administrator, building principals or a school employee designated by the District Administrator or building principal in accordance with established procedures.

Automobile Searches

Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to conduct routine patrols of student parking lots and inspections of the exteriors of student automobiles on school property. Such patrols and inspections may be conducted without notice, without student consent, and without a search warrant. The interiors of student vehicles may be inspected whenever a school authority has reasonable suspicion to believe that illegal or unauthorized materials are contained inside.

Seizure of Illegal Materials

If a properly conducted search yields illegal or contraband materials, such findings shall be turned over to proper legal authorities for ultimate disposition.

LEGAL REF.: Sections 118.32 Wisconsin Statutes
118.325
120.13(1)

CROSS REF.: 446-Exhibit, Acknowledgement Concerning Use of
Student Lockers

APPROVED: March 10, 2008
