

INDIANA SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED

Student Search Policy

Policy/Procedure O-16

Policy: It is the policy of the Indiana School for the Blind and Visually Impaired to provide a safe and violence-free environment for students, staff, contractors, and visitors. To protect the safety and well-being of the ISBVI community, the policy of the Indiana School for the Blind and Visually Impaired is to search students and seize contraband or prohibited items from the student when legally appropriate.

The Fourth Amendment to the United States Constitution protects students from unreasonable searches by public school officials on school property, school buses, and at school events. School officials do not need to establish probable cause to justify the search of each student on school grounds, school buses, and at school events; reasonable grounds to justify a search are sufficient. “Reasonable grounds” is an individualized suspicion that is based on reasons that can be articulated. It is more than a mere hunch or supposition.

The following criteria must be met to justify a student search: 1) the search must be justified at its inception; and 2) the search must be reasonably related in scope to the circumstances that justified the initial interference. A student search is justified when there are reasonable grounds for suspecting that the search will reveal evidence demonstrating a criminal law or school rule violation. The scope of the search will be reasonable when the measures adopted are reasonably related to the objectives of the search and not excessively intrusive given the type of infraction and the age and sex of the student.

The ISBVI Board directs the ISBVI Superintendent to ensure that ISBVI staff, contractors, and volunteers comply with this policy consistent with state policy or statutory requirements by:

- 1) Developing ISBVI Administrative Directives and Procedures to implement the ISBVI Board Policy on Student Searches serving notice to staff and volunteers and clearly delineating their responsibilities, expectations, and procedures under this policy;
- 2) Providing ISBVI staff, contractors, and volunteers with written notice and documenting their receipt of these documents by obtaining their signatures;
- 3) Affording initial and periodic on-going training to ISBVI staff, contractors, and volunteers on the ISBVI Board Policy on Student Searches and the accompanying ISBVI Administrative Directives and Procedures.

ISBVI Policy O-16

Adopted by ISBVI Board: 2/26/01

Revised: 10/16/06

Reviewed and Approved: 10/21/13, 8/20/18

ISBVI Superintendent: _____

_____ Date

ISBVI Board Chair: _____

_____ Date

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Student Search Procedure

The school recognizes that students maintain their rights of privacy while attending school and that those rights include the right to be free from unreasonable searches by school personnel. These rights will not be disturbed unless it is necessary to do so to enforce the law or school rules. In all circumstances, students shall be treated with dignity and respect. In order to clarify the rights of the students and responsibilities of the school, the Indiana School for the Blind and Visually Impaired adopts the following procedure:

1. General: Administrative level staff and security personnel may search a student's person, locker, dorm room or vehicle if there are reasonable grounds for that search. As used in the Student Search Policy, reasonable grounds for search exist if the circumstances would cause a reasonable person to suspect that the search will turn up evidence that the student has violated or is violating the law or the rules of the school.
2. Search of Student's Person: A search of a student's person may occur only if reasonable grounds exist for the search. Generally, searches of a student's person shall be limited to (1) searching the pockets of the student; (2) searching any object in the student's possession, such as a purse or briefcase; or (3) a "patdown" of the student's clothing (administrative level staff and security personnel of the same gender).
3. Search of Student Lockers/Dorm Room: All lockers, storage areas and dorm rooms provided for students use on school premises remain the property of ISBVI and are provided for the use and convenience of the students. Under state law, students do not have any expectation of privacy in their locker or its contents. All locks used on lockers or storage areas are to be provided or approved by the school and unapproved locks may be removed and destroyed. Searches will be conducted by administrative level staff and security personnel. If possible, the student whose locker is to be searched shall be present at the time of the search.
4. Search of Motor Vehicles: A student may be denied the privilege of bringing a motor vehicle onto school premises unless the student, the owner of the vehicle and the parent of the student consent to the search of that vehicle when there is reasonable grounds for that search. If possible, the student whose vehicle is to be searched shall be present at the time of the search. Administrative level staff and security will conduct the search.