

SCHOOL SEARCHES

The Evangeline Parish School Board is the exclusive owner of any public school building and any desk or locker utilized by any student contained therein or any other area that may be set aside for the personal use of the students. Any teacher, principal, administrator, or school security guard employed by the School Board, having a reasonable belief that any public school building, desk, locker, area or grounds of any public school contains any weapons, illegal drugs, alcoholic beverages, nitrate based inhalants, stolen goods, or other items the possession of which is prohibited by any law, School Board policy, or school rule, may search either physically or with the use of metal detectors such building, desk, locker, area or grounds of said public school. Lockers that are locked shall be opened by the student upon request, or the school administrator shall be authorized to have the locker opened forcibly, when necessary. The acceptance and use of locker facilities or the parking of privately owned vehicles on school campuses by students shall constitute consent by the student/parent/legal guardian to the search of such locker facilities or vehicles by authorized school personnel. In addition, the School Board reserves the right to inspect or search at any time lockers, desks, or any facilities, objects, or vehicles on the school campus, or other areas used by students, for the purpose of enforcing compliance with any health, safety, or security policies, rules, or regulations. Any student not present during the search shall be informed of the search immediately thereafter.

Students, parents, and school employees shall be notified in writing at the beginning of each school year of the School Board's authority to conduct unannounced searches of students, lockers, automobiles, school employees, and any other person or object on School Board property and at school sponsored events. Signs of high visibility informing the general public of the School Board's authority to search shall be posted at entrances to all School Board buildings and facilities.

Upon finding any prohibited items, the student shall be automatically suspended and/or recommended for expulsion by school authorities, according to School Board discipline policies and provisions. Investigative facts and/or seized items shall be immediately turned over to the proper law enforcement officials when criminal violations are indicated.

WRITTEN RECORD OF SEARCH

Whenever any search is conducted pursuant to this policy, as soon as is reasonably practical a written record shall be made thereof by the school administrator/designee conducting the search and such record shall include the name of the student and/or person(s) involved, the circumstances leading to the search and the results of the search. This written, dated and signed record shall be filed and maintained in the school administrator's office, and a copy of it shall be sent to the Superintendent within five (5) days. The student(s) and parent(s)/guardian(s) shall be given a written receipt

for any item(s) seized and/or impounded by the school administrator/ designee.

No actions taken pursuant to this policy by any teacher, principal, administrator, or school security guard employed by the School Board shall be taken maliciously or with willful and deliberate intent to harass, embarrass or intimidate any student.

SEARCH OF VEHICLES

The School Board shall require students who bring vehicles on campus to register those vehicles and to provide the school authorities with a *consent to search* of such vehicle signed by the student, parents and/or owner of the vehicle. Any vehicle parked on School Board property may be searched without consent at any time by a school administrator/designee when such school administrator/designee has articulable facts which lead the school administrator/designee to a reasonable belief that weapons, dangerous substances or elements, illegal drugs, alcohol, stolen goods, or other materials or objects the possession of which is a violation of law, School Board policy or school regulations will be found. Searches may also be conducted to assure compliance with health, safety, and/or security laws, rules, or regulations. Such searches shall be conducted in the presence of the student whenever possible.

If the automobile is locked, the student shall unlock the automobile. If the student refuses to unlock the automobile, proper law enforcement officials shall be summoned and the student shall be subject to disciplinary action and may be banned from parking any vehicle on school property. Any student not present during the search shall be informed of the search immediately thereafter.

USE OF CANINES

The school administration is authorized to utilize canines, whose reliability and accuracy for sniffing out controlled substances, drugs, alcohol, guns, knives, weapons, or other materials or objects which are a violation of School Board policy have been established, to aid in the search for contraband or other prohibited items in school-owned property and vehicles parked on school property. Canines shall not be used to search students unless school officials have established independently that there is reasonable belief that the student possesses such items on his/her person. The canines must be accompanied by a qualified and authorized law enforcement handler who shall be responsible for the dog's actions. An indication by the dog that drugs, alcohol, weapons, or any other item of violation is present on school property or in a vehicle shall be reasonable cause for further search by school officials.

Random Searches

- A. The narcotics detection dog or search team shall be used to make random searches of any school facility or surrounding area.

- B. The narcotics detection dog or search team may be used to search a student's clothing and personal objects when these are separated from the student. At no time shall a student be asked to strip nude for purposes of a random search.
- C. Random searches on school campuses shall be conducted according to a plan or schedule to be agreed upon by the appropriate School Board administrator and the responsible law enforcement officer in charge of this program.
 - 1. The use of the narcotics detection dog at any particular school campus shall be unannounced and without forewarning. The law enforcement official in charge of the operation shall, however, report to the principal's office, properly identify themselves and state their purpose prior to any use of the narcotics detection dog on campus.
 - 2. The principal shall accompany the search team, if he/she so desires, at anytime the search is being conducted within the school campus for which he/she is responsible, unless he/she has been specifically notified by the Superintendent not to accompany the search team. The principal must, of course, accompany the search team if specifically ordered to do so by the Superintendent or his/her designee.

Procedure When Alcohol, Drugs or Contraband is Discovered During a Search

- A. Search of School Property
 - 1. If the narcotics detection dog alerts on a school locker or other property belonging to the School Board but being used by the student, the principal shall summon the student to such property. The student shall be informed of the narcotics detection dog's alert and a search shall be conducted by the team with the aid of the narcotics detection dog handler.
 - 2. If alcohol, drugs, or other contraband is discovered, it shall be confiscated and the student's parents/legal guardians notified. Offenders shall be disciplined by school personnel in accordance with Board policy and the student's name referred to the District Attorney's Office for appropriate action.
- B. Search of Property of Others Located on School Board Property
 - 1. If the dog alerts on an automobile or other property under the student's control but not belonging to the School Board, the principal will summon the student to such property. The student will be informed of the narcotic detection dog's alert.

The property will be searched by the team and the narcotic detection

dog's handler. If alcohol, drugs, or contraband is discovered it shall be confiscated. Any offender shall be disciplined by school personnel in accordance with Board policy.

2. If both the student and the parents refuse to consent to the search of property not belonging to the School Board, the parents and the student shall be informed that the property will be searched under one or more of the following conditions:
 - a. Pursuant to a search warrant procured by the officer in charge of the search team or;
 - b. Pursuant to the contractual agreement to agree to searches of any vehicles possessing parking permits on School Board property.

If alcohol, drugs, or contraband is discovered, it shall be confiscated and the student shall be disciplined in accordance with Board policy and referred to the District Attorney's Office for appropriate action.

CONFISCATION

Should contraband (such as weapons, illegal drugs, unauthorized telecommunication devices, or other prohibited objects) be discovered, the person conducting the search shall notify the school principal or designee who shall take appropriate action. Any contraband (legal or illegal) under the control of the school shall be retained, cataloged, and secured in such a manner as to prevent the destruction, alteration, or disappearance of it until such time as law enforcement authority either takes custody of the contraband or provides notice to the school principal that it no longer be retained.

Upon proper school personnel confiscating any firearm, bomb, knife, or other implement which could be used as a weapon, or any controlled dangerous substance, the principal or designee shall report the confiscation to the proper law enforcement officials. Parents shall be notified of any item impounded. Any principal or designee failing to report any prohibited weapon or confiscated material or implement to the proper law enforcement officials or failing to properly secure any weapon or confiscated material or implement shall be subject to appropriate disciplinary action as may be determined by the Superintendent and/or Board.

Non-illegal contraband, excluding electronic devices, shall be returned to the parent/guardian of the student within the first two (2) weeks after the end of the school year, unless other arrangements have been made with the principal. The parent/guardian shall be responsible for making arrangements with the principal to retrieve the item(s). If the item(s) is/are not so retrieved, the principal shall convey the item(s) to a charitable entity, unless the item(s) has no practical value, in which case the principal shall dispose of the item(s).

INDEMNIFICATION

Indemnification of any Board employee who is sued for damages based on any act or omission in the directing of and disciplining of school children shall be made by the Evangeline Parish School Board to the extent required by state law.

Ref: US Constitution, Amend. IV; US Constitution, Amend. XIV, Sec. 1; Moore v. Student Affairs Committee of Troy State University, 284 F.Supp. 725 (M.D. Ala. 1970); State v. Stein, 203 Kan. 638 456 P.2d (1969); New Jersey v. T.L.O., 469 U.S. 325, 105 S. Ct. 733; La. Rev. Stat. Ann. §§17:416, 17:416.3; Louisiana Handbook for School Administrators, Bulletin 741, Louisiana Department of Education; Board minutes, 7-2-86, 11-16-94, 8-16-95, 7-21-10.