

SCHOOL SEARCHES

The Orleans Parish School Board is the exclusive owner of any public school building and any desk or locker utilized by any student contained therein or any other area that may be set aside for the personal use of the students. Any teacher, principal, administrator, or school security guard employed by the School Board, having a reasonable belief that any public school building, desk, locker, area or grounds of any public school contains any weapons, illegal drugs, alcoholic beverages, nitrate based inhalants, stolen goods, or other items the possession of which is prohibited by any law, School Board policy, or school rule, may search either physically or with the use of metal detectors such building, desk, locker, area or grounds of said public school. The acceptance and use of locker facilities or the parking of privately owned vehicles on school campuses by students shall constitute consent by the student to the search of such locker facilities or vehicles by authorized school personnel. Students shall have no expectation of privacy in use of the lockers which have been assigned to them. The School Board reserves the right to inspect or search at any time lockers, desks, or any facilities, objects, or vehicles on the school campus, or other areas used by students. Any student not present during the search shall be informed of the search immediately thereafter.

Students and parents shall be notified in writing at the beginning of each school year of the School Board's authority to conduct unannounced searches of students, lockers, automobiles, school employees, and any other person or object on School Board property and at school sponsored events. Signs of high visibility informing the general public of the School Board's authority to search shall be posted at entrances to all School Board buildings and facilities.

Upon finding any prohibited items, the student shall be automatically suspended and/or recommended for expulsion by school authorities, according to School Board and school discipline policies and regulations. Investigative facts and/or seized items shall be immediately turned over to the proper law enforcement officials when criminal violations are indicated.

Whenever any search is conducted pursuant to this policy, as soon as is reasonably practical a written record shall be made thereof by the school administrator/designee conducting the search and such record shall include the name of the student and/or person(s) involved, the circumstances leading to the search and the results of the search. This written, dated and signed record shall be filed and maintained in the school administrator's office, and a copy of it shall be sent to the Superintendent within five (5) days. The student(s) and parent(s)/guardian(s) shall be given a written receipt for any item(s) seized and/or impounded by the school administrator/ designee.

No actions taken pursuant to this policy by any teacher, principal, administrator, or school security guard employed by the School Board shall be taken maliciously or with willful

and deliberate intent to harass, embarrass or intimidate any student.

SEARCH OF VEHICLES

The School Board shall require students who bring vehicles on campus to register those vehicles and to provide the school authorities with a *consent to search* of such vehicle signed by the student, parents and/or owner of the vehicle. Any vehicle parked on School Board property may be searched without consent at any time by a school administrator/designee when such school administrator/designee has articulable facts which lead the school administrator/designee to a reasonable belief that weapons, dangerous substances or elements, illegal drugs, alcohol, stolen goods, or other materials or objects the possession of which is a violation of law, School Board policy or school regulations will be found. Searches may also be conducted to assure compliance with health, safety, and/or security laws, rules, or regulations. Such searches shall be conducted in the presence of the student whenever possible.

If the automobile is locked, the student shall unlock the automobile. If the student refuses to unlock the automobile, proper law enforcement officials shall be summoned and the student shall be subject to disciplinary action and may be banned from parking any vehicle on school property. Any student not present during the search shall be informed of the search immediately thereafter.

USE OF CANINES

The school administration is authorized to utilize canines, whose reliability and accuracy for indicating the presence of controlled substances, drugs, alcohol, guns, knives, weapons, or other materials or objects which are a violation of School Board policy have been established, to aid in the search for contraband in school-owned property and vehicles parked on school property. Canines shall not be used to search students unless school officials have established independently that there is reasonable belief that the student possesses such items on his/her person. The canines must be accompanied by a qualified and authorized law enforcement handler who shall be responsible for the dog's actions. An indication by the dog that drugs, alcohol, weapons, or any other item of violation is present on school property or in a vehicle shall be reasonable cause for further search by school officials.

CONFISCATION

Upon school personnel confiscating any firearm, bomb, knife, or other implement which could be used as a weapon, or any statutorily prohibited controlled dangerous substance, the principal or designee shall report the confiscation to the proper law enforcement officials. Any implement or material confiscated shall be retained, cataloged, and secured by the principal so as to prevent the destruction, alteration, or disappearance until such time as the implement or material is given to law enforcement personnel for disposal. Parents shall be notified of any item impounded. Any principal or designee failing to

report any prohibited weapon or confiscated material or implement to the proper law enforcement officials or failing to properly secure any weapon or confiscated material or implement shall be subject to appropriate disciplinary action as may be determined by the Superintendent and/or School Board.

Revised: January 17, 2019

Ref: US Constitution, Amend. IV; US Constitution, Amend. XIV, Sec. 1; La. Rev. Stat. Ann. §§17:416, 17:416.3; Moore v. Student Affairs Committee of Troy State University, 284 F.Supp. 725 (M.D. Ala. 1970); State v. Stein, 203 Kan. 638 456 P.2d (1969); New Jersey v. T.L.O., 469 U.S. 325, 105 S. Ct. 733; Louisiana Handbook for School Administrators, Bulletin 741, Louisiana Department of Education; Board minutes, 1-17-19.