

Windham School District

JIH

STUDENT SEARCHES

The Board, in keeping with federal and state laws, is committed to maintaining an environment for students and staff which is safe, healthy and conducive to learning and working. The Board recognizes that incidents may occur where the health, safety and welfare of students and staff are jeopardized and which necessitate the search by school officials of students, their personal property (e.g., backpacks, purses, and handbags), vehicles or their lockers and/or desks.

The School District retains ownership and possessory control over student lockers and desks and, therefore, reserves the right to inspect lockers and desks at any time for any reason without notice, without student consent, and without reasonable suspicion.

Searches of students and their personal property within the school or on school grounds may be conducted by the Principal or designee when that school official has reasonable grounds to suspect the search will uncover evidence that the student has violated or is violating School District policies, school rules, or the law.

The extent of the search of a student's person or personal property and the measures used in conducting the search must be reasonably related to the objects of the search, and must not go beyond what is warranted by the nature of the suspected violation.

Students are permitted to park on school premises as a matter of privilege, not of right. The School district retains authority to conduct routine patrols of student parking lots and inspections of the exteriors of student automobiles on school property. The interiors of student vehicles may be inspected whenever a school official has reasonable suspicion to believe such search will produce evidence that the student has violated or is violating School District policies, school rules or the law.

Recognizing the danger that contraband poses to society, and students in particular, the School District reserves the right to conduct unannounced random searches at any time with the assistance of qualified law enforcement officers and trained dogs. Qualified law enforcement officers and trained dogs may be used periodically upon request of the Superintendent and/or

Legal References: *NH Constitution, Pt.1, Art.19; State v. Drake, 139 NH 662 (1995); State v. Tinkham, 143 NH 73 (1998)*

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New Policy: July, 1998 Revised: January, 2001 Reviewed: October, 2004 Approved: Adopted: July 5, 2005	

Principal to sniff lockers, common areas, vacated classrooms, parking lots (vehicles), and school grounds.

If a search produces evidence that a student has violated or is violating the School District’s policies, school rules or the law, such evidence may be seized by school officials, and disciplinary action may be taken. When appropriate, such evidence may be transferred to law enforcement authorities.

Legal References: *NH Constitution, Pt.1, Art.19; State v. Drake, 139 NH 662 (1995); State v. Tinkham, 143 NH 73 (1998)*

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