



# RIVER VALLEY SCHOOL DISTRICT

660 West Daley Street

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Spring Green, Wisconsin 53588

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Phone: 608-588-2551

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## **Search of Students and/or Their Property**

The River Valley School District recognizes its responsibility to provide students and staff with a safe environment that is conducive to learning. Students are entitled to the guarantees of the fourth amendment, and they are subject to reasonable searches and seizures. When necessary and appropriate, School Officials are empowered to conduct searches of students and/or their property (including automobiles) when they have reasonable suspicion that students may be in possession of drugs, weapons, alcohol and other materials (“contraband”) in violation of district policy, school rules or state law.

It is the intent of this policy to establish guidelines for student searches. For the purpose of this policy, “School Officials” include the District Administrator, building principals, other school employees designated by the District Administrator or building principal, and the school liaison officer. Other law enforcement officers at the request of or in cooperation with school authorities may be involved in the search as necessary.

Any unauthorized item found during a search may be confiscated. Items confiscated may be held by the school for return to the parent/guardian of a minor student, or to an adult student. If unauthorized items involve a violation of school policies, rules, or laws, such items may be 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 to be retained by the District and/or turned over to law enforcement officials.

A record shall be kept of all searches, including the reason for the search and the findings. The documentation may be used in subsequent school discipline or legal action.

### **A. Lockers and Other School Property**

The school board retains ownership and possessory control of all pupil lockers at all times and thus retains the right to conduct searches. Students should not expect privacy regarding items placed in school property.

The District expressly reserves the right to search lockers with or without reasonable suspicion of a violation of the District's substance abuse policy, other school policies, or state law. Student lockers and other school property are subject to search at any time by school officials, without the consent of the student, without notifying the student, and without obtaining a search warrant.

### **B. Personal Searches**

Searches of a student or the student's personal belongings (e.g. backpack) may be made when 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 gender of the student and nature of the infraction. Searches of a student's person or personal belongings should be conducted outside the presence of other students to the extent possible. This search shall be conducted by a school official and at least one other person.

Personal searches may include the use of a metal detector(s).

#### C. Strip Searches

Strip searches are not allowed under any circumstances.

#### D. Searches of Vehicles

District parking lots are the property of the district, and parking in District lots subjects students using them to District rules. Vehicles parked on school property, including non-motorized vehicles or bicycles, may be subject to searches. A vehicle search may be conducted by school officials where reasonable suspicion exists that the vehicle may contain items or substances which violate school rules, policies, or the law.

#### E. Canine Searches

Searches by dogs specially trained for drug detection may be conducted by law enforcement officials on school grounds. These searches will be scheduled by school officials on a random, unannounced basis. Students face prosecution if drugs or illegal contraband are discovered. Lockers and vehicles parked on school property will be searched. The student's person and personal belongings carried by students will not be searched unless reasonable suspicion exists that a school policy or law has been violated. The canine searches may be conducted during school hours.

A copy of this policy will be distributed annually by inclusion in the Student or Student/Parent Handbook.

LEGAL REF.:       Section 118.325 Wisconsin Statutes  
                      Section 118.32 Wisconsin Statutes  
                      Section 948.50 Wisconsin statutes  
                      U.S. constitution, 4<sup>th</sup> Amendment

CROSS REF.:       Policy #443.3 - Drug and Alcohol Prohibitions  
                      Policy #443.4 - Dangerous Weapons in the Schools

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