

Heritage Academy BOARD POLICY MANUAL

POLICY GROUP 3 – STUDENTS

STUDENT RIGHTS AND RESPONSIBILITIES: INTERROGATIONS AND SEARCHES PG-3.32

Searches of Students

Students shall be free from unreasonable searches and seizures by Heritage Academy officials. Heritage Academy officials may search a student's outer clothing, pockets, or property by establishing reasonable cause or securing the student's voluntary consent. Coercion, either expressed or implied, such as threatening to contact parents or police, invalidates apparent consent.

A search is reasonable if it meets both of the following criteria:

1. The action is justified at the inception; i.e., the school official has reasonable grounds for suspecting that the search will uncover evidence of a rule violation or a criminal violation.
2. The scope of the search is reasonably related to the circumstances that justified the search in the first place; i.e., the measures adopted are reasonably related to the objectives of the search and are not excessively intrusive in light of the age and sex of the student and the nature of the infraction.

Interrogations

By School Officials

Administrators, teachers, and other professional personnel may question a student regarding the student's own conduct or the conduct of other students. In the context of school discipline, students have no claim to the right not to incriminate themselves.

By Police or Other Authorities

For provisions pertaining to student questioning by law enforcement officials or other lawful authorities.

Desks and Lockers

Desks, lockers, and similar items are the property of Heritage Academy and are provided for student use as a matter of convenience. Heritage Academy will make periodic inspections of lockers and desks at any time, with or without notice or student consent. Heritage Academy officials will remove any item that violates Heritage Academy policy or that may potentially be dangerous.

Students have full responsibility for the security of their lockers and desks, and shall be held responsible for any prohibited items found during a search. The student's parent shall be notified if any prohibited articles or materials are found in a student's desk or locker, or on the student's person, as a result of a search conducted in accordance with this policy.

Heritage Academy BOARD POLICY MANUAL

POLICY GROUP 3 – STUDENTS

STUDENT RIGHTS AND RESPONSIBILITIES: INTERROGATIONS AND SEARCHES PG-3.32

Vehicles

Vehicles parked on Heritage Academy property and property under Heritage Academy control are under the jurisdiction of Heritage Academy and may be searched at any time if reasonable suspicion exists to believe that the search will result in evidence that school rules or other laws have been violated. If a vehicle subject to search is locked, the student shall be asked to unlock the vehicle and consent to a search of the vehicle. If the student refuses to permit the vehicle to be searched, Heritage Academy may contact the student's parents and/or law enforcement officials. A student may be held responsible for and in possession of prohibited items found in his or her vehicle parked on Heritage Academy property or at a school-related event.

Use of Trained Dogs

Heritage Academy may use or contract for specially trained nonaggressive dogs to sniff out and alert Heritage Academy officials to the presence of concealed prohibited or illegal items, including drugs and alcohol. Such visits to Heritage Academy may be unannounced. The dogs shall be used to sniff vacant classrooms, vacant common areas, the areas around student lockers, and the areas around vehicles parked on Heritage Academy property. The dogs shall not be asked to alert on students. If a dog alerts to a locker, a vehicle, or an item in a classroom, it may be searched by Heritage Academy officials.

Parent Notification

The student's parent or guardian shall be notified if any prohibited articles or materials are found in a student's locker, in a student's vehicle parked on school property, or on the student's person, as a result of a search conducted in accordance with this policy.