

District Policy & Regulations

BOARD OF EDUCATION COLUMBUS SCHOOL DISTRICT

STUDENTS
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SEARCH AND SEIZURE

The Board of Education has charged school administrators with the responsibility of safeguarding the safety and well-being of the students in their care. In the discharge of that responsibility, school administrators may search school property such as lockers used by students or the person or property, including vehicles, of a student, in accordance with the following policy.

School Property

The Board acknowledges the need for in-school storage of student possessions and shall provide storage places, including desks and lockers, for that purpose. Desks and lockers are public property and school administrators may make reasonable regulations regarding their use. The District retains ownership and possessory control of student desks and lockers and the same may be searched at random by school administrators at any time. A showing of reasonable cause or suspicion is not a necessary precondition to a search under this paragraph. Students shall not have an expectation of privacy in lockers, desks, or other school property as to prevent examination by a school official. The Board directs the school principals to provide students with written notice of this policy at least annually and to conduct a routine inspection at least annually of all such storage places.

Student Person and Possessions

The Board recognizes that the privacy of students or his/her belongs may not be violated by unreasonable search and seizure and directs that no student be searched without reasonable suspicion that the search will turn up evidence that the student has violated or is violating either a particular law or a particular rule of the school. Any search under this paragraph must be reasonable in scope and reasonable in the manner in which it is conducted. The extent of the search will be governed by the seriousness of the alleged infraction, the student's age and gender, the student's disciplinary history, and any other relevant circumstances or information.

This authorization to search shall also apply to all situations in which the student is under the jurisdiction of the Board.

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Permission for a student to bring a vehicle on school property shall be conditioned upon written consent of the search of the vehicle and all containers inside the vehicle by a school administrator with reasonable suspicion to believe the search will produce evidence of a violation of a particular law, a school rule, or a condition that endangers the safety or health of the student driver or others.

Except as provided below, a request for the search of a student or a student's possessions will be directed to the principal. S/He shall attempt to obtain the freely-offered consent of the student to the inspection; however, provided there is reasonable suspicion pursuant to the above paragraphs, s/he may conduct the search of student possession without such consent. Whenever possible, a search will be conducted by the principal in the presence of the student and a staff member other than the principal. A search prompted by the reasonable suspicion that health and safety are immediately threatened will be conducted with as much speed and dispatch as may be required to protect persons and property.

In exception circumstances, when an imminent threat to health or safety of the student or others is present, search of a student's person shall be conducted by a person of the student's gender, in the presence of another staff member of the same gender. Under no circumstances will a student be subjected to a strip search.

948.50, Wis. Stats.
U.S. Constitution, 4th Amendment

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