



*"Inspire learners, Integrate sustainability,  
Involve community"*

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## SCHOOL DISTRICT NO. 64

### PROCEDURE 3054 Search and Seizure

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Section: Health and Safety

Dates of Revisions:

Date of Adoption and

Resolution Number: June 13, 2018- 76/18

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The purpose of this procedure is to ensure the safety and well-being of all members of the school community, while respecting the rights of individuals to be secure against unreasonable search. It provides guidelines for searches or inspections of school lockers on loan to students and their possessions, and for seizing evidence of their violation of the school code of conduct. Such evidence may include, but is not be limited to, illegal substances and dangerous objects.

1. Where the principal, vice-principal or designate has reasonable grounds to believe a school rule has been or is being violated by a student, and that a search will produce evidence of that violation and the principal, vice-principal or designate may conduct a search of students and their possessions (including those inside district-owned lockers).
2. Reasonable grounds in this context may include:
  - a. information believed to be credible, received from another member of the school community;
  - b. a staff member's observation
  - c. any combination of information and observation, including that provided by police detection dogs.
3. Because school lockers are district property, the Principal, Vice Principal or Board-approved designate may conduct random locker searches to ensure compliance with school board policy regarding intoxicating or controlled substances and weapons.
4. These search guidelines will be followed:
  - a. the reason for conducting the search, and the purpose of it, will be clearly stated;
  - b. the search will be conducted in a private area in a respectful manner which recognizes the right to be treated fairly.
  - c. the use of threats is not permitted;

- d. searches will be conducted in the presence of a second adult
- e. where reasonably possible a search will be conducted by a person of the same gender(s) the individual(s) subject to the search;
- f. school officials should not physically search students. Rather, students should be requested to provide any concealed articles on their person, or in their personal property; and, where students are concerned, a reasonable attempt will be made to contact the parent(s) and/or legal guardian(s) prior to the search.
- g. illegal substances found during a search must be turned over to the police, and reasonable efforts must be made to notify a parent/guardian.
- h. generally, dangerous objects seized should be turned over to the police. However, administrators may use discretion when it is clear that an object was not brought to the school for harmful purposes (for example, a pocket knife). In these cases, the item should be confiscated and the parent notified that the object may be picked up from the school.
- i. if no illegal substances are found in the locker, the principal will use his/her judgment to determine if further action is warranted with a student and his/her parents.
- j. principals/vice-principals must exercise due care in interviewing students. It is important to take careful notes of all student interviews, and advisable to have an adult staff member present.

**5. Police detection dogs:**

- a. may be use to inspect lockers used by students, as part of effort to maintain, secure and orderly school environment.
- b. may be used to inspect other areas of the school premises, including parking lots and unattended property found on school premises, where there is a reasonable suspicion that illegal substances or dangerous objects are present.
- c. may not be used on a random basis or in the absence of such reasonable grounds.

**6. Inspections by drug detection dogs will:**

- a. be conducted by trained personnel and in such a way as to minimize interaction with students;
- b. be conducted during class times or outside school hours.

The area in which the dog will be present will be blocked off by a staff member, classroom doors will be closed, and only personnel associated with the inspection will be allowed in the area while the dog or dogs are present. Lockers or property indicated by the drug dog will be noted and opened at a later time by the principal or vice-principal.

7. Should the Superintendent of Schools feel the need to schedule school-wide locker searches (or, 'locker sweeps') involving police detection dogs,
  - a. these will be scheduled at the beginning of each school year, and their dates announced to the school community;
  - b. a general announcement will be made immediately prior to the locker sweep;
  - c. a school official will accompany the dog team and advise that in the event of an emergency, the dogs must be removed from the hallways immediately, before students are released from classrooms;
  - d. students will be confined to classrooms for the duration of the locker sweep.

In this situation the use of drug detection dogs in respect to any other areas of school premises or unattended property found on school premises requires a reasonable suspicion that illegal substances or dangerous objects are actually present.

8. To protect student confidentiality, any videotape recordings made of the search and seizure procedure will be stored, viewed, and handled in the same way as video surveillance recordings (as per Policy and Procedure 3650).

**References:**

- Policy and Procedure 3650