

## Students

### Search and Seizure- Regulation

#### Prohibited Items

Students are prohibited from bringing to school items or substances which would disrupt the educational function of the school or which are prohibited by Board policy, regulations or by law. Examples of items or substances in this category are weapons; including firearms, knives or clubs; explosives; firecrackers; alcoholic beverages; non prescription drugs and/or drug paraphernalia; poisons; or stolen property.

#### Lockers and Other School Property

Lockers and other storage spaces are provided to students for their convenience. These storage areas remain school property, and as such, are subject to periodic inspections by school authorities. The purpose of such inspections is not to collect evidence of wrong doing on the part of a single student, but rather to allow school authorities responsible for the appropriate use of school property the opportunity to confirm that lockers are being used in a manner consistent with the health and safety of all students. Students should not store items in lockers which violates Board policy or regulations or the law. Student lockers are for the exclusive use of the designated student, the sharing of lockers is not condoned.

#### Emergencies

Circumstances which put the safety of students or school staff at risk or could result in substantial property damage also will constitute sufficient reasons for school or police officials to conduct a thorough search of all school property. A bomb scare is an example of such an emergency.

#### Student Searches

School authorities are authorized to conduct searches of students or their property when reasonable suspicion indicates that a particular student is in possession of an item or a substance that represents a material threat to school routine or is prohibited by Board policy, regulations or by law. Student property shall include, but not be limited to, purses, knapsacks, book bags, overcoats and jackets, footwear, belts, pockets, hair, hats and motor vehicles. If students do not have access to their motor vehicles during school hours, the justification for searching student-operated motor vehicles is removed. School authorities in cooperation with the local police department reserve the right to conduct sniff searches with dogs of school property and student-operated motor vehicles.

Students (continued)Search and Seizure (continued)Police Notification

School authorities will cooperate with the appropriate law enforcement agencies in investigations of incidents on school property, or at other sanctioned school activities, and in other investigations as outlined in Board policy and regulations.

Lockers and Other School Property (Desks)

1. The building principal or his/her designee shall maintain an accurate list of all locker assignments and either a master key or combinations to all lockers.
2. The use of lockers and other storage areas by pupils is a privilege. At all times such storage areas shall remain the property of the Brookfield Public Schools. Each student shall be responsible for maintaining any storage area assigned to him/her for his/her use in an orderly and sanitary condition.

If the school administration reasonably suspects that a student is not maintaining a storage area assigned to him/her in a sanitary condition, it has the right to open and examine the storage area and to seize any such items that are found.

3. Students also will be informed of the following locker regulations:
  - A. Students are responsible for the contents of the locker assigned to them.
  - B. Students are to keep their lockers locked.
  - C. Students are not to give other students access to their locker
4. The exercise of that right to inspect also requires protection of each student's personal privacy and protection from coercion. An authorized building administrator may search a student's desk or locker under the following conditions:
  - A. When the building principal or his/her designee believes that the search is justified at its inception and is reasonably related in scope to the circumstances which justify it.
  - B. There are reasonable grounds to believe that the search will reveal evidence that a student has violated or is violating either school rules or laws. The search of a group of students' desks or a group of students' lockers where no particular student within the group is suspected may be conducted only if there is a reasonable suspicion of conduct immediately harmful to students, staff or school property.

Students (continued)

Search and Seizure (continued)

Prescription drugs

Students who have a legitimate need to bring prescription drugs to school must leave such drugs with the school nurse and these drugs shall be taken in the presence of the nurse.

Lost or Abandoned Items

Lost or abandoned items will be inspected by school authorities.

Student Searches

1. All searches of students shall be conducted or authorized by the building principal or his/her designee, in the presence of a witness.
2. When the need to search a student arises, the Students may be asked to give consent for the to the searches, but in no event shall the student be threatened with harsher punishment or treatment for refusing to consent, nor shall the student be coerced or induced to give consent in any other manner. The consent, if given, shall be put in writing. If the student is unwilling to give free and voluntary consent, the building administrator principal or his/her designee may order the student to submit to a search. If consent is refused, the student shall be subject to the District's policy 5114, Removal/Suspension and Expulsion/Due Process (and may be subject to a further appropriate search.)
3. Searches should be no more intrusive than necessary to discover that for which the search was instigated.
4. A search of a student's handbag, gym bag or similar personal property carried by a student may be conducted if there is "reasonable grounds" for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school.
5. Locker searches shall be conducted in the presence of another staff member and in the presence of the student responsible for the contents of the locker, if possible.
6. Searches may include, if school authorities think necessary, a frisk or pat down of student clothing. Frisk or pat down searches shall be conducted by a member of the same sex as the student and in the presence of another staff member.

Students (continued)

Search and Seizure (continued)

Student Searches (continued)

7. At no time should school officials conduct a search which requires a student to remove more clothing than his/her shoes or jacket. If school authorities are convinced that a more intrusive search is required to expose prohibited items they should advise the proper law enforcement agency.
8. A search of a student's person, or a search of a group of students where no particular student within the group is suspected, may be conducted only if there is a reasonable suspicion of conduct immediately harmful to students, staff or school property. "Strip searches" of students are prohibited by employees of the Brookfield Public Schools.
9. Student searches which disclose evidence of school misconduct, but not criminal misconduct, should be treated according to applicable policies and/or regulations
10. In the event that a student search discloses evidence of criminal wrongdoing, the building administrator or designee shall determine whether or not police officials should be notified of the results of the search. If police officials are notified the student's parents shall be advised of this fact as soon as possible.

Student Notification

Students shall be informed annually that Board policy allows student search and school desk/locker search.

Legal Reference: Connecticut General Statutes

10-221 Boards of Education to prescribe rules.  
*New Jersey v. T.L.O.*, 53 U.S.L.W. 4083 (1985)  
PA 94-115 An Act Concerning School Searches.  
(cf. 5141.21 - Administration of Medication)

Regulation  
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BROOKFIELD PUBLIC SCHOOLS  
Brookfield, Connecticut