

BOARD POLICY

4.30.040-P

make exceptions in instances where this notice may deter a student who is the victim of a crime from reporting. Pursuant to Oregon law, parents/guardians may not be notified when the child is interviewed as a suspected victim of child abuse. In situations where there is an imminent threat to safety or security, there may not be an opportunity to notify parents prior to law enforcement intervention. By law, school administrators may not interfere with the arrest of students.

5. Tracking system

The District will develop a tracking system and report its findings to the Board on an annual basis. In order to comply with PPS Racial Educational Equity Policy to eliminate racial disproportionality in discipline, the tracking system should include **demographic information on the searches conducted by each school, the object of the search**, and other indicators which will help to identify, analyze, and monitor disparities.

6. Process

For more information about the process by which school officials may conduct a search or seizure of students or their property, the nature and types of prohibited property, and other details on the implementation of this policy, please see the related Administrative Directive [insert link].

7. Definitions

- a. Reasonable suspicion is a standard of proof that is based on specific facts that can be described, as well as the rational conclusions that can be drawn from those facts. Examples of reasonable suspicion may include, but are not limited to, eyewitness observations by school personnel; information from a source deemed reliable;; recognizable smell of alcohol, tobacco, or marijuana; or other unusual behavior.
- b. Interview by law enforcement means the intentional questioning of a student when the student feels they do not feel free to leave a room or disengage from the conversation.

BOARD POLICY

4.30.040-P

Search and Seizure

~~11/26/2019 2/19/20 4/21/20 5~~

~~6/2-86-20~~ Draft

1. Purpose

The Board of Education is committed to maintaining a safe school environment while respecting the privacy rights of ~~s-tudents~~students. The purpose of this policy is to preserve and foster a safe, non-disruptive educational environment for

and parents/guardians will also be notified of complaint ~~p-rocedures~~procedures available to them.

4. Parent/Guardian Notice

~~Last Revised 4/21/2020 9:34 AM~~4/21/2020 8:50 AM ~~11/26/2019 1:13 PM~~

Parents/guardians shall also be notified and must provide consent ~~-before~~ any law enforcement conducts an interview ~~e-f~~of a student who is the subject of an investigation taking place ~~who is the subject of an investigation taking place~~ on District ~~p-remises~~premises. Parents/guardians of potential witnesses or victims shall also be notified before law enforcement officers conduct an interview on District premises, ~~a-lthough~~although administrators may make exceptions in instances where this notice may deter a student who is the victim of a crime ~~f-rom~~from reporting. ~~Interviews shall take place with parental/guardian consent except i n specific scenarios outlined in the administrative directive., and no interview shall take place without parental/guardian consent. This requirement to~~ The District does not need to notify pP ~~ursuant~~Pursuant to Oregon law, parents/guardians may not be notified ~~does not apply~~ when the child is ~~taken into protective custody~~interviewed ~~interviewed~~ as a suspected victim of child abuse. In situations where there is an imminent threat to safety or security, there may ~~n-ot~~not be an opportunity to notify parents ~~p-rior~~prior to law enforcement intervention. By law, school administrators may not interfere with the ~~lawful~~ arrest of students.

~~3.~~ 5. Tracking system

The District will develop a tracking system ~~a-nd~~and report its findings to the Board on an annual basis. In order to ~~comply~~comply with PPS Racial Educational Equity ~~P-olicy~~Policy to eliminate racial disproportionality in discipline, the tracking system should ~~capture~~ include demographic information -on the number of searches conducted by each school, the object of the search, and other indicators which will help to identify, ~~a-nalyze~~analyze, and monitor disparities.

~~4.~~ 6. Process

For more information about the process by which school officials may conduct a search or seizure of students ~~e-r~~or their property, the nature and types of prohibited property, and other details on the implementation of this policy, please see the related Administrative Directive [insert link].

~~5.~~ 7. Definitions

- a. **Reasonable suspicion** is a standard of proof that is based on specific facts ~~which~~ that can be ~~articulated~~described, ~~a-nd~~ ~~—~~ ~~articulable facts~~described, as well as the ~~, along with~~ rational conclusions that can be drawn from those facts. Examples of reasonable suspicion may include, but are not limited to, eyewitness observations ~~of~~ by school personnel; information from a source deemed reliable; ~~suspicious b-ehavior~~; ~~;~~ recognizable smell of alcohol, tobacco, ~~,~~ or marijuana; or other unusual behavior.
- b. **Interview by law enforcement** means the intentional questioning of a student when the student feels ~~he/she~~ they do ~~does~~ not feel free ~~t-o~~to leave ~~the~~ a room or disengage from the conversation. Students seeking out and engaging in conversations with law enforcement during the course of the school day ~~does not constitute~~ is not an interview.

c. **Parent/Guardian** is the person who has been identified in school ~~s~~-records as having a



Search ~~And~~ Seizure

~~Student Right to Privacy.~~ Each student shall have the
6/2/20 Draft

1. Purpose

The Board of Education is committed to maintaining a safe school environment while respecting the privacy rights of
items-
students. The purpose of this policy is to preserve and foster a safe, non-disruptive educational environment for
effective teaching and learning, to maintain a safe school climate, and to achieve these objectives consistent with the
law.

- ~~(1) The Board recognizes that each student shall have the right to~~ privacy at school with respect to ~~his/her~~ each individual person, which is also accorded to public school students by law. ~~Under the law, each student's conduct is necessarily limited by the school's need to protect its educational climate from disruption by the presence of weapons, explosives, drugs or other dangerous or prohibited~~
- ~~(2) Possession of Prohibited Items.~~ To protect the educational climate and the health and safety of ~~persons and property on the school grounds and at school functions,~~ the following items are prohibited:
- ~~(a) Dangerous or deadly weapons including, but not limited to, firearms, knives, metal knuckles, straight razors, weapons of the nunchaku type, black jack, sap, sap glove, and other instruments capable of inflicting injury to persons or property;~~
 - ~~(b) Explosives;~~
 - ~~(c) Noxious, irritating or poisonous gases;~~
 - ~~(d) Poisons;~~
 - ~~(e) Intoxicants and drugs (except medicines prescribed for the student which shall be in the labeled container and non-prescription remedies);~~
 - ~~(f) Paraphernalia used in the transporting, sale or use of illegal drugs;~~
 - ~~(g) Stolen property;~~
 - ~~(h) Materials or devices which endanger the physical safety of persons or property;~~
 - ~~(i) Gang member identifying markings or paraphernalia;~~
 - ~~(j) Materials, devices, identifying markings or paraphernalia which are patently racially, religiously or sexually offensive including those associated with clubs, sects or groups avowing or practicing discrimination against persons on the basis of age, color, creed, disability, marital status, national origin, race, religion, sex or sexual~~

orientation;

~~(k) Other items or materials prohibited by Board policies, Administrative Regulations or school rules.~~

~~(3) Checks of Assigned Student Storage Areas (Lockers, Desks, etc.)~~

~~(a) General.~~

~~(A) Lockers, desks and other storage areas assigned to a particular student(s) (hereinafter called "student storage") remain in the possession and control of the school when they~~

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~~are made available (assigned) for student use. Students may use student storage for the limited purpose of temporarily keeping items needed by the student to participate in school instruction and activities only. No other purpose is permitted. Students shall expect that student storage will be checked by the school from time to time without prior notice to assure that such areas are not being used for any unauthorized purpose. Dogs capable of detecting the presence of drugs may be used as needed for these purposes. Prohibited items will be removed and held by the school.~~

~~(B) Students shall be particularly warned that food must be fresh and tightly packaged and that expensive items invite theft and are discouraged.~~

- ~~(b) Student Notification. A student need not be notified in advance of any check of the assigned student storage. Following any student storage check, if anything was removed, the principal shall, in writing, notify the student that the assigned student storage has been checked, the time of the check, the persons present, the items which were taken from the student storage and when and where returnable items will be available for the student or the student's parents (guardians).~~
- ~~(c) Cleanout. From time to time, the principal may set aside a time period during which all students shall clean their assigned student storage.~~
- ~~(d) Disposition of Prohibited Items. Items found in student storage which are not permitted shall be removed and held for the student except that prohibited items shall only be released to the student's parents (guardians), contraband will be destroyed or held for School Police and stolen items will be returned to the owner or the police.~~
- ~~(e) Limitations on Check. Checks of the student storage are only permitted on a random basis for the purpose of encouraging compliance by the students with Board policy, regulations or school rules and shall not be used by the school to focus on a particular student by searching an assigned student storage area. However, if the principal and staff, school officials are empowered to conduct searches of students and student property when the school official has a reasonable suspicion that evidence of a prohibited item will be found in a particular student storage, the procedures set out in Section 4.a. below shall be followed.~~

~~(4) Searches.~~

(a) ~~Searches Pursuant to Administrative Procedure. If the principal~~[there](#)

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~~person or in a particular student's storage area, the following~~

(A) ~~Request for Authorization. The principal shall obtain verbal authorization from the assistant superintendent or designee or, in his/her absence, the Director of Student Achievement to the search. The assistant superintendent or designee or the Director of Student Achievement shall maintain a written record of the authorization given. If it appears necessary to search beyond outer clothing, the School Police shall be contacted for assistance in the search and its standards and procedures shall apply; will produce evidence of that wrongdoing. Parents/guardians shall be~~

justice system and resulting presence of bias in the interpretation of reasonable suspicion. In

observations by school personnel; information from a source deemed reliable;; recognizable smell of alcohol, tobacco, or marijuana; or other unusual behavior.

- b. **Interview by law enforcement** means the intentional questioning of a student when the student feels they do not feel free to leave a room or disengage from the conversation. Students seeking out and engaging in conversations with law enforcement during the course of the school day is not an interview.
- c. **Parent/Guardian** is the person who has been identified in school records as having a custodial relationship with the student.
- d. **Imminent threat** is an immediate threat of serious bodily injury to self or others or death.
- e. **Subject of an Investigation**