

## SEARCH AND SEIZURE

The Western Wayne School Board recognizes its obligation to balance the privacy rights of its students with its responsibility to provide student, faculty, and authorized visitors with a safe, hygienic, and alcohol/drug-free learning environment.

Searches pursuant to this policy shall be permitted in all situations in which the student is under the jurisdiction of the Board as defined by I.C. 20-33-8-14, including:

1. On school grounds immediately before or during school hours, or immediately after school hours, or at any other time when the school is being used by a school group;
2. Off school grounds at a school activity, function, or event; or
3. Traveling to or from school or a school activity, function, or event.

### **School Property**

School facilities, such as lockers and desks, are school property provided for student use subject to the right of the Superintendent and his/her designee to enter the facility as needed and inspect all items in the facility search. Students shall not have an expectation of privacy in any facility provided by the school and shall not be permitted to deny entry to a Corporation administrator by the use of a lock or other device.

### **Student Person and Possession**

To combat escalating school violence and the potential presence of weapons in schools, the Board has authorized the use of metal detector wands to detect firearms, knives, and other weapons.

In accordance with the School's Administrative Guidelines, all students may be subject to screening. Metal detector screenings of students and their possessions shall be conducted in an orderly and safe manner, consistent with industry standards for use of the detectors, and consistent with minimizing intrusion into students' privacy rights. Students and their personal possessions shall be screened by Corporation employees using a hand-held metal detector wand owned by the Corporation. Consistent scanning techniques shall be used for each student.

Permission for a student to bring a vehicle on school property shall be conditioned upon consent of the search of the vehicle and all containers inside the vehicle by a school administrator with reasonable suspicion to believe the search will produce evidence of a violation of law, a school rule, or a condition that endangers the safety or health of the student driver or others. The student shall have no expectation of privacy in any vehicle or in the contents of any vehicle operated or parked on school property.

The Superintendent may request the assistance of a law enforcement agency in implementing this aspect of this policy. Where law enforcement officers participate in a search on school property or a school activity pursuant to a request from the Superintendent, the search shall be conducted by law enforcement officers in accordance with the legal standards applicable to law enforcement officers.

Administrators are authorized to arrange for the use of breath-test instruments for the purpose of determining if a student has consumed an alcoholic beverage. It is not necessary for the test to determine blood-alcohol level, since the Board has established a zero-tolerance for alcohol use.

### **Use of Dogs**

The Board authorizes the use of specially trained dogs to detect the presence of drugs or devices such as bombs on school property under the conditions established in the Superintendent's administrative guidelines.

Anything found in the course of a search pursuant to this policy which constitutes evidence of a violation of a law or a school rule or which endangers the safety or health of any person shall be seized and utilized as evidence if appropriate. Seized items of value shall be returned to the owner of the items if the items may be lawfully possessed by the owner. Seized items of no value and seized items that may not lawfully be possessed by the owner shall be destroyed.

The Superintendent shall promptly record in writing the following information for each search pursuant to this policy:

1. The information upon which the search was based
2. The time, date, location, students, or places searched, and persons present
3. A description of any item seized and its disposition
4. The time and date of notice to the parent or guardian in the case of the search of the person of a student

The Superintendent shall prepare administrative guidelines to implement this policy.

I.C. 20-33-8-32

U.S. Constitution, 4th Amendment

Western Wayne Schools, Wayne County, Indiana

Revised: December 11, 2019