

Students

Search and Seizure

The Avon Board of Education may conduct reasonable searches and seizures of school property and of students and their desks, lockers, motor vehicles, and personal property (including but not limited to cellular phones, electronic devices, backpacks, handbags, etc.). Searches and seizures may be conducted only as is reasonably necessary to enforce laws, Avon Board of Education policies and administrative regulations, rules of the school, and to protect the health, safety and welfare of all students, staff, employees and visitors. The right of a school official to inspect a student's person, personal property, desk, locker or other storage area, or motor vehicle requires protection of the student's personal privacy and protection from coercion.

Students will be informed of the Avon Board of Education's policy that allows school officials to conduct reasonable searches and seizures of a student's person, personal property, desks, lockers or other storage areas, and motor vehicle.

The decision to search will be made by the Principal or the Principal's designee. The search will be made in the presence of at least one witness.

The scope of such searches must be reasonably related to the objectives of the search and not excessively intrusive in light of the student's age and gender, and the nature of the infraction. The Avon Board of Education may utilize narcotic-sniffing dogs or devices to inspect any areas, including but not limited to desks, personal property, lockers or other storage areas, or motor vehicles.

An administrator may conduct a search when the administrator has reasonable grounds to believe that:

1. At the inception of the search, the search will reveal evidence that the student has violated or is violating the law or the rules of the school. Factors that may contribute to the suspicion include:
 - a. Eyewitness observations by school personnel,
 - b. Information received from reliable sources,
 - c. Suspicious behavior by the student, or
 - d. An alert on an area by a narcotic-sniffing dog or device.
2. There is the probable presence of contraband material which would pose a serious threat to the maintenance of discipline, order, safety and health in the school; or
3. Materials within the student's desk, personal property, locker or storage area or motor vehicle may pose a risk to health, safety and welfare of all students, staff, employees and visitors.

Students

Search and Seizure (continued)

Any evidence of a student's illegal conduct or conduct that violates the rules of the school produced as a result of a search conducted in accordance with this policy and regulations will be subject to seizure. Where required by law, the Principal will submit the evidence to the Police Department for proper disposition. Evidence not submitted to the Police Department will be disposed of as directed by the Principal. Discovery of illegal or dangerous materials shall be reported to the Office of the Superintendent.

Whenever a school official conducts a search pursuant to this policy, the school official must complete a Search and Seizure Incident Report and notify the Office of the Superintendent.

The building Principal or the Principal's designee will make reasonable efforts to notify the student's parents or guardians of a search done pursuant to this policy within one (1) school day.

Legal Reference:

Conn. Gen. Stat. § 10-221, Boards of education to prescribe rules, policies and procedures.

Conn. Gen. Stat. § 54-33n, Search of school locker and property.

New Jersey v T.L.O., 469 U.S. 325 (1985).

Students

Search and Seizure

Search of a Student's Desk, Locker or Storage Area

The Avon Board of Education provides desks, lockers and other storage areas for students to keep and store personal belongings and materials provided by the Avon Board of Education. The use of storage areas, such as desks and lockers, by students is a privilege. No student will keep or store in a desk, locker or other storage area any item the possession of which is illegal or is in violation of school rules or regulations, or which endangers the health, safety or welfare of anyone. Such items include matches, chemicals, ammunitions, incendiary devices, weapons, drugs and alcoholic beverages.

Desks, lockers and other storage areas are the property of the schools and may be inspected by school officials to enforce laws and school rules, and to protect the health, safety and welfare of all students, staff, employees and visitors, consistent where possible with the Fourth Amendment rights of students. The school administration may authorize law enforcement officials to search lockers/storage areas in accordance with Board Policy 5145.12.

Any evidence of a student's illegal conduct or conduct that violates the rules of the school produced as a result of a search conducted in accordance with this policy and regulations will be subject to seizure. Where required by law, the Principal will submit the evidence to the Police Department for proper disposition. Evidence not submitted to the Police Department will be disposed of as directed by the Principal. Discovery of illegal or dangerous materials shall be reported to the Office of the Superintendent.

Search of a Student's Motor Vehicles

It is a privilege for students to bring a motor vehicle onto school premises. By bringing a motor vehicle to school, students and their parents or guardians, or the owner of the vehicle, consent to allowing a school official to search the motor vehicle when there is a reasonable suspicion that it contains evidence that the student is violating the law or rules of the school. Refusal by a student, parent or guardian, or owner of the vehicle to allow access to a motor vehicle on school premises at the time for a request to search the motor vehicle will be cause for termination, without further hearing, of the privilege of bringing a motor vehicle onto school premises.

Any evidence of a student's illegal conduct or conduct that violates the rules of the school produced as a result of a search conducted in accordance with this policy and regulations will be subject to seizure. Where required by law, the Principal will submit the evidence to the Police Department for proper disposition. Evidence not submitted to the Police Department will be disposed of as directed by the Principal. Discovery of illegal or dangerous materials shall be reported to the Office of the Superintendent.

Students

Search and Seizure (continued)

Search of a Student's Person or Belongings

A school official may conduct a reasonable search and seizure of a student or student's handbag, backpack, gym bag, cellular phone, electronic device, or similar personal property if there are reasonable grounds at the inception of the search for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school. The scope of such searches must be reasonably related to the objectives of the search and not excessively intrusive in light of the student's age and gender, and the nature of the infraction. Metal detectors, breathalyzers and/or drug sniffing dogs may be used to detect the presence of contraband, including weapons, drugs or alcohol, in furtherance of Board Policy 5145.12 and to the extent authorized by law.

Strip searches of students by employees of the Avon Public Schools are prohibited.

All searches of students will be conducted or directed by an authorized school administrator; i.e., the Principal or Assistant Principal, in the presence of a witness.

A search of a student's person, or a search of a group of students where no particular student within the group is suspected, may be conducted only if there is a reasonable suspicion of conduct immediately harmful to students, staff or school property.

Any evidence of a student's illegal conduct or conduct that violates the rules of the school produced as a result of a search conducted in accordance with this policy and regulations will be subject to seizure. Where required by law, the Principal will submit the evidence to the Police Department for proper disposition. Evidence not submitted to the Police Department will be disposed of as directed by the Principal. Discovery of illegal or dangerous materials shall be reported to the Office of the Superintendent.

Upon the completion of a search pursuant to Board Policy 5145.12 and these regulations, the school official conducting the search must complete a Search and Seizure Incident Report and notify the Office of the Superintendent.

The building Principal or the Principal's designee will make reasonable efforts to notify the student's parents or guardians of a search done pursuant to this policy within one (1) school day.

Legal Reference:

Conn. Gen. Stat. § 10-221, Boards of Education to prescribe rules, policies and procedures.

Conn. Gen. Stat. § 54-33n, Search of school locker and property.

New Jersey v. T.L.O. 469 U.S. 325 (1985).

Avon Public Schools

Search and Seizure Incident Report

To be completed by the school administrator conducting a search of a student in accordance with Board of Education Policy 5145.12 and Administrative Regulations 5145.12

Date of Report: _____ Date of Search: _____

Name of Student:

Grade: _____ School: _____

Scope of search (i.e. person, desk, locker, motor vehicle, cell phone, backpack, etc.):

Principal/Principal's designee who authorized the search:

Administrator who conducted the search:

Describe the reasonable suspicion that led to the search:

Location of the search:

Witness to search:

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Was law enforcement involved? Yes No

Were narcotic-sniffing dogs or devices used? Yes No

Were metal detectors used? Yes No

Was a breathalyzer used? Yes No

Results of the search:

Was evidence of student's illegal conduct or conduct that violates the rules of school found?

Yes No

Was illegal or dangerous materials found? Yes No

Was evidence seized? s No

If yes, what is the current location of seized evidence (*note that where required by law, the Principal must submit the evidence to the Police Department for proper disposition*):

Notes from search: