



Georgia Department of Education

Policies and Procedures

Policy Title:	<i>Search and Seizures, State Schools</i>		
Policy Number:	<i>SS-6001 Descriptor Code-JCAB</i>		
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Purpose

To provide guidelines for conducting student, dorm room, locker, and motor vehicle searches, and seizing unauthorized or contraband material.

Applicability

This policy applies to all full, part-time, and visiting students at the Atlanta Area School for the Deaf, the Georgia Academy for the Blind, and the Georgia School for the Deaf.

Policy

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, dorm room, locker, or student automobile under the circumstances outlined below and may seize any illegal, unauthorized, or contraband materials discovered in the search.

Definitions

Unauthorized: 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.

General Provisions

A student's failure to permit searches and seizures as provided in this policy will be considered grounds for disciplinary action.

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.

Personal Searches

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 student is in possession of illegal or unauthorized materials.

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, 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, and who is designated by the School Director or his/her superior may conduct in private a pat down of the student suspected of possessing the deleterious item.

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 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 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 and who is designated by the School Director or his/her superior. Such a search may only be conducted with the prior approval of the School Director or one of his/her superiors, unless the health or safety of students or school employees is in immediate and serious jeopardy and will be significantly endangered by the delay which might be caused by following the procedures.

Dorm Room Searches

Students cannot reasonably expect total privacy in respect to school dorm rooms. School Directors of each school where students reside on campus shall insure that at the time dorm rooms are made available to students, it is clearly specified in writing that the rooms are subject to inspection and search by school officials. School officials may search dorm rooms at any time without a search warrant, without notice, and without student consent; however, the same procedures must be followed in accordance with personal searches as written in this policy.

Locker Searches

Students cannot reasonably expect total privacy in respect to school lockers. School Directors of each school where lockers are issued shall insure 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. Each 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.

Motor Vehicle Searches

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 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.

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.

Search Results

In the event a search of a student's person, his/her personal possessions, dorm room, locker, or vehicle reveals the student is concealing material, the possession of which is prohibited by federal, state, or local law, appropriate procedures/actions shall be followed or taken which may include the notification of local law enforcement authorities or other agencies. An incident report shall be made to the Office of State Schools in accordance with established policy.

Authority and/or Cross-Reference

- State Board of Education Rule 160-4-8-.15