

Southwest Georgia STEM Charter School
Policy S4: Search and Seizure
Adopted: July 30, 2020

The Governing Board of Southwest Georgia Stem Charter hereby adopts the following policy related to searches which shall be effective on the date the policy is adopted by the Board.

The school leader, or his/her authorized representative, possesses the authority to conduct reasonable interrogations of students in order to investigate properly and impose appropriate administrative action for student misconduct. All searches should be conducted in accordance with applicable law.

1. Search and Seizure

- a. To maintain order and discipline in the schools and to protect the safety and welfare of students and school personnel, school authorities may search a student, student lockers or student automobiles under the circumstances outlined below and may seize any illegal, unauthorized, or contraband materials discovered in the search.
- b. As used in this policy, the term "unauthorized" means any item dangerous to the health or safety of students or school personnel, or disruptive of any lawful function, mission or process of the school, or any item described as unauthorized in school rules available beforehand to the student.
- c. A student's failure to permit searches and seizures as provided in this policy will be considered grounds for disciplinary action.
- d. All searches by school employees shall be reasonably related to the objectives of the search and not excessively intrusive in light of the student's age and sex and the nature of the infraction.

2. Personal Searches

- a. A student's person and/or personal effects (e.g. purse, book bag, etc.) may be searched whenever a school official has reasonable suspicion to believe that the search will reveal a violation of the law, the student conduct behavior code, or local school rules.
- b. Whenever reasonable suspicion exists that the student possesses unauthorized materials, contraband drugs or other items deleterious to the safety and welfare of the school community, or evidence of a violation of the law, the student conduct behavior code, or local school rules, the designated school official of the same sex as the student and only in the presence of a certificated school employee of the same sex as the student or in the presence of an adult who is the same sex as the student may conduct in private a pat down of the student suspected of possessing the deleterious item. The School leader may also choose to contact the Sheriff's Department for assistance in conducting searches.
- c. If a school official has reasonable suspicion to believe that a particular student has on his or her person an item imminently dangerous to the student or others (for example: an explosive, a knife, a gun or other weapon of similar import or a substance that can penetrate the skin and cause serious immediate harm to the student), a more intrusive search of the student's person may be conducted. To

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justify a search of a student's person without the student's consent, the school officials must reasonably perceive that certain and immediate and extreme harm will result unless such search is conducted without delay. Such a search may only be conducted in private by the designated school official of the same sex as the student and only in the presence of two certificated school employees of the same sex as the student. Such searches should only be conducted when the health or safety of students or school employees is in immediate and serious jeopardy and will be significantly endangered by the delay in contacting law enforcement to perform the search. Law enforcement should still be contacted, even if the search is conducted before they arrive.

3. Locker Searches

Students cannot reasonably expect total privacy in respect to school lockers. Principals of the school where lockers are issued shall ensure that at the time lockers are made available to students, it is clearly specified in writing that lockers are subject to inspection and search by school officials. The school shall maintain duplicate keys or records of all locker combinations and avoid any practices which lead students to believe that lockers are under their exclusive control. School officials may search lockers at any time without a search warrant, without notice, and without student consent.

4. Motor Vehicle Searches

a. Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to conduct routine patrols of student parking lots and inspections of the exteriors of student automobiles on school property. The interiors of student vehicles may be inspected whenever a school authority has reasonable suspicion to believe that illegal or unauthorized materials are contained inside. Such patrols and inspections may be conducted without notice, without student consent, and without a search warrant.

b. Notice of the foregoing right to search shall be given to students who park on school property; however, failure to give such notice will not preclude school officials from conducting searches of vehicle interiors when otherwise authorized.

5. Search Results: In the event search of a student's person, his/her personal possessions, vehicle or locker reveals a violation of federal, state or local law, law enforcement authorities may be notified so that they may take appropriate action.