

ADMINISTRATIVE REGULATION

Placentia-Yorba Linda Unified School District

Students

5145.12 - AR

SEARCH AND SEIZURE

A. Purposes and Scope

To provide procedures for the implementation by school personnel of the district policy on search and seizure.

B. General

1. Search procedures shall be implemented only when school officials have reasonable suspicion or cause that illegal, dangerous, or inappropriate objects and/or substance may be present on campus, at off-campus activities, or whenever students are under the jurisdiction of the school.
2. Seizure procedures shall apply to all illegal or dangerous items or substances and to other items or substances which may lead to disruptive conditions or which have no reasonable purpose for being on campus, at off-campus activities, or in the possession of the student when they are otherwise under the jurisdiction of the school.
3. The use of metal detector scanning and extended search for weapons is authorized pursuant to Board Policy 5131.8. Staff shall follow procedures described in administrative regulation 5131.8.1.
4. At the beginning of each school year and upon enrollment, the Superintendent or designee shall inform students and parents/guardians about the district's policies and procedures for searches, including notice regarding:
 - a. The district's contraband dog detection program
 - b. The possibility of random searches of students' belongings, their vehicles parked on district property, and district properties under a student's control, including lockers or desks

C. Forms Used and Additional Reference

1. Incident Reports
2. Student records
3. Board Policy and Administrative Regulation 5131.8.1 - "Metal Detection and Search for Weapons."

D. Procedures

1. Searches

- a. Searches and seizures must be authorized by the principal or principal's designee. An exception to this requirement may be made if an emergency exists. An emergency for this purpose is defined as the presence of reasonable suspicion or cause indicating that an immediate and imminent danger to persons or property exists or that an unlawful act is occurring or may immediately occur. In an emergency, a staff member may act without prior approval. Every effort should be made to have prior approval. The principal or designee shall be notified immediately after emergency action has been taken.
- b. At least two staff persons should be present when searches or seizures occur except when emergency action is taken as described in Section D,1,a, of this regulation.
- c. Whenever possible, searches of student's property should occur in a private area.
- d. Lockers, cabinets, project drawers, and other such facilities are the property of the school and are loaned to students for their use. Only such locks or locking devices authorized by school officials may be used to secure such facilities. Such facilities may be searched if reasonable suspicion or cause exists which indicates the possible presence of items indicated in Section B of this regulation.
- e. A student's personal property may be searched only when reasonable suspicion or cause exists that an illegal, or dangerous object or substance may be contained or that other items which could be disruptive to school activities may be present. Such personal property may include but is not limited to autos, purses, book bags, backpacks, gym bags, and other containers. Students, if such reasonable suspicion or cause exist, may be required to empty their pockets and may be "patted down". However, strip searches and "pat down" of a person's private parts by school personnel are strictly prohibited.
- f. "Pat downs" and searches of student clothing shall be conducted by a staff member of the same gender as the student.
- g. Contraband detection dogs shall not be used in classrooms or other district facilities when the rooms are occupied by students. Prior to conducting an inspection, students shall be asked to leave the room that will be subject to the canine search. No student shall be required to leave personal items behind for inspection.
- h. Only the dog's official handler shall determine what constitutes an alert by the dog. If the dog alerts on a particular item or place, the student having the use of that item or place, or responsibility for it, shall be called to witness the inspection. If a dog alerts on a locked vehicle, the student who brought the vehicle onto district property shall be asked to unlock it for inspection.

2. Seizures

- a. Any school employee may confiscate any weapon, dangerous device, illegal substance, or item which might be disruptive of school activities.
- b. All seized items must be delivered as soon as possible to the principal or designee along with complete information regarding the incident.
- c. The principal or designee shall take action in accordance with policy and law regarding disciplinary action and make appropriate notification to police and/or fire agencies.
- d. Illegal objects or substances shall be placed in the custody of the appropriate law enforcement agency.
- e. Items determined not to be illegal but not appropriate on campus, at off-campus school activities, or while the student is under the jurisdiction of the school shall be returned to the student at the end of the school day or held for pick-up by the student's parent/guardian.

E. Reports Required

- 1. Incident Reports
- 2. Disciplinary and/or anecdotal records as appropriate
- 3. Other records or reports as may be required by Executive Director, Instructional Support

F. Record Retention and Destruction

Reports relating to specific students shall be retained and destroyed in accordance with policy and administrative regulation 5126.

G. Responsible Administrative Unit

- 1. Executive Director, Instructional Support
- 2. School principals and designees

H. Approved by:

<u>Candy Plahy</u>	<u>10/23/19</u>	<u>Greg Plutko, Ed.D.</u>	<u>10/23/19</u>
Responsible Division Head	Date	Superintendent	Date