

## Searches and Seizures

The following school policy was adopted by the Board of Education on August 9, 2004.

### Searches and Seizures - Vehicle, Lockers and Student

446

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

#### Vehicles

Parking on school property is a privilege, not a right. Searches of a vehicle located on District property, including searches of student's personal property located within the vehicle, may be conducted when school personnel have a reasonable suspicion to believe that illegal or unauthorized materials are contained inside. Searches may also be conducted without reasonable suspicion if school officials have reasonable grounds to suspect that the search will reveal evidence of violation of either the law or school rules. Students are responsible for the contents of their vehicles.

#### Lockers and Desks

The school provides lockers for students' convenience to be used solely and exclusively for the storage of outer garments, footwear, and school-related material. The school retains ownership and possession control over all school lockers. Lockers are the sole property of the District and are always under the control of its agents.

Students are prohibited from putting private locks on their assigned lockers. School authorities for any reason may conduct periodic general or, random inspections of lockers and desks at any time, without notice, without student's consent, and without a search warrant. Principals, teachers, custodians, secretaries, educational assistants, teacher aides, and other administrative personnel may conduct searches as part of their overall responsibilities.

#### Student's Person and/or Personal Belongings

While school officials are statutorily prohibited from conducting strip searches, student and/or their personal belongings may be subject to search if school officials have reasonable grounds to suspect that the search will reveal evidence of violations of either the law or school rules. The scope of the search must not be excessively intrusive and should take into consideration the age and sex of the student and the severity of the alleged violation involved

Principals shall provide a copy of this policy to each student enrolled via the student handbook or other means annually.

Legal Ref.: Sections 118.32 Wisconsin Statutes

118.325

948.50

U.S. Supreme Court Decision - New Jersey v T.L.O. (105 S. Ct. 733, 1985)

Wisconsin Court of Appeals Decision - In re. L.L. (90 Wis. 2d 585, 280 N.W. 2d 343, 1979)

Wisconsin Supreme Court decision - In the interest of Angelia D.B. (Czse No. 95-3104)

CROSS REF: 445, Student Interview and Arrest

Approved: September 14, 1987

Revised and Approved: November 12, 1990

Revised and Approved: June 10, 2002

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