



Procedure Section: **School Administration**

300

Procedure Name: **Search and Seizure
in the Schools**

302

PROCEDURE

Search and Seizure in the Schools

Guidelines

1. Search and seizure guidelines will be in accordance with the Police and School Board Response Protocols.
2. It is the responsibility of the Principal to advise the students at the beginning of the school year that desks and lockers are school property and there is no expectation of privacy; therefore, a search of such property is permissible by the school administration. In this case, the Principal is acting as an agent of the Board and not as an agent of the police.
3. A Principal, or Designate, must have reasonable grounds to believe that there has been a breach of school regulations or discipline and that a search of any specific individual or any individual's property will reveal evidence of that breach. Board staff are in the best position to assess information given to them and relate it to the situation existing in their school.

The following are examples of what may constitute reasonable grounds:

- information received from one student who is considered to be credible;
- information received from more than one student;
- a Teacher's or Principal's own observations; and/or
- any combination of these pieces of information which the relevant school authority considers to be credible.

In addition, the search must be reasonable in accordance with the following criteria:

- a) The search itself must be carried out in a reasonable manner. It should be conducted in a sensitive manner and be minimally intrusive bearing in mind the student's age, gender, and circumstances of a personal nature.
 - b) In order to determine whether a search is reasonable, all the surrounding circumstances will have to be considered.
4. Where a search is requested of a student's belongings or clothing, and where the student refuses to permit such a search, school officials should not attempt a search against the will of the student. In such cases, police shall be notified immediately.
 5. The Principal, or Designate, shall contact the police immediately if the search reveals that a student is in possession of any illegal material.

6. If the student is under eighteen (18), the Principal, or Designate, shall notify the parent(s) or guardian(s) immediately, unless the notification, if in the opinion of the Principal, or Designate, would put the student at risk of harm from the parent(s) or guardian(s) of the student.

7. Search of Property

- a) The locker is the property of the school and the Keewatin-Patricia District School Board and may be searched by the Principal, or Designate, at any time.
- b) Although, under the Criminal Code, the police may conduct a locker search either with or without a search warrant, the police will communicate with school administration under the guidance of the Police and School Board Response Protocol should a search occur.
- c) Vehicles on the premises of the Keewatin-Patricia District School Board are subject to the Board's policy and procedures and a condition of bringing any private vehicle onto school property is that such a vehicle is subject to search with reasonable cause by the Principal, or Designate.

8. Search of a Person (students, staff, visitors)

- a) A search of a person by the Principal, or Designate, would be limited to searches within the bounds of common decorum.
- b) Teachers, principals, or vice-principals shall make every effort to avoid touching a student during a student search and shall not conduct personally intrusive student body searches, strip searches, or searches which may pose a risk to the safety of staff or students.
- c) Any search conducted at the school must have a Principal, or Designate, as well as an adult witness present.
- d) If a strip search is considered advisable, it must be referred to the police.

9. The Director of Education, or Designate, should be advised that a search is to be conducted in advance, where possible and appropriate. If not, the Director of Education, or Designate, must be advised of any search as soon as possible thereafter.

10. When a search is conducted, a record of all pertinent information should be documented. Information to be documented includes details of allegations, names of relevant parties and possible witnesses, time of relevant incidents, time and place of investigation, parties

interviewed, effort made to contact parents, discussions held to date, and details of police involvement if any. Who was present during the search, as well as any items confiscated should be documented as well.

11. Staff should wear gloves when touching unknown or illegal substances. Prohibited substances or objects discovered as a result of a search will be confiscated and retained in a secure location until they can be disposed of. In the event that illegal substances or prohibited objects are confiscated, the police will be notified for disposal.