

# SCHOOL DISTRICT OF PITTSVILLE BOARD POLICY

## STUDENTS

### STUDENT RIGHTS AND RESPONSIBILITIES

#### LOCKERS **STUDENT SEARCHES**

446.1

~~School lockers are the property of the School District of Pittsville. At no time does the School District of Pittsville relinquish its exclusive control of these lockers.~~

~~These lockers are assigned to individual students as a convenient receptacle for storage of clothing, books, and other articles necessary for the student's use during the school day and shall not be used for any other purpose.~~

~~All school lockers and the contents within may be searched by school authorities for weapons, drugs, other contraband or any item that may place any student, employee, or anyone else on the school premise in danger. School authorities may seize any or all items which are dangerous and/or illegal and any other item not authorized to be in the locker.~~

~~Students and parents and/or guardians shall be made aware of this policy annually.~~

It is the policy of the District to provide a safe and healthy environment for all persons in school buildings and on school premises. School officials have a duty to investigate any suspicion that items or materials harmful to the health and safety of students, school personnel, or property are present within the school or on school premises. This includes, but is not limited to, conducting search activities as outlined in this or other Board policies.

- **Locker Searches** – A school locker is provided for the convenience of the student to be used solely and exclusively for the storage of the student's wearing apparel and school-related materials during the time the student is attending school. No student shall use the locker for any other purpose. The locker is assigned to a student but remains the property of the District. At no time does the District relinquish its exclusive control of the lockers. Locker searches may be conducted as determined necessary or appropriate without notice, without student consent, and without a search warrant. Locker searches under this policy may be conducted by the District Administrator, a building principal or assistant principal, a school employee specifically designated by the District Administrator or building principal, a school liaison officer, or other law enforcement official who is acting at the request of or in conjunction with school authorities.

Any unauthorized item(s) found in the locker may be removed. Items removed from the locker may be held by the school for return to the parent(s)/guardian(s) of the student or retained for disciplinary proceedings, or turned over to law enforcement officials. The adult student or parent/guardian of a minor student shall be notified of items removed from the locker and turned over to law enforcement officials.

Periodic general inspection of lockers may be conducted by school authorities for any reason at anytime, without notice, without student consent, and without a search warrant. No padlocks other than those issued by the school may be used on school lockers. The school authorities will maintain a pass key for these padlocks.

- **Search of Students and/or their Personal Belongings** – The Board recognizes that to provide for order and safety, it may be necessary for designated school officials to conduct reasonable searches of students while on school premises, on school buses or while participating in school-sponsored activities. A student or his/her belongings may be searched if
  1. There are reasonable grounds to suspect the search will reveal evidence of violations of the law, Board policy or school rules; and
  2. The manner in which the search is conducted is reasonably related to the objectives of the search and is not overly intrusive in light of the age and sex of the student and the nature of the infraction.

Searches of student's person or personal belongings should generally be conducted outside the presence of other students. School officials, employees or agents shall not conduct a strip search of any student.

- **Vehicle Searches** – The District may search student-operated vehicles parked on school premises when there is reasonable suspicion of a violation of the law, Board policies or school rules or the student has given consent to the search of the vehicle.

- **Use of Canine Units in Safety and Search-Related Activities** – The School Board authorizes the use of trained canine units to detect the presence of drugs, explosive devices, or other illegal items/substances on school property under the following conditions: (1) the presence of the canine unit on school property is authorized in advance by the District Administrator or designee or is pursuant to a court order or warrant; (2) a law enforcement officer specifically trained to work safely and competently with the canine unit must handle the canine; and (3) the canine unit is represented by the sheriff or chief of the law enforcement agency providing the service as capable of accurately detecting specific contraband. The District shall not use trained canine units to sniff a student’s person, including articles of clothing a student is wearing or a bag while the student is holding it. A positive reaction by a trained canine unit will provide reasonable suspicion for a search of a student’s locker, vehicle or other property in accordance with this policy.

To the extent prohibited by law, school employees shall not request or require a student to disclose the access information for any of the student’s personal Internet accounts.

To the extent permitted by law, a school official conducting student-related search activities under this or any other Board policy may request the active assistance of a school liaison officer or other law enforcement official. School officials may remove any unauthorized item found as a result of a search. Items belonging to the student but removed or temporarily confiscated by the District will generally be held by the school for return to the student’s parent or guardian (for students who are minors) or, if appropriate, turned over to law enforcement. The student and his/her parent or guardian shall be notified of any unauthorized item belonging to the student/family that has been found and turned over to law enforcement officials.

Students and their parents and guardians shall be informed of this policy and the specific provisions related to locker searches through the student handbook.

**Legal References:**

**Wisconsin Statutes**

- [Section 118.32](#) [strip search by school employees]
- [Section 118.325](#) [locker searches]
- [Section 118.45](#) [testing students for the presence of alcohol; policy required]
- [Section 948.50](#) [criminal penalties; strip search by school employees]
- [Section 995.55\(3\)](#) [access to personal Internet accounts of students]

**Federal Laws**

[U.S. Constitution, 4<sup>th</sup> Amendment](#) [protection from unreasonable search and seizure]

*Adopted:* \_\_\_\_\_ *October 12, 1998*

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