

SEARCH AND SEIZURE

- I. The Board of Education has charged school authorities with the responsibility of safeguarding the safety and well-being of the students in their care, whether on campus or school-sponsored activities. In the discharge of that responsibility, school authorities may search school property used by students, or the person or property of a student, in accordance with the following policy.
- II. School Property – The District provides a student locker for the convenience of students. The District retains ownership of student lockers. Students shall not have an expectation of privacy in lockers. School authorities, for any reason, may conduct periodic general inspections of lockers at any time without prior notice. Locker searches will be supervised by the school principal or an assistant principal, and shall include a witness.
- III. Technology devices that are issued and owned by the District are provided as a tool to enhance learning experiences. Students shall not have an expectation of privacy with regards to the material contained or files directly accessed on the device. School authorities, for any reason, may conduct periodic general inspections of the devices at any time without prior notice.
- IV. Student Person and Possessions – The Board recognizes that the privacy of students or their belongings may not be violated by unreasonable search and seizure and directs that no student be searched without reasonable suspicion that the search will turn up evidence that the student has violated or is violating either a particular law or a particular rule of the school. Any search under this paragraph must be reasonable in scope and reasonable in the manner in which it is conducted. The extent of the search will be governed by the seriousness of the alleged infraction, the student's age and gender, and any other relevant circumstances or information.
- V. Whenever possible, a search will be conducted by the principal in the presence of the student and a staff member. A search prompted by the reasonable suspicion that health and safety are immediately threatened will be conducted with as much speed and dispatch as may be required to protect persons and property.
- VI. Use of Dogs – The Board authorizes law enforcement personnel use of specially trained dogs to detect the presence of drugs and devices such as bombs on school property under the following conditions:
 - A. When authorized in advance by the Superintendent.

- B. The dog must be handled by a law enforcement officer specially trained to safely and competently work with the dog.
- VII. The Superintendent may request the assistance of a law enforcement agency in implementing any aspect of this policy.
- VIII. Anything found in the course of a search pursuant to this policy, which constitutes evidence of a violation of a particular law or school rule or which endangers the safety or health of any person shall be seized and utilized as evidence if appropriate. Seized items shall be returned to the owner if the items may be lawfully possessed by the owner. Seized items that may not lawfully be possessed by the owner shall be transferred to law enforcement and documented.
- IX. The Superintendent shall prepare administrative guidelines to implement this policy. This policy shall be included in student handbooks.

Legal References:

Sections 118.32, 118.325, 948.50, Wis. Stats.
U.S. Constitution, 4th Amendment

Cross References:

Administrative Guideline 5771 – Search and Seizure

Adopted: 6/18/01

Revised: 2/11/08; 8/12/13; 3/16/15

The Port Washington-Saukville School District does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities and provides equal access to designated youth groups. The following person has been designated to handle inquiries regarding the non-discrimination policies: Director of Special Services, Port Washington-Saukville School District, 100 W. Monroe Street, Port Washington, WI 53074 - Duane.Woelfel@pwssd.k12.wi.us