

Students

Search and Seizure

To maintain order and security in the schools, school authorities are authorized to conduct searches of school property and equipment, as well as of students and their personal effects. "School authorities" includes school liaison police officers.

School Property and Equipment as well as Personal Effects Left There by Students

School authorities may inspect and search school property and equipment owned or controlled by the school (such as lockers, desks, and parking lots), as well as personal effects left there by a student, without notice to or the consent of the student. Students have no reasonable expectation of privacy in these places or areas or in their personal effects left there.

The Superintendent may request the assistance of law enforcement officials to conduct inspections and searches of lockers, desks, parking lots, and other school property and equipment for illegal drugs, weapons, or other illegal or dangerous substances or materials, including searches conducted through the use of specially trained dogs.

Students

School authorities may search a student and/or the student's personal effects in the student's possession (such as purses, wallets, knapsacks, book bags, lunch boxes, etc.) when there is a reasonable ground for suspecting that the search will produce evidence the particular student has violated or is violating either the law or the District's student conduct rules. The search itself must be conducted in a manner that is reasonably related to its objectives and not excessively intrusive in light of the student's age and sex, and the nature of the infraction.

When feasible, the search should be conducted as follows:

- outside the view of others, including students;
- in the presence of a school administrator or adult witness; and
- by a certificated employee or liaison police officer of the same sex as the student.

Immediately following a search, a written report shall be made by the school authority who conducted the search, and given to the Superintendent.

Seizure of Property

If a search produces evidence that the student has violated or is violating either the law or the District's policies or rules, such evidence may be seized and impounded by school authorities, and disciplinary action may be taken. When appropriate, such evidence shall be transferred to law enforcement authorities.

LEGAL REF.: Veronia School District 47J v. Acton, 115 S.Ct. 2385 (1995).

T.L.O. v. New Jersey, 105 S.Ct. 733 (1985).

Cornfield v. Consolidated High School Dist. No. 230, 991 F.2d 1316 (7th Cir. 1993).

People v. Dilworth, 661 N.E.2d 310 (1996).

People v. Pruitt, 662 N.E. 2d 540 (Ill. App. 1st Dist. 1996).

105 ILCS 5/10-20.14, 5/10-22.6, and 5/10-22.10a.

CROSS REF.: 7:130, 7:150 (police interrogation), 7:190 (student discipline)

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