

Code No. 502.8  
SEARCH AND SEIZURE

School district property is held in public trust by the board. School district authorities may, without a search warrant, search students or protected student areas based on a reasonable and articulable suspicion that a school district policy, rule, regulation or law has been violated. The search shall be in a manner reasonable in scope to maintain order and discipline in the schools, promote the educational environment, and protect the safety and welfare of students, employees and visitors to the school district facilities. The furnishing of a locker, desk or other facility or space owned by the school and provided as a courtesy to a student, even if the student provides the lock for it, shall not create a protected student area and shall not give rise to an expectation of privacy with respect the locker, desk, or other facility.

School authorities may seize any illegal, unauthorized or contraband materials discovered in the search. Items of contraband may include, but are not limited to, nonprescription controlled substances, marijuana, cocaine, amphetamines, barbiturates, apparatus used for controlled substances, alcoholic beverages, tobacco/nicotine, weapons, explosives, poisons and stolen property. Such items are not to be possessed by a student while they are on school district property or on property within the jurisdiction of the school district; while on school owned and/or operated school or chartered buses; while attending or engaged in school activities; and while away from school grounds if misconduct will directly affect the good order, efficient management and welfare of the school district. Possession of such items will be grounds for disciplinary action including suspension or expulsion and may be reported to local law enforcement officials. The board believes that illegal, unauthorized or contraband materials may cause material and substantial disruption to the school environment or presents a threat to the health and safety of students, employees, or visitors on the school district premises or property within the jurisdiction of the school district.

The Superintendent of Schools may authorize, as part of an overall effort to maintain safe schools, the periodic use of narcotic detection dogs to alert staff to the presence of substances prohibited by law or Board policy.

All school property such as lockers, classrooms, parking areas and storage areas may be searched.

- Dogs shall not be used in rooms occupied by persons except for demonstration purposes with the handler present.
- When used for demonstration purposes, the dog may not sniff the person or any individual.
- The dogs may sniff the air around lockers, desks, or vehicles on District property or at District-sponsored events as long as they are not allowed to sniff within close proximity of any student's person.
- Individual(s) shall not be subjected to a search by dogs. To avoid the potential of allergic reactions, dogs shall be kept away from the students.

Actual times or dates of planned searches need not be released in advance. Only the dog's official handler will determine what constitutes an alert by the dog. If a dog alerts on a locker and a search is subsequently conducted by school officials, the search will be conducted in the presence of the student(s) whose locker(s) is/are being searched or, in the absence of the student(s), the search shall be conducted in the presence of at least one other person. If a dog alerts on a locked vehicle, the student who brought it onto District property shall be asked to unlock it for a search conducted per procedure outlined in Board of Education Policy. An effort shall be made to protect the student's privacy to the greatest degree possible.

Law enforcement agencies will be contacted to investigate, handle and confiscate any illegal substances or materials found during the school's search and students with such substances or materials may be subject to criminal prosecution in addition to any school disciplinary action.

It shall be the responsibility of the superintendent, in conjunction with the principals, to develop administrative regulations regarding this policy.

Legal Reference: U.S. Const. amend. IV.  
New Jersey v. T.L.O., 469 U.S. 325 (1985).  
Cason v. Cook, 810 F.2d 188 (8th Cir. 1987), cert. den., 482 U.S. 930 (1987).  
Iowa Code ch. 808A.  
281 I.A.C. 12.3(6).

Cross Reference: 905.02 Nicotine/Tobacco-Free Environment

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