

CODE OF ACCEPTABLE BEHAVIOR AND DISCIPLINE

References: KRS 161.180, OAG 79-168, New Jersey v. T.L.O., 105 S. Ct. 733 (1985)

Relates to: Policy 9068

1. Areas Subject to Searches

Lockers and desks are property of the school and are subject to the Board's regulation, supervision and inspection. Locker and desk inspections or searches are not carried out as a harassment technique, but to protect the health, safety or welfare of students. Students should not expect privacy as to items left in these locations. A specific desk or locker may be searched if reasonable grounds exist to believe that evidence of a violation of school rules or the law is contained therein. Searches may also include searches of automobiles parked in student parking lots or anywhere on school grounds.

2. Reasonable Suspicion

A student's person, outer clothing or personal effects will be searched only when there are reasonable grounds to believe that the search will reveal evidence that the pupil has violated or is violating a school rule or the law. A school official's reasonable suspicion extends not only to the student's personal effects and locker, but also to a subsequent student's personal effects and locker if the school official reasonably believed that the personal effects or locker of the subsequent student belonged to the first student.

A general inspection of school properties such as lockers, desks, etc. may be conducted on a regular basis, without any individualized suspicion. During these inspections, items that are school property may be collected. (Example: Overdue library books). Further, law enforcement may conduct random, unannounced canine searches of several school areas including lockers, classroom desks, student backpacks and handbags in a search area, and parking lots, without any individualized suspicion, in an effort to keep schools' drug and gun-free. These searches may reveal evidence or information leading to reasonable suspicion of illegal activity involving a particular individual.

When reasonable suspicion supports the search of an individual student, the search will be conducted by a school administrator (principal, associate or assistant principal or school counselor), in the presence of another school or district administrator or certified teacher. A school administrator may search the student's belongings, including asking the student to turn his or her pockets inside-out, hold his or her sweatshirt or jacket pockets open, and invert his or her hood if wearing one. When a pat-down search of a student's person is conducted, the school or district administrator conducting the pat down will be the same biological sex as the student.

These restrictions shall not apply in situations involving an imminent threat of harm to student or staff health and safety, which required immediate action.

3. Strip Search

Strip searches are strictly prohibited. The term "strip search" does not include removal of shoes, socks, hats or other headwear, or outerwear, all of which is allowed.

4. Seizure

Illegal items (weapons, drugs, etc.) or other possessions reasonably determined by the proper school authorities to be a threat to the student's safety, security or others safety and security may be seized by school officials.

Items that may be used to disrupt or interfere with the educational process may be temporarily removed from the student's possession by a staff member. These items may be returned to the student/parent/guardian by that staff member or through the office.

All items that have been seized will be turned over to proper authorities or returned to the true owner, depending on the situation.

5. Cooperation by Student

The student will have the opportunity to be present when a search of personal possessions is to be conducted unless:

- a. The student is absent from school.
- b. School authorities decide that the student's presence could endanger his/her health and safety.
- c. The student's presence interferes with the search.

Students who fail to cooperate with school authorities when requested, shall be subject to other disciplinary actions.

6. Witness

No search of a student will be conducted in the presence of another student.