

Administrative Procedure 321

Added: June 14, 2005

STUDENT SEARCH PROCEDURE

Background

Whereas the Board takes seriously its responsibility pursuant to the *School Act* to ensure students are provided with a safe and caring environment that fosters and maintains respectful and responsible behaviours;

The *School Act* requires that students comply with the rules of the school and that teachers and the Principal of the school are responsible for maintaining order and discipline among students while they are in school or on the school grounds; and

There is mounting concern with respect to the presence of illegal drugs and other contraband within schools, and Holy Spirit Catholic Separate Regional Division No. 4 has decided that it is a reasonable and prudent course of action to outline its procedure with respect to searches of student and school property to detect the presence of illegal drugs and other contraband, as well as to provide a deterrent to individuals bringing such drugs or other contraband into the school.

Procedures

1. Student property and school property, including school lockers, may be subject to unannounced searches from time to time, as determined by school administration.
2. Students and parents should understand that such searches may include the use of a police service dog to detect the presence of illegal drugs or other contraband on school property.
3. Students and parents should understand that there should be no reasonable expectation of privacy with respect to the use and contents of lockers provided to students by Holy Spirit Roman Catholic Separate Regional Division No. 4.
4. From the time of approval of this procedure, all students and their parents will be required to review and sign a Locker Agreement in the form attached as APPENDIX "A". New Locker Agreements as well as a copy of this procedure will be distributed to all students and parents at the start of each school year or semester.
5. All searches conducted pursuant to this procedure will be in accordance with the clauses set out below (6 – 14) and with the principles set out above at the beginning of this procedure.
6. Information regarding this and related policies shall be delivered to the general student body and distributed to parents/guardians through handbooks, agendas, newsletters, and, if feasible, posted on the school web site.

7. The school Principal is responsible for maintaining an environment that is safe and conducive for learning for all students and, consistent with this duty, will exercise appropriate discretion in conducting searches and in the use of police service dogs.
8. Searches may be conducted if the Principal has reasonable grounds to believe that the locker or student property contains contraband or there are rule violations in respect of materials within or on the locker. The grounds for conducting such a search shall be recorded in writing by the Principal and kept on file.
9. The student whose property or locker is being searched shall be present during the search when possible and practical.
10. In addition to the searcher, at least one other adult witness should be present when the search takes place.
11. When possible and practical, the parent/guardian of the student shall be informed of the search and the reasons for it, prior to it being undertaken. If prior notification is not possible, the parent/guardian shall be notified as soon as possible after the search is undertaken.
12. The school Principal may request the use of a police service dog to conduct a search of school lockers if the Principal has reasonable grounds to believe that there is contraband (illegal drugs, weapons) in school lockers. Further, the school Principal may request the use of a police service dog to conduct a search at random intervals when deemed appropriate, in his discretion, to maintain a safe and caring school and minimize the potential presence of drugs and other illegal contraband within the school.
13. Should, according to local community circumstance, police officers require signed copy of this procedure in order to assist schools to provide searches through the use of service dogs, schools will accommodate this request by having parents and students sign the declaration of understanding that is stated at the bottom of this procedure.
14. In these circumstances, the student(s) have no reasonable expectation to privacy with respect to the police service dog searching school lockers for contraband (illegal drugs, weapons). This is deemed a general search of all school lockers and property.
15. If the police service dog identifies that there may be contraband present in the student locker, the Principal shall conduct a search of the locker pursuant to this Search Procedure, as outlined above.

I have read and understand the above procedure:

Student Name (Please print)

Student Signature

Parent/Guardian Name (Please print)

Parent/Guardian Signature