School Board Policy 8265
Student Searches and Seizure

A. Purpose

1. Whether a search of a student is permissible depends on a balancing of the student’s particular right to privacy and freedom in a circumstance from unreasonable search and seizure against the school division’s responsibility to protect the health, safety and welfare of all persons in the school community and to carry out its educational mission.
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Conduct Amounting to a Search

For the examples listed in policy 8265 of conduct amounting to a search please reference the full draft policy.
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N. **Parent or Guardian Notification.** A parent or guardian will be notified, either before or afterwards, of any search **involving their student**.

O. **Seizure.** Under the Fourth Amendment, a seizure is any government action that materially interferes with a student's possessory interests in tangible property. In the school setting, something is "seized" when school officials confiscate or take it away from a student. Even if the student hands the item to the official and the transfer cannot be reasonably characterized as being voluntary **it would constitute a seizure**.

School officials may seize any item discovered during a valid and lawful student search that has been connected with the reason for the search, is contraband or evidence found in the course of a search reasonable in scope or was contraband or evidence freely and voluntarily provided to the school official in the course of reasonable suspicion search.
P. Data Collection. LCPS will develop a system to document all student searches. Data will be collected and reviewed annually at the school and division level.

Q. Training Protocols. LCPS will develop effective training protocols. All school officials who may be involved in conducting a search will be required to attend training and an annual review.