

Bigfork School District # 38

STUDENTS

3231P

Searches and Seizure

The following rules shall apply to any searches and the seizure of any property by school personnel:

1. The Superintendent, principal, and the authorized assistants of either shall be authorized to conduct any searches or to seize property on or near school premises, as further provided in this procedure.
2. If the authorized administrator has any reasonable suspicion to believe that any locker, car or other container of any kind on school premises contains any item or substances, which constitutes an imminent danger to the health and safety of any person or to the property of any person or the District, the administrator is authorized to conduct a search of any car or container and to seize any such item or substance

The authorized administrator may perform random searches of any locker, car or container of any kind on school premises without notice or consent.

3. If the authorized administrator has any reasonable suspicion to believe that any student has any item or substance in his/her possession, which constitutes an imminent danger to the property of any person or the District, the administrator is authorized to conduct a search so long as the search is reasonable and not excessively intrusive.
4. No student shall hinder, obstruct or prevent any search authorized by this procedure.
5. Whenever circumstances allow, any search or seizure authorized in this procedure shall be conducted in the presence of at least one (1) adult witness, and a written record of the time, date, person present and results shall be made by the administrator. A copy shall be forwarded to the Superintendent as soon as possible.
6. In any instance where an item or substance is found which appears to be in violation of the law, the circumstance shall be reported promptly to the appropriate law enforcement agency.
7. In any situation involving contracted or chartered buses, the driver of the vehicle shall contact a school administrator or designated school official for direction or assistance.
8. The minimum standard for conducting a search is reasonable suspicion that a district policy or statutory violation has occurred. Searches of students must be reasonable and conducted in a manner which is not excessively intrusive.

Promulgated: February 14, 2001

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