

Students

BP 5145.12

SEARCH AND SEIZURE

The Governing Board recognizes that incidents may occur which jeopardize the health, safety and welfare of students and staff and which necessitate the search and seizure of students, their property, or their lockers by school officials.

(cf. 5145.11 - Questioning and Apprehension)

School officials may search individual students and their property when there is a reasonable suspicion that the search will uncover evidence that the student is violating the law or the rules of the district or the school. The Board urges that discretion, good judgment and common sense be exercised in all cases of search and seizure.

The parent/guardian of a student subjected to an individualized search shall be notified by the district as soon after the search as possible.

Student Lockers

Because lockers 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 without student permission when they have reasonable suspicion that the search will disclose evidence of illegal possessions or activity or when odors, smoke, fire and/or other threats to student health, welfare or safety emanate from the locker.

For health and safety reasons, a general inspection of school properties such as lockers and desks may be conducted on a regular, announced basis, with students standing by their lockers or desks. Any items contained in a locker shall be considered to be the property of the student to whom the locker was assigned. Notice of this policy shall be given to all students when lockers are assigned.

Legal Reference: (see next page)

BP 5145.12(b)

SEARCH AND SEIZURE (continued)*Legal Reference:*EDUCATION CODE*35160 Authority of governing boards**35160.1 Broad authority of school districts**35294-35294.5 School safety plans**49050-49051 Searches by school employees**49330-49334 Injurious objects*PENAL CODE*626.9 Firearms**626.10 Dirks, daggers, knives or razor; bringing into or possession of upon or within public school ground; exception**75 Ops.Cal.Atty.Gen. 155 (1992)**New Jersey v. T.L.O. (1985) 469 U.S. 325**Zamora v. Pomeroy (10th Cir. 1981) 639 F.2d 662**Horton v. Goose Creek Independent School District (5th Cir. 1982) 690 F.2d 470**O'Connor v. Ortega (1987) 107 S.Ct. 1492*

Policy
adopted: January 20, 1998

CULVER CITY UNIFIED SCHOOL DISTRICT
Culver City, California

