

**CLOVIS UNIFIED
SCHOOL DISTRICT****STUDENTS****Rights and Responsibilities****STUDENT SEARCH AND SEIZURE**

PURPOSE: To authorize the search of students and the personal property of students based upon a reasonable suspicion that the search will uncover evidence that he/she is violating the law, board policies, administrative regulations, or other rules of the District.

The Board is committed to providing the students of the District with a safe school environment conducive to learning. The Board authorizes District employees to conduct searches of any individual student, his/her property, or District property under his/her control when there is a reasonable suspicion that the search will uncover evidence that he/she is violating the law, board policies, administrative regulations, or other rules of the District. The types of student property that may be searched by District employees include, but are not limited to, lockers, desks, purses, backpacks, student vehicles, cellular phones, or other electronic devices.

The Board expects District employees to exercise discretion and good judgment while conducting searches of students or the personal property of students. District employees shall articulate the circumstances which support the reasonable suspicion which warrants a search.

The Board desires student searches to be as non-intrusive as the circumstances dictate. Strip searches, body cavity searches, manually or with an instrument, or searches that require the removing or rearranging of any or all of a student's clothing to permit a visual inspection of the underclothing, breast, or genitalia of a student shall not be conducted by District employees.

The Board directs the Superintendent to adopt an administrative regulation controlling the searches of students, student lockers, and the personal property of students, including student automobiles, on school premises and related to school activities.

The Board directs the Superintendent or designee to provide students and their parents notice of this policy in the Parent and Student and Rights and Responsibilities Handbook at the beginning of each school year or at the time of enrollment, including the following information:

1. All lockers are the property of the District and the Board authorizes District employees to search all student lockers or conduct random searches of student lockers from time to time for disciplinary, health, or safety reasons. Students do not have a reasonable expectation of privacy with respect to the contents of the lockers.
2. Metal detectors may be used by District employees and District police officers to conduct searches for weapons of students and members of the public who are attending District-sponsored activities. Metal detectors may be used when reasonable suspicion exists or on a predetermined random basis.

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3. District employees may search a student's vehicle when the employee has reasonable suspicion the vehicle contains evidence of violation of law or District rule. If a vehicle, including a student vehicle, is on District property and the vehicle is parked in an area providing notice of Vehicle Code section 21113, it may be searched without suspicion or subject to other conditions.
4. District employees may search a student's cell phone or other electronic device, including, but not limited to, reviewing messages or viewing pictures, if there is reasonable suspicion he/she is violating the law, board policies, administrative regulations, or other rules of the District and provided the procedures are followed as outlined in the administrative regulation. District employees may hold onto a student's cell phone to prevent tampering during the investigation.
5. Video cameras may be used by District employees in public areas on District property or at school related activities. Video cameras shall not be used in areas in which persons have a reasonable expectation of privacy, including locker rooms or restrooms. Cameras shall not be placed in any classroom without consent of the teacher and principal, except as required by the District for purposes of distance learning as provided by law. Cameras shall not have audio recordings. The resulting videotapes may be used to establish the misconduct of students and others at school or school sponsored activities.
6. Non-aggressive trained canines may be used to sniff the air around lockers, desks, bags, vehicles, and other personal property of a student. Canines may not sniff students directly or items while in possession of student. Sniffing by trained canines may be done without reasonable suspicion and is deemed non-intrusive and reasonable.

The notification of a District employee, by the handler of a trained non-aggressive canine, that the canine has alerted on identified personal property constitutes reasonable suspicion which is sufficient to support a search of the student's personal property.

Adopted: 07/23/1975

Reviewed: 02/26/2007, 10/03/2008

Amended: 05/13/1992, 02/26/1997, 02/11/2004, 07/08/2009, 11/18/2020 (BP 2104 renumbered as BP 5145.12)

EDUCATION CODE

35160 Authority of governing boards

35160.1 Broad authority of school Districts

32280-32285 School safety plans

43503 Distance learning

48900 - 48901.5 Suspension and expulsion

49050 – 49051 Searches by school employees

49330-49334 Injurious objects

51512 Prohibited use of electronic listening or recording device

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PENAL CODE

626.9 Firearms

626.10 Dirks, daggers, knives or razor

1546.1 Production of or access to electronic communication information

VEHICLE CODE

21113 Public Grounds

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