

## **SEARCHES, SEIZURES AND ARRESTS**

The district has a significant interest in preventing students from possessing drugs, alcohol, or other dangerous and illegal items while they are traveling with the school to extracurricular activity events. To protect the students and district staff, the district may search a student's bag, purse, suitcase, or other container in the student's possession any time students who are participating in an extracurricular activity travel with school staff, in a school vehicle, to participate in an extracurricular activity. Students are not required to bring backpacks, purses, or other personal items they do not wish to be searched onto the bus or other district transportation. All extracurricular participants will receive prior notice of the search, and must sign a consent form to authorizing the search as a condition for their eligibility to travel on extracurricular activity trips.

School district property is held in public trust by the board. 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, shall not create a protected student area and shall not give rise to an expectation of privacy with respect to the locker, desk, or other facility. The district may search any district property at any time.

School district authorities may, without a search warrant, search students or protected student areas based on a reasonable and definable suspicion that a school district policy, rule, regulation, or law has been violated.

Searches shall be in a manner reasonable in scope to maintain order and discipline in the schools, promote the educational environment, and protect the safety and welfare of students, employees and visitors to the school district facilities.

School authorities may seize any illegal, unauthorized, or contraband materials discovered in the search. 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, weapons, explosives, poisons and stolen property. 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 transportation; 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.

Possession of such items will be grounds for disciplinary action including suspension or expulsion and may be reported to local law enforcement officials. 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.

The superintendent or building principals may release minor students into the custody of a law enforcement officer upon presentation of a court order or warrant for the student's

arrest, or to remove a student from school premises if the officer or school administrator has reason to believe that the student has violated the law.

The principal or designee will attempt to notify the parent/guardian or responsible relative prior to the student's release and the place to which the student is reportedly to be taken, except in cases of child abuse.

It shall be the responsibility of the superintendent, in conjunction with the administrative team, to develop administrative regulations regarding this policy.

Legal Reference:                   Neb. Statute 79-294  
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).

Cross Reference:               505    Student Discipline