

## Students

### Search and Seizure

The Avon Board of Education may conduct reasonable searches and seizures of school property and of students and their desks, lockers, personal property and motor vehicles only as is reasonably necessary to enforce laws and Avon Board of Education policies and administrative regulations, and to protect the health, safety and welfare of all students, staff, employees and visitors.

The Avon Board of Education may utilize narcotic-sniffing dogs or devices to inspect any areas, including but not limited to desks, lockers or other storage areas, or motor vehicles.

The right of a school official to inspect a student's person, desk, locker or other storage area, or motor vehicle requires protection of the student's personal privacy and protection from coercion.

Students will be informed of the Avon Board of Education's policy that allows school officials to conduct reasonable searches and seizures of a student's person, desks, lockers or other storage areas, and motor vehicle.

The decision to search will be made by the Principal or the Principal's designee. The search will be made in the presence of at least one witness. No police officer shall be present unless previously authorized by the Superintendent of Schools or his/her designee.

The scope of such searches must be reasonably related to the objectives of the search and not excessively intrusive in light of the student's age and gender, and the nature of the infraction.

Any evidence of a student's illegal conduct or conduct that violates the rules of the school produced as a result of a search conducted in accordance with this policy and regulations will be subject to seizure. Where required by law, the Principal, will submit the evidence to the Police Department for proper disposition. Evidence not submitted to the Police Department will be disposed of as directed by the Principal.

An administrator may conduct a search when the administrator has reasonable grounds to believe that:

1. At the inception of the search, the search will reveal evidence that the student has violated or is violating the law or the rules of the school. Factors that may contribute to the suspicion include:
  - a. Eyewitness observations by school personnel,
  - b. Information received from reliable sources,
  - c. Suspicious behavior by the student, or
  - d. An alert on an area by a narcotic-sniffing dog or device.

## Students

### Search and Seizure (continued)

2. There is the probable presence of contraband material which would pose a serious threat to the maintenance of discipline, order, safety and health in the school; or
3. Materials within the student's desk, locker or storage area or motor vehicle may pose a risk to health, safety and welfare of all students, staff, employees and visitors.

Legal Reference: Connecticut General Statutes

10-221 Boards of education to prescribe rules.

*New Jersey v T.L.O.*, 53 U.S.L.W. 4083 (1985).

PA 94-115 An Act Concerning School Searches.

*Safford Unified School District #1 v. Redding* (U.S. Sup. CT 08-479).

Policy adopted: February 28, 2017

AVON PUBLIC SCHOOLS  
Avon, Connecticut

## **Students**

### **Search and Seizure**

#### **Search of a Student's Desk, Locker or Storage Area**

The Avon Board of Education provides desks, lockers and other storage areas for students to keep and store personal belongings and materials provided by the Avon Board of Education. The use of storage areas, such as desks and lockers, by students is a privilege. No student will keep or store in a desk, locker or other storage area any item the possession of which is illegal or is in violation of school rules or regulations, or which endangers the health, safety or welfare of anyone. Such items include matches, chemicals, ammunitions, incendiary devices, weapons, drugs and alcoholic beverages.

Desks, lockers and other storage areas are the property of the schools and may be inspected by school officials to enforce laws and school rules, and to protect the health, safety and welfare of all students, staff, employees and visitors, consistent where possible with the Fourth Amendment rights of students.

#### **Search of a Student's Motor Vehicles**

It is a privilege for students to bring a motor vehicle onto school premises. By bringing a motor vehicle to school, students and their parents or guardians, or the owner of the vehicle, consent to allowing a school official to search the motor vehicle when there is a reasonable suspicion that it contains evidence that the student is violating the law or rules of the school. Refusal by a student, parent or guardian, or owner of the vehicle to allow access to a motor vehicle on school premises at the time for a request to search the motor vehicle will be cause for termination, without further hearing, of the privilege of bringing a motor vehicle onto school premises.

#### **Search of a Student's Person or Belongings**

A school official may conduct a reasonable search and seizure of a student or student's handbag, gym bag or similar personal property if there are reasonable grounds at the inception of the search for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school. The scope of such searches must be reasonably related to the objectives of the search and not excessively intrusive in light of the student's age and gender, and the nature of the infraction.

Strip searches of students by employees of the Avon Public Schools are prohibited.

All searches of students will be conducted or directed by an authorized school administrator; i.e., the Principal or Assistant Principal, in the presence of a witness.

## **Students**

### **Search and Seizure**

#### **Search of a Student's Person or Belongings** (continued)

A search of a student's person, or a search of a group of students where no particular student within the group is suspected, may be conducted only if there is a reasonable suspicion of conduct immediately harmful to students, staff or school property.

Legal Reference: Connecticut General Statutes

Section 10-221 Boards of Education to prescribe rules.

Section 54-33n Searches.

*New Jersey v. T.L.O.*; 469 U.S. 325 (1985).

*Safford Unified School District #1 v. Redding* (U.S. Sup. CT 08-479).