

Series 500 – Student Personnel

Policy Title: SEARCH AND SEIZURE

Policy Code No. 502.7

School district property is held in public trust by the Board of Directors. School district authorities may, without a search warrant, search students, protected student areas based on a reasonable suspicion that a school district policy, rule, regulation or law has been violated. "Protected student area" is defined as: a student's body; clothing worn or carried by the student; or a student's pocketbook, briefcase, duffel bag, bookbag, backpack, knapsack or any other container used by a student for holding or carrying personal belongings of any kind and in the possession of immediate proximity of the student. School officials will notify students when the student's protected student area has been searched. This notice will be either prior to the search or as soon as reasonably practicable after the search. The search shall be in a manner reasonable in scope to maintain order and discipline in the schools, promote the educational environment, and protect the safety and welfare of students, employees and visitors to the school district facilities. The furnishing of a locker, desk or other facility or space owned by the school and provided as a courtesy to a student, even if the student provides the lock for it, shall not create a protected student area and shall not give rise to an expectation of privacy with respect to the locker, desk, or other facility.

School authorities may seize any illegal, unauthorized or contraband materials discovered in the search. Items of contraband may include, but are not limited to, nonprescription controlled substances, marijuana, cocaine, amphetamines, barbiturates, apparatus used for controlled substances, alcoholic beverages, tobacco, weapons, explosives, poisons and stolen property. Such items are not to be possessed by a student while they are on school district property or on property within the jurisdiction of the school district; while on school owned and/or operated school or chartered buses; while attending or engaged in school activities; and while away from school grounds if misconduct will directly affect the good order, efficient management and welfare of the school district. Possession of such items will be grounds for disciplinary action including suspension or expulsion and may be reported to local law enforcement officials. The Board of Directors believe that illegal, unauthorized or contraband materials may cause material and substantial disruption to the school environment or presents a threat to the health and safety of students, employees, or visitors on the school district premises or property within the jurisdiction of the school district.

It shall be the responsibility of the superintendent, in conjunction with the principals, to develop administrative regulations for this policy.

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Legal Ref.: U.S. Const. amend. IV. New Jersey v. T.L.O., 469 U.S. 325 (1985).
Cason v. Cook, 810 F.2d 188 (8th Cir. 1987), cert. den., 482 U.S. 930 (1987).
Iowa Code ch. 808A (Supp. 1997).
281 I.A.C. 12.3 (8).

Cross Ref.: