



NEW TRIER TOWNSHIP HIGH SCHOOL DISTRICT 203

Board of Education Policy 7-140

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STUDENTS SEARCH AND SEIZURE

The Board recognizes its responsibility to maintain order and security in New Trier High School. Accordingly, administrators or their designees are authorized to conduct searches of school property and equipment owned or controlled by the school (including but not limited to lockers, desks, and cars in parking spaces controlled by the District) as well as students and their personal effects. “Designees” shall only be school police liaison officers or certified staff members. The Superintendent may also request the assistance of law enforcement officials to conduct inspections and searches of lockers, desks, parking lots, and other property and equipment owned or controlled by the district for illegal drugs, weapons, or other illegal or dangerous substances or materials.

Search of School Property

Students have no reasonable expectation of privacy in areas controlled by the school, or for their personal effects left there. Areas controlled by the school include all property owned and monitored by the District, including but not limited to school lockers, buses, desks, and cars parked in spaces designated for school use. The District may make reasonable regulations regarding the use of such areas and may search them or any personal effects of students (e.g. purses, wallets, computers, phones, backpacks, book bags, lunch boxes, etc.) found in those areas without prior notice to, or consent of the student.

Search of Students – Reasonable Suspicion

Administrators or their designees may search a student and/or the student’s personal effects (e.g., purses, wallets, computers, phones, backpacks, book bags, lunch boxes, etc.) in the student’s possession when there are reasonable grounds for suspecting that the search will produce evidence the student has violated or is violating either the law or the rules of the school. The search itself must be conducted in a manner which is reasonably related to the objectives of the search and not excessively intrusive in light of the age and gender of the student and the nature of the infraction. When feasible, the search should be conducted as follows:

1. In the presence of a school administrator or adult witness;
2. In cases of searches of a student’s person, by an administrator or designee and adult witness of the same gender as the student;
3. Outside the view of others, including students.

When an administrator has a reasonable suspicion that a student is under the influence of alcohol while on school grounds, in school vehicles, or at any school event or activity, the administrator may require the student to submit to a breathalyzer test.

Search of Students - Random

Because of the District's concern for the health and safety of its students and in an effort to deter student drinking, students and guests who attend school events (e.g. football games, prom, etc.) may be subject to random breathalyzer testing. Refusal to participate in or a positive test result to a random breathalyzer test will result in the student being denied the privilege of attending the school event. A positive test result to a random breathalyzer test may result in additional consequences such as attendance at an alcohol education program, meetings with the Student Assistance Program coordinator, or other intervention, and will constitute a violation of the Extracurricular Code of Conduct.

Search of Technology

As outlined in the District's Technology and Acceptable Use Regulations (AUR), students do not have an expectation of privacy in the District's technology or the Internet, including any communications made through the District's technology or the Internet, such as electronic messaging (text messaging), electronic mail communications, and the use of social networking websites and other websites, as well as any materials downloaded by users. Users consent to monitoring and inspection by school administration of all use, including personal use, of District technology and the Internet without individualized notice, including use through personal computers or devices.

The District may not request or require a student to provide a password or other related account information in order to gain access to the student's account or profile on a social networking website. The District may conduct an investigation or require a student to cooperate in an investigation if there is specific information about activity on the student's account on a social networking website that violates a school disciplinary rule or policy. In the course of an investigation, the student may be required to share the content that is reported in order to make a factual determination and may be disciplined for failure to provide requested information.

Seizure of Property

If a search conducted in accordance with this policy produces evidence that the student has violated or is violating either the law or the school's policies or rules, such evidence may be seized and remanded to the custody of an administrator; disciplinary action may be taken. When appropriate, such evidence may be transferred to law enforcement authorities.

Implementation of Policy

Immediately following the search of a student, a written report shall be made by the person who conducted the search. The written report shall be submitted to the Principal and forwarded to the Superintendent. The parents/guardians of a student searched in accordance with this policy shall be notified of the search as soon as possible.

The Superintendent shall direct the Principal or designee to develop rules and regulations to implement this policy.

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

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