

STUDENTS**Search and Seizure**

For the safety and supervision of students in the absence of parent(s)/guardian(s), to maintain discipline and order in schools, and to provide for the health, safety and welfare of students and staff, school authorities are authorized to conduct searches of students and their personal effects, as well as District property. "School authorities" include administrators and school liaison police officers.

School authorities may inspect and search school property and equipment owned or controlled by the school (such as, lockers, desks, and parking lots), as well as personal effects left there by a student, without notice or the consent of the student in accordance with this policy. Students have no reasonable expectation of privacy in these places.

The Superintendent, or designee, may request the assistance of law enforcement officials for conducting reasonable searches of students and school property, including searches utilizing trained dogs to search for illegal drugs, weapons or other illegal or dangerous substances or materials.

Students and Their Personal Effects

School authorities may search a student and/or the student's personal effects (e.g., purses, wallets, knapsacks, book bags, lunch boxes, etc.) when there are reasonable grounds for suspecting that the search will produce evidence the particular student has violated or is violating either the law or the District's student conduct rules. The search itself must be conducted in a manner which is reasonably related to its objectives and not excessively intrusive in light of the age and sex of the student and the nature of the infraction.

When feasible, the search should be conducted as follows:

- Outside the view of others, including students;
- In the presence of a school administrator or adult witness;
- By an administrator, or school liaison police officer of the same sex.

If appropriate, the parent(s)/guardian(s) of the student shall be notified of the search as soon as possible.

Student Vehicles and Personal Effects Left Therein

School administrators and / or school liaison police officers may search a student vehicle while on school grounds or in an area reserved for school parking, when there are reasonable grounds for suspecting that the search will produce evidence that the student has violated or is violating the law or the District's student conduct rules. The scope of the search shall be reasonably related to its objectives. Whenever possible, the student shall be notified of the search and shall be present during the search of the student's vehicle. School personnel may seize any item that was the subject of the search as well as any item in plain view, if the item violates either the law or student conduct rules or is evidence of such. If a student refuses to cooperate and permit his vehicle to be searched, school officials may contact law enforcement personnel to enter the vehicle. A failure by a student to cooperate may be grounds for discipline.

School Property and Personal Effects Therein

School property and equipment including, but not limited to, desks, lockers, and computers, are owned and controlled by the District and may be searched by school authorities at any time. Additionally, any personal effects left behind in those areas by students may be searched by school authorities when there are reasonable grounds for suspecting that the search will produce evidence the particular student has violated or is violating either the law or the District's student conduct rules. School authorities are authorized to conduct area-wide, general administrative inspections of school property (e.g., searches of all student lockers) without notice to or consent of the student and without a search warrant.

Student Accounts or Profiles on Social Networking Websites

The Superintendent or designee shall notify students and their parents/guardians of each of the following in accordance with the Right to Privacy in the School Setting Act, 105 ILCS 75/:

1. School officials may not request or require a student or his/her parent/guardian to provide a password or other related account information to gain access to the student's account or profile on a social networking website.
2. School officials may conduct an investigation or require a student to cooperate in an investigation if there is specific information about activity on the student's account on a social networking website that violates a school disciplinary rule or policy. In the course of an investigation, the student may be required to share the content that is reported in order to allow school officials to make a factual determination.

Seizure of Property

If a search produces evidence that the student has violated or is violating either the law or the District's policies or rules, such evidence may be seized and impounded by school authorities, and disciplinary action may be taken. When appropriate, such evidence may be transferred to law enforcement authorities.

LEGAL REF.: 105 ILCS 5/10-20.14, 5/10-22.6, 5/10-22.10a.

Right to Privacy in the School Setting Act, 105 ILCS 75/.

Cornfield v. Consolidated High School Dist. No. 230, 991 F.2d 1316 (7th Cir., 1993).

People v. Dilworth, 169 Ill.2d 195 (1996), *cert. denied*, 116 S.Ct. 1692 (1996)..

People v. Pruitt, 278 Ill.App.3d 194 (1st Dist. 1996).

T.L.O. v. New Jersey, 469 U.S. 325 (1985).

Vernonia School Dist. 47J v. Acton, 515 U.S. 646 (1995).

Safford Unified School Dist. No. 1 v. Redding, 557 U.S. 364 (2009).

CROSS REF.: 7:130 (Student Rights and Responsibilities), 7:150 (Agency and Police Interviews),
7:190 (Student Discipline)

Revised: January 12, 2015

Adopted: January 26, 2015

Revised: February 8, 2016

Adopted: March 14, 2016

Reviewed/Approved: January 11, 2021