



Book	Policy Manual
Section	400 Series: Students
Title	Student Search Activities
Code	446 Student Searches
Status	Active
Adopted	January 15, 2020

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.
- Search of Students and/or Their Personal Belongings – District staff may conduct a search of a student or the student’s personal belongings (e.g., backpacks) when the student voluntarily consents to the search or where there is reasonable suspicion that the student has in his/her possession items that violate the law, Board policies or school rules. The search shall be conducted in a reasonable manner and must not be overly intrusive in light of the age and sex of the student and nature of the infraction. Searches of a student’s person or personal belongings should generally be conducted outside the presence of other students. No District official, employee, or person acting as an agent of the District shall conduct a strip search of a 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. A student’s privilege of obtaining a permit to park a vehicle on school premises during the school day is conditioned on him/her signing a written acknowledgment that the vehicle is subject to any such search supported by reasonable suspicion.
- 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

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

### Federal Laws

<a href="#">U.S. Constitution, 4th Amendment</a>	[protection from unreasonable search and seizure]
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## Cross References

Student Handbook

WASB PRG 446 Sample Policy 2