



JIH - SEARCHES

To maintain order and discipline in the schools and to protect the health, safety and welfare of students and school personnel, school authorities may search a student, a student's personal effects, student lockers, desks or storage areas, or automobiles under the circumstances outlined below and may immediately take possession of any illegal, unauthorized or contraband materials discovered in the search.

As used in this policy, the term "unauthorized" means any item dangerous or detrimental to the health, safety or welfare of students or school personnel; disruptive of any lawful function, mission or process of the school; or any item described as unauthorized in then-current school rules or District policies.

A student's failure to permit lawful searches and seizures as provided in this policy will be considered grounds for disciplinary action.

PERSONAL SEARCHES

A student's person and/or personal effects in his/her possession (e.g., purse, book bag, etc.) may be searched whenever a school authority has reasonable suspicion to believe that the student is in possession of illegal or unauthorized materials.

If a pat-down search of a student's person is conducted, it will be conducted in private by a school official of the same sex and with an adult witness present, except that under exigent circumstances a search may be conducted by a same sex school official alone, without a witness present.

If the administrator has reasonable cause to believe that a more intrusive search is required, searches of the person of a student which require removal of clothing other than a coat, jacket or shoes shall be referred to and conducted by a law enforcement officer, and school personnel will not participate in such searches.

USE OF METAL DETECTORS

When the administration has reasonable cause to believe that weapons are in the possession of students or adults at school or in other District buildings, when there has been a pattern of weapons found at school or in other District buildings, or when violence involving weapons has occurred at school or other District buildings, the administration shall be authorized to use stationary or mobile metal detectors in accordance with state and federal law. Any search of a student's person as a result of the activation of the detector shall not be conducted in front of other students, shall be conducted as privately as possible, and shall be in accordance with applicable laws on personal searches.

Any non-student adult entering a District building when any of the above conditions have been found to exist may be required to consent to the use of a stationary or mobile metal detector before entering. Any non-student adult refusing such consent may be refused admittance onto the school grounds or may be subject to supervision while on District property.

LOCKER SEARCHES

Student lockers are school property and remain at all times under the control of the school; however, students are expected to assume full responsibility for the contents and security of their lockers. General inspections of locker contents may be conducted by school authorities for any reason at any time without notice, without student consent, and without a search warrant.

AUTOMOBILE SEARCHES

Each school retains the authority to patrol its student parking lots, and all vehicles parked in student lots are subject to sniffs by dogs trained to alert at the scent of drugs, explosives and other contraband. In addition, the interiors and trunks of all vehicles parked by students at school may be searched upon reasonable suspicion that they contain items or substances which it is illegal for students to possess and/or items or substances which District policy or regulations prohibit from being on school property. Failure to allow the search of a vehicle's interior or trunk under these circumstances will result in the student's automatic loss of the privilege of parking at school for at least the remainder of the academic year.

EVIDENCE SEIZED IN A SEARCH

Any item found in the course of a search conducted in accordance with District policy and determined to be evidence of a violation of District policy, school rules, or federal, state or local laws shall be immediately seized and tagged for identification. Such evidence will be kept in a secure place by the principal or principal's designee. If such evidence is determined to concern a violation of the law, the principal or designee shall promptly contact a law enforcement officer to pick up the evidence. Otherwise, the evidence shall be maintained by the principal or principal's designee until it is no longer needed as evidence in a school disciplinary hearing, at which time it will be returned to the parent, guardian or legal custodian of the student from whom it was seized.

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LEGAL REF:
C.R.S. 22-32-109.1(2)(a)(VIII)

CROSS REFS:
ADD, Safe Schools
JLIE, Student Vehicle Use and Parking