Student Handbook – Regulation 2051.02

4. SEARCH and SEIZURE

a. General/Non-individualized Searches

(1) Principals may conduct a general search of school property (e.g., desks, lockers, storage spaces, school computers, including data and internet access records), on a periodic or random basis.

(2) The search shall be conducted by the principal in the presence of another school employee, who will serve as a witness. When practicable, teachers will not be used to perform search functions.

(3) The school affords students and parents adequate prior notice of its general search policy, by alerting students and parents of the search policy each school year. This is done by issuing a memorandum, by publishing and distributing a student handbook containing the notice, or by publishing such a notice on the school website.

(4) General searches of school spaces and property may be conducted in cooperation with the appropriate installation authorities or military police, including dogs trained to detect the presence of contraband.

b. Individualized/Reasonable Suspicion/Targeted Searches.

Principals may conduct a targeted search of a student's personal belongings, including bags and the interior of student vehicles on school property; and in a student's desk, locker, storage space, school computer, or other property of the school when there is reasonable suspicion to believe the student po9ssesses a prohibited item. Prohibited items include: illegal drugs, weapons, or other items that are evidence of misconduct (as defined in DoDEA Regulation 2051.1 Reference j in violation of federal, state or local law, or DoD (or any military installation thereof) or DoDEA policy, rule, or regulation. Such items shall be confiscated.

(1) Targeted searches may be conducted whenever the student is involved in a school-sponsored or school-supervised activity or event so long as there is reasonable suspicion to conduct the search.
(2) A targeted search of the student's person shall only be conducted under exigent circumstances. When possible, a targeted search of the student's person shall be conducted in a private room or non public area, conducted by a school official of the same sex as the student being searched, and witnessed by one additional school employee of the same sex as the student. When practicable, teachers will not be used to perform search functions.
(3) Reasonable efforts to locate the student and to notify the parent shall be made prior to a targeted search, or as soon as is practicable under the circumstances. The principal, or designee, shall advise the student and parent of the circumstances justifying the search and seizure.
(4) Evidence found during a general search, or a dog sniff, that alerts authorities to potential contraband, may provide reasonable suspicion sufficient to conduct an individualized search.

c. Surveillance

(1) Schools may use video surveillance in public locations of school property to monitor school grounds and on school-provided transportation.

(2) Principals or designees shall post in a visible place, notification regarding trhe presence of surveillance equipment and that students may be disciplined based on evidence gathered through surveillance equipment.

d. Seizure

(1) Illegal drugs, weapons, or other items prohibited by or constituting evidence of misconduct under Reference j, that belong to or are found in the possession of any student and are found during a general or targeted search, shall be confiscated (seized). Appropriate discipline will be imposed for possession of the seized evidence in accordance with Reference i.

(2) Unless possession of confiscated items is illegal or dangerous, the confiscated items shall be returned to the rightful student-owner or the student-owner's parent as soon as is practicable and safe, or otherwise, a receipt for its retention shall be issued until such time as it may be returned.

(3) The confiscation of items shall not be considered a disciplinary action, but is accomplished to preserve health and safety or to provide evidence incidental to the exercise of a disciplinary action.