

## **Corvallis School District**

### **STUDENTS**

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#### Searches and Seizure

The goal of search and seizure with respect to students is meeting the educational needs of children and ensuring their security. The objective of any search and/or seizure is not the eradication of crime in the community. Searches may be carried out to recover stolen property, to detect illegal substances or weapons, or to uncover any matter reasonably believed to be a threat to the maintenance of an orderly educational environment. The Board authorizes school authorities to conduct reasonable searches of school property and equipment, as well as of students and their personal effects, to maintain order and security in the schools.

The search of a student, by authorized school authorities, is reasonable if it is both: (1) justified at its inception, and (2) reasonably related in scope to the circumstances which justified the interference in the first place.

School authorities are authorized to utilize any reasonable means of conducting searches, including but not limited to the following:

1. A “pat down” of the exterior of the student’s clothing;
2. A search of the student’s clothing, including pockets;
3. A search of any container or object used by, belonging to, or otherwise in the possession or control of a student; and/or
4. Devices or tools such as breath-test instruments, saliva test strips, etc.

The “pat down” or “search” of a student, if conducted, will be conducted by a school official or employee of the same gender as the student being searched.

#### School Property and Equipment and Personal Effects of Students

School authorities may inspect and search school property and equipment owned or controlled by the District (such as lockers, desks, and parking lots).

The Superintendent may request the assistance of law enforcement officials of specially trained dogs, to conduct inspections and searches of lockers, desks, parking lots, and other school property and equipment for illegal drugs, weapons, or other illegal or dangerous substances or material.

#### Students

School officials may search any individual student, his/her property, or District property under his/her control, when there is a reasonable suspicion that the search will uncover evidence that he/she is violating the law, Board policy, administrative regulation, or other rules of the District or the school. Reasonable suspicion shall be based on specific and objective facts that the search

will produce evidence related to the alleged violation. The types of student property that may be searched by school officials include but are not limited to lockers, desks, purses, backpacks, student vehicles parked on District property, cellular phones, or other electronic communication devices.

Students may not use, transport, carry, or possess illegal drugs or any weapons in their vehicles on school property. While on school property, vehicles may be inspected at any time by staff, or a third party designee directed by the district administration, or by contractors employed by the District utilizing trained dogs, for the presence of illegal drugs, drug paraphernalia, or weapons. The student's vehicle will be searched in the event that the District has reason to believe or has been alerted by trained dogs of the presence of drugs, drug paraphernalia, or weapons.

By parking in the school parking lots, the student consents to having his/her vehicle searched if the school authorities have any reasonable suspicion to believe that a violation of school rules or policy has occurred.

#### Seizure of Property

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

Legal Reference:     *Safford Unified School Dist. No. 1 v. Redding*, \_\_\_\_\_ U.S. \_\_\_\_\_, 129 S.Ct. 2633 (2009)  
                              *Terry v. Ohio*, 392 U.S. 1, 20 (1968)  
                              *B.C. v. Plumas*, (9th Cir. 1999) 192 F.3d 1260

#### Policy History:

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