



Book	Policy Manual
Section	5000 Students
Title	SEARCH AND SEIZURE
Code	po5771
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5771 - SEARCH AND SEIZURE

- A. The Board recognizes that the privacy of students or their belongings may not be violated by unreasonable search and seizure and directs that no student be searched without reasonable suspicion or in an unreasonable manner.
- B. The Board acknowledges the need for in-school storage of student possessions and may provide storage places, including desks and lockers, for that purpose. Such spaces remain the property of the Board and in accordance with law, may be the subject of a search upon reasonable suspicion that a prohibited or illegally possessed substance or object is contained therein. Where lockers are provided for such places, students may lock them against incursion by other students, but in no such places shall students have such an expectation of privacy as to prevent examination by a school official. The Board directs the school principal or designee to conduct a routine inspection at least annually of all such storage places.
- C. School authorities are charged with the responsibility of safeguarding the safety and well-being of the students in their care. In the discharge of that responsibility, school authorities may search the person, property, or vehicle of a student, with or without the student's consent, whenever they reasonably suspect that the search is required to discover evidence of a violation of law or of school rules. The extent of the search will be governed by the training and experience of the school authority, their personal observations, the reliability of witness information, anonymous information, previous experiences with the student to be searched, the knowledge of the student's age, reputation, and discipline record; the prevalence and/or seriousness of the suspected violation of law or the Code of Student Conduct, and the urgency to protect the health and safety of students, school personnel, and/or others.
- D. This authorization to search shall also apply to all situations in which the student is under the jurisdiction of the Board.
- E. Administrators are permitted to conduct a random search of any student's locker and its contents at any time, providing proper notice has been posted in the locker areas of each building.
- F. Search of a student's person or intimate personal belongings shall be conducted in the presence of a staff member and/or a law enforcement officer, and if feasible, one should be of the same gender as the student.
- G. The Board also authorizes the use of canines, trained in detecting the presence of drugs and paraphernalia. The means of detection shall be used only to determine the presence of drugs in places where such substances can be concealed. Canine detection will be conducted by law enforcement with specific training in the field of canine handling and detection. The Board has adopted the use of specially trained single purpose canines to be utilized for this purpose around students and/or staff. District Security reserves the authority to request canines specifically trained in explosive detection, search and rescue, or other disciplines when circumstances justify the need.
- H. Except as provided below, a request for the search of a student or a student's possessions will be directed to the principal or designee who shall first seek the freely offered consent of the student to the inspection. However, consent is not required for search subject to reasonable suspicion. Whenever possible, a search will be conducted by the principal or designee, in the presence of the student, another staff member, and/or a law enforcement officer. A search prompted by the reasonable suspicion that health and safety are immediately threatened will be conducted with as much speed and dispatch as may be required to protect persons and property and consent is not a requirement. If the search is for weapons, the District's Active Assailant Response Procedures shall be relied upon as a guide. Refusal of a reasonable suspicion search will be presumptive confirmation of violation to be handled pursuant to the disciplinary guidelines of the Code of Student Conduct.
- I. The principal or designee shall be responsible for the prompt recording in writing of each student search, including the reasons for the search; information received that established the need for the search and the name of the witness, if known; the persons present when the search was conducted; any substances or objects found; and the disposition made of them. The principal or designee will make a reasonable attempt to notify the parent/legal guardian(s) of a student subject to search and will document these attempts. The school resource officer or local law enforcement officer shall be responsible for the custody, control, and disposition of any illegal or dangerous substance or object taken from a student.
- J. The principal or designee may arrange for a breath test for blood-alcohol to be conducted on the student whenever the principal or designee has individualized reasonable suspicion to believe the student has consumed alcoholic beverages.
- K. The Superintendent shall prepare administrative procedures to implement this policy.

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Legal

[F.S. 901.21](#)

[F.S. 933.07](#)

[F.S. 1006.09\(9\)](#)

[U.S. Constitution, 4th Amendment](#)

[Florida Const. Art. 1, Section 2](#)