

## SEARCH AND SEIZURE

In the interest of the welfare of the students and the school community, it may be necessary to search a student or the student's property. The search may be conducted if the school official or his/her designee has a reasonable suspicion that the student has obtained or has in his/her possession, items in violation of school regulation, local ordinance or state law.

School officials must inform students of the reason for conducting a search and request students to give permission to conduct the search.

### Conducting a Search With the Student's Consent

The school official or designee who is conducting the search may request a student to empty pockets, purses, backpacks or other articles used to carry personal effects, to remove hats, shoes and/or to roll socks down. He/she may also request a student to remove outer garments, such as sweatshirts, sweaters, jackets, or vests, if worn over blouses, shirts or T-shirts. No school official has the right to request the removal of any other clothing, or to conduct a strip search of a student. If the student cooperates, the school official or designee may notify the student's parent/guardian of the reason of such search.

### Conducting a Search if a Student Refuses to Cooperate With School Officials

If a student refuses to cooperate, the school official or designee has the authority to involve a parent/guardian or to turn the matter over to law enforcement officials. The student may be detained until the law enforcement official arrives. If the matter is turned over to the law enforcement officials, the school official or designee notifies the parent/guardian as soon as possible of the search and the reason for the search by law enforcement officials.

In potentially dangerous situations, a school official or designee may search a student's pockets or belongings and conduct a pat-down search if he/she has reason to suspect that a student is carrying a dangerous or illegal item or substance and believes that an immediate search is necessary. The student may be detained until such time as a law enforcement official arrives.

A written record of all actions leading up to and including the search is required for all searches of students who refuse to cooperate. This record must be maintained by the individual doing the search.

### Searches of Students, Lockers, and Inanimate Objects

Personal searches of students, lockers, and inanimate objects, including motor vehicles on school property, shall be conducted by/when law enforcement officers have a search warrant or when on their authority they order the cooperation of school administrators.

### Student Lockers

School lockers are the property of the Colby School District. At no time does the Colby School District relinquish its exclusive control of lockers provided for the convenience of students. Periodic general inspections of lockers may be conducted by school authorities as determined necessary and appropriate, without notice, without student consent, and without a search warrant.

School officials may seize any or all items that are dangerous and/or illegal or which may constitute disruption and which are in plain view upon opening the locker. Reasonable searches among the personal belongings of the student contained within the locker may be conducted where there are reasonable grounds to believe that the search will provide evidence that the student has violated or is violating the law or school rules. Any items which are seized during a search by school authorities must be safeguarded until determination has been made by the appropriate authorities for disposition of the items.

LEGAL REFERENCE: Wisconsin Stat. 118.257, 118.32, 118.325