



YOUNG SCHOLARS
CHARTER SCHOOL

Student Searches

Purpose

The Board of Directors ("Board") recognizes its obligation to protect the health, safety, and well-being of all students and staff and to promote a school environment conducive to learning. Accordingly, the Board authorizes the Chief Executive Officer (CEO) or designee to conduct searches, in accordance with law and consistent with the guidelines outlined herein, to effectuate the goals of this Policy.

Delegation of Responsibility

The CEO or designee shall be responsible for ensuring that parents/guardians are notified at least annually of the contents of this Policy, which may be accomplished via publication or reference in a student handbook or similar publication. The CEO or designee shall further be responsible for ensuring that prior to a search, students shall be notified and given an opportunity to be present, if required by law.

Guidelines

The CEO and designee(s) is/are authorized to conduct appropriate inspections and searches and to seize property on school premises as provided in these guidelines and consistent with applicable law.

Student Searches

The principal(s) or designee(s) shall open a student's locker for inspection at the request of a law enforcement officer upon presentation of a duly authorized search warrant or on the consent of the student.

Searches of students, including their lockers or other possessions may be conducted by authorized individuals when there is a reasonable suspicion that any item(s) in violation of Board Policies, school rules, or local, state, or federal law will be found, or if the individual has a reasonable suspicion that any item(s) contain materials that otherwise pose a threat to the health, welfare, or safety of students.

The principal(s) or designee(s) conducting a search is/are responsible for the safekeeping and proper retention/disposal of any substance, object, or material found to be improperly carried or stored on a student's person or in a student's locker or other belonging. In any instance where an item or substance is found or seized, the possession of which would appear to be in violation of the law, the circumstances shall be reported to the local police. Any contraband material seized should be properly marked and identified. Care should be taken to ensure that any seized material is properly secured until surrendered to the police.

Prior to a search, the student shall be notified and given an opportunity to be present. When school authorities have a reasonable suspicion that the item being searched contains materials that pose a threat to the health, welfare, or safety of students, such items may be searched without prior notice to the student.

When practical, the student's consent shall be sought prior to conducting any search. However, if the above detailed criteria are met, the student's lack of consent shall not prevent a search.

Reasonable efforts should be made to conduct any search or seizure in the presence of the individual involved and at least one other adult witness.

In addition to the reporting requirements detailed below, the principal or designee shall also report the results of a student search to the student's parent/guardian.

Special Note Regarding Cell Phones/Personal Electronic Devices: School officials who are authorized to conduct searches in accordance with this Policy who believe that reasonable suspicion exists that a student's cell phone or personally owned electronic device, text messages, call logs, voicemails, photos/files, or other data or activity contained in the device or any application therein contain evidence of a violation of Board Policy, school rules, or local, state, or federal law may seize the student's phone/device but shall not conduct any further search or inspection of the device or its contents. The local police shall be contacted in order to conduct any search/inspection permitted by law that is deemed appropriate under the circumstances.

General Searches

The CEO or designee may establish a schedule of periodic general locker inspections to protect the health, safety, and well-being of the School, students, and staff. Inspections may involve the entire school building or randomly selected portions of the building, and may also include parking lots and school grounds. The inspections may involve random canine sniff searches of random locations of school buildings or grounds, lockers, motor vehicles, backpacks, and other possessions. If a dog alerts on a student's locker or personal belongings, students will be subject to further searches, as permitted by law and this Policy. Police assistance will be requested, if deemed necessary or appropriate.

Any violations of Board Policy, school rules, or any code of conduct or student handbook that are discovered through such searches shall be addressed in accordance with Board Policy, established school procedures, or the appropriate student handbook/code of conduct.

The following criteria will be utilized in determining whether to authorize a general search:

1. The search may not be overly intrusive.
2. Consideration must be given to the students' privacy interests.
3. Students and parents/guardians must have been provided with notice that random general searches of the nature contemplated may take place during the school year.

Nothing in this Policy is meant to limit the CEO or designee from performing a general, unannounced search in an emergency situation or in connection with any imminent danger.

Reporting

After any search, notification shall be made as soon as possible by the individual conducting the search to the CEO or designee.

Approved 12/14/21