

Board Policy - Search and Seizure
Board Policy - 5145

BRIDGESchool Board is fully committed to promoting a safe learning environment and, to the extent possible, eliminating the possession and use of weapons, illegal drugs, and other controlled substances by students on school premises and at school activities. As necessary to protect the health and welfare of students and staff, school officials may, while on school premises and at school activities, search students, their property, and/or school property under their control and may seize illegal, unsafe, or otherwise prohibited items.

Employees are to exercise discretion and good judgment when conducting a search or seizure, and shall act in accordance with all applicable laws, school policies, and administrative regulations.

The Director or designee shall ensure that staff members who conduct student searches receive training regarding the requirements of administrative regulations and other legal issues, as appropriate.

Individual Searches

School officials may search any individual student, his/her property, or school 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 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, cellular phones, or other electronic communication devices.

Any search of a student, his/her property, or school property under his/her control shall be limited in scope and designed to produce evidence related to the alleged violation. Factors to be considered by school officials when determining the scope of the search shall include the danger to the health or safety of students or staff, such as the possession of weapons, drugs, or other dangerous instruments, and whether the item(s) to be searched by school officials are reasonably related to the contraband to be found. In addition, school officials shall consider the intrusiveness of the search in light of the student's age, gender, and the nature of the alleged violation.

Searches must be conducted in compliance with Education Code 49050.

Searches of individual students must be conducted in the presence of at least two school employees.

The Director or designee shall notify the parent/guardian of a student subjected to an individualized search as soon as possible after the search.

Searches of Multiple Student Lockers/Desks

All student lockers and desks are the property of the school. The Director or designee may conduct a general inspection of school properties that are within the control of students, such as lockers and desks, on a regular, announced basis, with students standing by their assigned lockers or desks. Any items contained in a locker or desk shall be considered to be the property of the student to whom the locker or desk is assigned.

Use of Contraband Detection Dogs

In an effort to keep the schools free of dangerous contraband, the school may use specially trained, nonaggressive dogs to sniff out and alert staff to the presence of substances prohibited by law or Board policy.

The dogs will at all times while on school premises be under the care and control of authorized and trained law enforcement agents and may sniff the air around lockers, desks, or vehicles on school property. Dogs shall not sniff within the close proximity of students or other persons and may not sniff any personal items on those persons without their consent.

Use of local law enforcement dogs will be priority.

Legal Reference:

EDUCATION CODE

32280-32289 School safety plans

35160 Authority of governing boards

35160.1 Broad authority of school districts

48900-48927 Suspension and expulsion

49050-49051 Searches by school employees

49330-49334 Injurious objects