

SEARCH, SEIZURE AND INTERROGATIONS

All school property is held in public trust by the Board of Directors. School authorities may, without a search warrant, search students, 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 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. 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.

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 school or chartered buses, 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.

School officials will cooperate with police officers who need to question students, as long as interviews are conducted according to these general guidelines:

1. If the student is under suspicion for wrongdoing, police officers will call the student's parents before an interview begins and invite them to be present if they wish.
2. If the police officer has a warrant for arrest or a search warrant, the principal will comply with the officer's request immediately, without first notifying parents of students involved.
3. If a police officer wants to question a student who is not accused of wrongdoing, but who may have information useful to the officer's investigation of some other case, parents need not be called before the student is interviewed. However, the principal or some other school official will be present during the entire questioning period to help protect the student's privacy and dignity, and to reassure the student that he/she is not under pressure or suspicion.
4. No student may be taken from school without the consent of the building principal except as provided in (2) above.

Whenever a police officer requests permission to interview a student for any reason, a staff member, not a student, will convey the message to the student with whom police want to meet.

LEGAL REFERENCE: U.S. Const. amend. IV.
New Jersey v. T.L.O., U.S. 53, L.W. 4083 (1985).
Cason v. Cook, 810 F.2d 188 (8th Cir. 1987), *cert.den.*, 482.
U.S. 930 (1987). Iowa Code ch. 808A (1995).
Iowa Code ch. 808A (Supp. 1995). 281 I.A.C. 12.3(8).

DATE OF ADOPTION: May 12, 1982
DATE OF REVIEW: October 17, 2005
DATE OF REVISION: October 14, 1998