



SECTION IV: STUDENTS

POLICY 4280

SEARCH OF STUDENTS FOR POSSESSION OF ILLEGAL SUBSTANCES, WEAPONS, RELATED ITEMS

Authority is given to school administrators to conduct a search of any pupil or property, including vehicles, in the possession of a pupil on any school premises, or while in transit under the authority of the school, or while attending any function sponsored by the school, when reasonable suspicion exists to suspect the possession of the following:

1. Dangerous weapons
2. Controlled dangerous substances, as defined in the Uniform Controlled Dangerous Substances Act
3. Intoxicating beverages
4. Low-point beer, as defined by Section 163.2 of Title 37 of Oklahoma Statutes
5. Unauthorized wireless telecommunication devices
6. Missing or stolen property if the property is reasonably suspected to have been taken from a pupil, a school employee or the school during school activities
7. Other contraband and materials that are illegal or prohibited by school policies, rules or regulations

The Board of Education authorizes the use of metal detectors including but not limited to hand-held detectors for the purpose of interdicting weapons brought to school property. Metal detectors may be utilized at any school facility and at school sponsored extra-curricular events. At school sponsored events both students and the general public may be subject to scanning by a metal detector. Scanning shall be random except in situations where the administrator has reasonable suspicion based on observation of behavior or a report provided by a reliable source. Any student attempting to evade a metal detector will be deemed to be in violation of this policy and will be subject to disciplinary action.

Personal search of a student shall be conducted by a person of the same sex as the person being searched and shall be witnessed by at least one other school employee, when practicable shall also be of the same sex as the person being searched. A search conducted under this policy shall be reasonably related to the objective of the search and shall not be excessively intrusive in light of the age and sex of the student and the nature of the alleged infraction.

The Superintendent of Schools, principal, or designated school employee searching or authorizing the search has authority to detain a student to be searched and to preserve any dangerous weapons, controlled dangerous substances, intoxicating beverages, low-point beer, unauthorized wireless telecommunication devices, missing or stolen property or other item that is illegal or violates school policies, rules or regulations the school administrator has reasonable suspicion that might be in the pupil's possession.

Authority is given to school administrators to detain or restrain such pupil or to preserve any of the specified items for which a search is conducted. The personal search of a student shall be conducted with extreme caution and should be considered only when one of the specified items is being concealed on the student's person.

Students have an obligation to cooperate with school authorities in the conduct of searches, including the search of student vehicles. Students who fail or refuse to cooperate in the conduct of a search or



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who attempt to evade a search will be subject to discipline, which may include out-of-school suspension.

~~Strip searches are prohibited. No s~~Student's clothing ~~will not be removed unless it is, except~~ cold weather outerwear, shoes, hand, and head coverings (excluding religious head coverings) ~~shall be removed~~ prior to or during the conduct of any school search. An exception is made when a legal warrant has been obtained through appropriate legal process. If a search will involve removal of any student's clothing, ~~other than except~~ cold weather outerwear, shoes, hand, and head coverings, then the student should be detained and the following action taken:

"The administrator authorizing the search shall notify the local law enforcement agency which shall be responsible for obtaining any warrant or other authorization necessary to conduct such search."

Any pupil found to be in possession of dangerous weapons, controlled dangerous substances, intoxicating beverages, low-point beer, unauthorized wireless telecommunication devices, missing or stolen property or other item that is illegal or violates school policies, rules or regulations may be suspended out-of-school, in accordance with appropriate school policies, rules and regulations.

Building administrators shall inform all pupils through written explanation in the student instructions, handbook, or disciplinary code that the student has no reasonable expectation of privacy rights towards school officials in school lockers, desks, or other school property. Pupils shall not have any reasonable expectation of privacy toward school administrators or teachers in the contents of a school locker, desk, or other school property.

School personnel have access to school lockers, desks, and other school property in order to properly supervise the welfare of pupils. Authorization is given for school lockers, desks, and other areas of school facilities to be opened and examined by appropriate school officials at any time. No reason shall be necessary for such search.

In accordance with provisions of Title 70, Section 24-100.4 of the Oklahoma Statutes, the professional educator "shall have the same right as a parent or guardian to control and discipline such child according to district policies during the time the child is in attendance or in transit to or from the school or any other school function authorized by the school district or classroom presided over by the teacher." Building administrators shall advise professional staff of provisions of this policy and insure that professional staff members are familiar with legal steps to be observed in the conduct of a personal search of a student.

Source: *Title 70, Section 24-102, Oklahoma Statutes.*
School Regulations Amended and Adopted as Policy by Broken Arrow Board of Education, August 7, 1989.
Broken Arrow Board of Education policy revised, September 3, 1997.
Broken Arrow Board of Education policy revised, July 22, 2002.
Broken Arrow Board of Education policy reviewed April 6, 2009.



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