

AP 3307: Searches of Students

Background

The district is committed to providing a safe and caring school environment that is conducive to effective learning and to providing for the safety and security of students while those students are in its care and custody. The district authorizes searches by school or district authorities as a means to achieve this objective and eliminate the possession of, and trafficking in, illegal substances or the possession of any stolen property or any object or material that may pose a hazard, within a school or on property owned by the district.

Procedures

1. Searches will be conducted in a manner that ensures that the rights of the student are protected.
2. The school reserves the right to search at any time without notice school lockers and any school furniture or fixtures capable of being used for storage.
3. The principal or designate will communicate to students and families at the start of each school year that searches may occur without notice under the direction of the principal or designate.
 - 3.1 If the principal or designate plans to implement school-wide locker searches, this is to also be clearly stated.
 - 3.2 It must be clarified that students acquire only the right to use a locker and a lock, both of which remain the property of the district.
4. Students shall be advised at the time they are assigned a locker of the following rules and conditions of use under which the locker is assigned:
 - 4.1 Students are responsible for the locker which is assigned to them, and the locker is not to be used by any other person(s) than those assigned.
 - 4.2 Only school locks may be used on student lockers and the combination of the lock must be registered at the office.
 - 4.3 No illegal substances, weapons or other prohibited or offensive material are to be placed in school lockers.
 - 4.4 District staff may search student lockers at any time and without prior notice in order to ensure compliance with the conditions of use and other school procedures and rules. It is recommended that an additional staff member or district staff be present when a locker is searched, except in an emergency situation.
 - 4.5 Permission to use a locker may be terminated without advance notice where a student does not comply with the conditions of use or school policies or rules.

5. If any student has reason to believe that any locker contains anything which would threaten the safety of other students, staff or any other person, that student is expected to immediately report the information to a teacher, vice-principal or principal or designate. The name of the student making the report will be kept confidential.
6. The principal or designate shall assess any information provided and relate it to the situation in the school to determine if reasonable grounds are present to justify a search. The following may constitute reasonable grounds in this context:
 - 6.1 Information received from one (1) or more students considered to be credible;
 - 6.2 Information from a teacher or other staff member based on a teacher's or other staff member's observations; or
 - 6.3 Information from the principal's or designate's own observations.
7. When practicable to do so, the principal or designate shall attempt to have the student present when a locker, desk or other assigned storage facility is searched.
8. If the search reveals evidence of suspected criminal activity, the principal or designate shall immediately secure the locker or other storage facility by any means considered advisable, including use of a different lock, and will immediately contact the local police and Assistant Superintendent.
9. The principal or designate shall record, in writing, the reasons for conducting the search, the result of the search and any action taken as a result. The principal or designate shall keep the record in a secure location and the identity of any informant(s) shall be kept confidential.
10. When there are reasonable grounds to believe that school procedures or rules or district policies or administrative procedures have been violated, the principal or designate may direct a student to satisfy that they are not carrying or concealing prohibited materials. School personnel may not conduct a physical search of a student.
 - 10.1 When the principal or designate determines that there are reasonable grounds to believe that a search is necessary, in accordance with this administrative procedure, which involves a physical search of articles carried with, by, or on the student's person, the student and any suspect property are to be taken to a private area where the search can be conducted in private.
 - 10.2 When a search is determined to be necessary, the principal or designate shall ensure that at least two (2) district staff members are present during the search and shall ensure that gender concerns are addressed.
 - 10.3 When there are reasonable grounds to believe that a search is advisable, the principal or designate may direct a student to empty their purse, knapsack or any other carrying device and to empty their pockets or otherwise satisfy that clothing, or such other mentioned items, does not contain or conceal prohibited materials.

- 10.4 In the event that a physical search of the student's person is necessary, the police shall be called in and the parent(s) or guardian(s) shall be notified.
 - 10.5 In the event that the student refuses to cooperate with the search and/or leaves the school, the police shall be called in and the parent(s) or guardian(s) shall be notified. The principal or designate may suspend the student.
 - 10.6 When a search conducted reveals evidence of suspected criminal activity, the principal or designate shall require the student to remain under supervision and shall immediately contact the police.
 - 10.7 The principal or designate shall record, in writing, the reasons for conducting the search, the results of the search and the action taken. The principal or designate shall keep the record in a secure location and the identity of any informant(s) shall be kept confidential.
11. Students, parent(s) or guardian(s) and the school community will be informed of the district's position on searches by school authorities and the police.
 12. In the event that a search results in the finding of illegal substances, weapons, explosives or stolen property, the principal or designate must follow procedures related to Threat Assessment if necessary and contact the Manager of Safe Schools.