

Students

Search and Seizure

Use of Dogs to Search School Property

The Board of Education considers the possession or use of illegal drugs and other illicit substances on school grounds or at school-sponsored activities to be highly detrimental to the learning process as well as the health and safety of students and staff. As part of its commitment to eliminate the presence of illegal drugs and other contraband from its schools, the Board of Education has authorized the school administration to use trained dogs to conduct searches on school property.

Students, parents, and visitors are advised that desks, lockers and other such property owned by the Board of Education are provided for use by students solely to support the educational experience. Students should have no expectation of privacy in the use of desks, lockers and other similar school property. Furthermore, all lockers, desks and other storage places on school property as well as vehicles parked on school property are subject to search by school officials whenever there are reasonable grounds to believe that a search would produce evidence of illegal activity or a violation of Board policy or school rules.

The Board shall permit the administration to invite law enforcement agencies or other qualified agencies or individuals to search school property with dogs trained for the purpose of detecting the presence of illegal substances, when necessary to protect the health and safety of students, employees or property and to detect the presence of illegal substances or contraband, including alcohol and/or drugs. The use of trained canine sniffing dogs is subject to the following:

1. The administration shall authorize the search and the Principal or his/her designee shall be present while the search is taking place.
2. Parents and students shall be notified of this policy through its inclusion in the student and/or parent handbook.
3. All school property such as lockers, classrooms, parking areas and storage areas may be searched.
 - a. Dogs shall not be used in rooms occupied by persons except for demonstration purposes with the handler present.
 - b. When used for demonstration purposes, the dog may not sniff the person or any individual.

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Use of Dogs to Search School Property (continued)

4. Individual(s) shall not be subjected to a search by dogs.
5. Once notification has been given to parents and students, through the inclusion of the policies in the student and/or parent handbook, the school district will have met its obligation to advertise the searches. Additional notices need not be given and actual times or dates of planned searches need not be released in advance.
6. Only the dog's official handler will determine what constitutes an alert by the dog. If the dog alerts on a particular item or place, the student having the use of that item or place or responsibility for it shall be called to witness the search. If a dog alerts on a locked vehicle, the student who brought it onto district property shall be asked to unlock it for inspection.
7. Law enforcement agencies will be given full authorization to investigate and prosecute any person(s) found to be responsible for illegal substances(s) on school property.

(cf. - 5145.12 Search and Seizure)

Legal Reference: Connecticut General Statutes
10-221 Boards of education to prescribe rules.
New Jersey v T.L.O., 53 U.S.L.W. 4083 (1985)
Conn. Gen. Stat. § 54-33n, Search of School Lockers and Property

Policy adopted: June 12, 2001
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NEW MILFORD PUBLIC SCHOOLS
New Milford, Connecticut