

<b>TOPEKA PUBLIC SCHOOLS</b>	<b>REGULATION NUMBER: 2375-01</b>
<b>SUBJECT: SEARCHES OF SCHOOL PROPERTY, INDIVIDUALS, OR PRIVATE PROPERTY ON SCHOOL PROPERTY</b>	<b>DATE OF ISSUE: 06/16/11</b> <hr/> <b>REVISIONS: 03/07/13 ; 08/17/15</b> <hr/> <b>PREPARING OFFICE: SCHOOL DISTRICT ATTORNEY</b>

**I. PURPOSE**

To establish procedures for searches of school property, individuals or private property on school property.

**II. SEARCHES IN GENERAL**

Building administrators are authorized to search property if there is reasonable suspicion that the law or district policies, rules or directives are being violated. In addition all lockers and other school owned property may be subject to random searches, without prior notice or reasonable suspicion. All searches by the building administrators shall be carried out in the presence of another adult witness.

**III. SCHOOL LOCKERS**

Lockers in the district schools are the property of the school district and shall be under supervision of the principal. Students shall have no expectation of privacy in any school locker. The combinations and/or keys to all locker locks shall be in the possession of the principal and stored in a place designed to guard against unauthorized access or use. The principal may search any locker at any time without notice. Students shall not place locks, other than those approved by the school, on any locker.

**IV. RULES FOR SEARCHES OF STUDENTS**

A. Any person other than a building administrator who wishes to search a student's locker or property shall report to a building administrator before proceeding. No person shall be permitted to search a student's locker or property without the building administrator's consent unless the person has a valid search warrant authorizing a search.

B. Except as provided in subsection VIII of this policy, building administrators are authorized to search students if there is reasonable suspicion that district policies, rules or directives are being violated.

C. Strip searches shall not be conducted by school authorities.

## **SEARCHES OF SCHOOL PROPERTY, INDIVIDUALS, OR PRIVATE PROPERTY ON SCHOOL PROPERTY**

- D. All searches by the building administrator shall be carried out in the presence of another adult witness.**
  - E. The student shall be told why a search is being conducted and the building administrator shall attempt to call the student's parent/s and may call law enforcement.**
  - F. The student may be asked to empty items such as, but not limited to, pockets, purses, shoulder bags, book bags and briefcases.**
  - G. If the student refuses to cooperate, the building administrator may take disciplinary action and/or seek assistance from law enforcement. If law enforcement assistance is present, further search of the student shall be with cooperation and assistance of law enforcement officials. The building administrator shall remain with the student and be present during any search of the student made by law enforcement officials on school property.**
  - H. If the building administrator believes a student is in possession of an object which can jeopardize the health, welfare or safety of the student or others, the student shall be removed to a safe location.**
- V. SEARCHES OF STAFF**
- A. Desks, file cabinets and other school property used by staff may be searched by the administrative personnel or others authorized by the superintendent to conduct a search for noninvestigatory, work-related purposes, as well as for investigation of work-related misconduct.**
  - B. A staff member may be requested to empty items such as, but not limited to, pockets, purses, shoulder bags, book bags and briefcases if the search is supported by reasonable suspicion of misconduct.**
  - C. A staff member driving a district-owned vehicle may be requested to submit to drug or alcohol testing if the vehicle is involved in an accident, causing damage to the vehicle or injury to passengers.**
  - D. If a staff member refuses to cooperate, the administrator may take disciplinary action and/or seek assistance from law enforcement.**

## **VI. OTHERS ON SCHOOL PROPERTY**

**Persons entering on school property may be subject to random screening with a metal detector. Additionally, visitors on school property may be subject to search if there is reasonable suspicion that district policies, rules or directives are being violated or that the individual presents a danger to the safety of students or staff.**

**SEARCHES OF SCHOOL PROPERTY, INDIVIDUALS, OR PRIVATE PROPERTY ON SCHOOL PROPERTY**

**VII. VEHICLES PARKED ON SCHOOL PROPERTY**

Any vehicle parked on school property may be subject to search.

**VIII. USE OF METAL DETECTORS**

- A. Students or other persons, including staff, entering a school building or on school property may be subject to daily, regular, or random screening with a metal detector. The metal detector may be a walk-through, hand-held, or other type of metal detection device. The building administrator, in consultation with the superintendent and director of school safety, shall determine if the screening shall be daily, regular, or random upon evaluating the security threat posed by the situation at the time.
- B. Search of a person's belongings in response to the alert of a metal detector shall comply with the requirements of Section IV or V of this regulation.