

**LAS LOMITAS ELEMENTARY SCHOOL DISTRICT**

**Board Policy**

**STUDENTS**

**BP 5145.1.2**

**Search and Seizure**

As necessary to protect the health, safety and welfare of students and staff, school officials may search students, their property and/or district property under their control, and may seize illegal, unsafe and prohibited items. The Governing Board requires that discretion, good judgment and common sense be exercised in all cases of search and seizure.

**Individual Searches**

School officials may search individual students, their property and district property under their control, when there is a reasonable suspicion that the search will uncover evidence that the student is violating the law, Board policy, administrative regulation, or other rules of the district or the school.

Employees shall not conduct strip searches or body cavity searches of any student. (Education Code 49050)

Searches of individual students shall be conducted in the presence of at least two district employees.

The principal or designee shall notify the parent/guardian of a student subjected to an individualized search as soon as possible after the search.

**Student Lockers/Desks**

Because lockers and desks are under the joint control of the student and the district, school officials shall have the right and ability to open and inspect any school locker or desk without student permission or prior notice when they have reasonable suspicion that the search will uncover evidence of illegal possessions or activities or when odors, smoke, fire and/or other threats to health, welfare or safety emanate from the locker or desk. Any items contained in a locker or desk shall be considered to be the property of the student to whom the locker or desk was assigned.

**Cross References:**

BP 5145.11 – Questioning and Apprehension

**Legal References:**

**EDUCATION CODE**

- 35160 Authority of governing boards
- 35160.1 Broad authority of school districts
- 35294-35294.9 School safety plans
- 49050-49051 Searches by school employees
- 49330-49334 Injurious objects

**PENAL CODE**

- 626.9 Firearms
- 626.10 Dirks, daggers, knives or razors; bringing into or possession of upon or within public school ground; exception

**Original Adoption:** February 1987

Revised and renumbered: June 21, 2006