

**JOHN STARK SCHOOL BOARD****SEARCHES OF STUDENTS, THEIR PROPERTY, AND DISTRICT PROPERTY****I. Searches of Students and Their Property**

The Principal or designee (authorized personnel) may detain and search the person and property of any student on school premises, or who is attending or is in transit to any event or function sponsored or authorized by the school, under the following conditions:

1. School staff has reasonable grounds to suspect that the student is violating or has violated the law or school rules and that evidence of that misconduct will be discovered by searching the student, the student's property, or both.
2. Authorized personnel may also search a student, the student's property, or both whenever the student freely and voluntarily consents to such a search. Consent obtained through threats or coercion is not considered to be freely and voluntarily given.
3. The extent of the search of a student's person or property and the measures used in conducting the search must be reasonably related to the objects of the search, and must not go beyond what is warranted by the nature of the suspected violation.
4. Authorized personnel conducting the search of a student shall have authority to detain the student and to preserve any contraband seized.
5. Any search of a student's person as outlined herein will be conducted by an authorized person who is the same sex as the person being searched and with at least one other staff member present.
6. Strip searches are forbidden. No clothing except shoes, socks, hats, and outer garments like sweaters, sweatshirts, jackets, and coats will be removed before or during a search.

**II. Searches of District Property**

School lockers and school desks are the property of the School District, not the students who use them. The users of lockers, desks, and other storage areas or compartments have no reasonable expectation of privacy as to the contents of those areas. Lockers, desks, and other storage areas or compartments may be subjected to searches at any time without student consent and without reasonable suspicion. Students are not to use any school area or property to store anything that should not be at school. Students shall not exchange lockers or desks or use any lockers or desks other than those assigned to them by the Principal.

**III. Law Enforcement Participation in Searches of District Property**

Recognizing the danger that contraband poses to society and students in particular, the School District reserves the right to conduct unannounced random searches of District premises and facilities at anytime with the assistance of qualified law enforcement officers and trained canines. Qualified law enforcement officers and trained canines may be used periodically upon request of the Superintendent and the Principal to sniff lockers, common areas, vacated classrooms, the exteriors of vehicles in parking lots, and school grounds. During such searches, canines will not be used to sniff students or any other person. In the event that a canine alerts on an item, law enforcement officers will so inform authorized school personnel. Authorized school personnel will determine whether a search of the item is warranted and, if so, will conduct the search.

*Legal References:*

*NH Constitution, Pt.1, Art.19*

Adopted: 10/14/2009

3<sup>rd</sup> Reading: 10/14/2009 w/changes

2<sup>nd</sup> Reading: 9/9/2009 w/changes

1<sup>st</sup> Reading: 8/26/2009

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