

SEARCH AND SEIZURE

School district property is held in public trust by the board. School district authorities may, without a search warrant, search a student, or protected student areas based on a reasonable and articulable suspicion that a school district policy, rule, regulation or law has been violated. The search shall be reasonable in scope and conducted in a manner that maintains order and discipline in the schools, promotes the educational environment, and protects the safety and welfare of students, employees and visitors. The furnishing of a locker, desk or other facility or space owned by the school and provided as a courtesy to a student, even if the student provides the lock for it will not create a protected student area and will not give rise to an expectation of privacy with respect the locker, desk, or other facility.

School authorities may seize any illegal, unauthorized or contraband materials discovered in a search conducted pursuant to this policy. Items of contraband may include, but are not limited to, nonprescription controlled substances, marijuana, cocaine, amphetamines, barbiturates, apparatus used for controlled substances, alcoholic beverages, tobacco/nicotine, weapons, explosives, poisons, stolen properties. Such items are not to be possessed by a student while they are on school district property or on property within the jurisdiction of the school district; while on school owned and/or operated school or chartered vehicles; while attending or engaged in school activities; and while away from school grounds if misconduct will directly affect the good order, efficient management and welfare of the school district. The board believes that illegal, unauthorized or contraband materials may cause material and substantial disruption to the school environment or presents a threat to the health and safety of students, employees, or visitors on the school district premises or property within the jurisdiction of the school district.

It is the responsibility of the superintendent, in conjunction with the principals, to develop administrative regulations regarding this policy.

Legal Reference: U.S. Const. amend. IV.

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

Cason v. Cook, 810 F.2d 188 (8th Cir. 1987), *cert. den.*, 482 U.S. 930 (1987).

Iowa Code ch. 808A (2014).

281 I.A.C. 12.3(8).

Cross Reference: 502 Student Rights and Responsibilities
 503 Student Discipline

Approved 6/10/1996

Reviewed 06/08/2020

Revised 6/14/2021