

P.G. 215-18 Search Protocols For School Safety Agents

Date Effective: 09-06-13

PURPOSE

To establish the protocols for the search of students, their possessions, and their lockers by School Safety Division personnel.

SCOPE

A student's possessions and person may be searched by a school safety agent provided that school officials have reasonable suspicion to believe that the search will turn up evidence that the student has violated or is violating either the law or school rules and regulations. The extent or the scope of the search must be reasonably related to the objective of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction.

PROCEDURE

When conducting searches of students, their possessions, or their lockers:

SEARCH OF STUDENTS AND THEIR POSSESSIONS (BAGS, CLOTHING, ETC.)

SCHOOL SAFETY AGENT

1. Conduct searches of students and their belongings only on behalf of principals or their designee, except if an emergency condition exists. (See "ADDITIONAL DATA" statement under heading, "EMERGENCY SEARCHES OF STUDENTS AND THEIR POSSESSIONS").
2. Bring the student to a location designated by the principal or designee, if it is determined that a search is warranted.
3. Inform the student that there are reasonable grounds to believe that they have violated or are violating the law or school rules and regulations.

SCHOOL PRINCIPAL/DESIGNEE

4. Question the student as to whether he/she has anything in their possession not permitted in school, prior to conducting the search. If the student acknowledges that he/she is in possession of contraband, ask the student to remove it from their person or belongings.

SCHOOL SAFETY AGENT

5. Remove the item, which is believed to be evidence of the student violating a law or school rules and regulations, if student refuses to remove same when asked by principal/designee.

SEARCH OF LOCKERS

6. Inform the principal or designee when there is reasonable suspicion that a student's locker contains contraband.

7. Search locker, only at the direction of principal or designee, except if an emergency condition exists. The principal or designee must be present while the search of the locker is conducted. (See "ADDITIONAL DATA" statement under heading, "EMERGENCY SEARCHES OF LOCKERS").

WHEN A STUDENT IS FOUND TO BE IN POSSESSION OF CONTRABAND

8. Notify the command concerned, if item is a violation of law, and follow appropriate procedure for the invoicing of property and arrest of student(s).

9. In non-arrest circumstances, request precinct personnel to respond to take custody of the contraband and invoice items seized.

10. Take control of and invoice the property under Department of Education procedures, if item is a violation of school rules and regulations only.

ADDITIONAL DATA

LEGAL CONSIDERATIONS

Nothing in this procedure supersedes the rights and responsibilities of uniformed members of the service regarding search and seizure under applicable provisions of the Criminal Procedure Law.

SEARCH GUIDELINES

If the student declines to remove the item or denies possession of any contraband, a search may be conducted at the direction of the principal/designee. To the maximum extent possible, if the search involves contact with the student, the search shall be conducted by a school safety agent of the same gender as the student being searched. In situations where a student's gender is not immediately apparent or a student objects to the gender of the school safety agent assigned to perform the search, the school safety agent's supervisor will assign a school safety agent of gender requested by the student, consistent with school safety agent safety and resource availability. Consistent with privacy concerns of the student, only those school safety agents reasonably necessary to conduct the search should be present for the search. Under no circumstances shall school safety agents conduct searches for the purpose of determining gender. Additionally, school safety agents shall not ask questions about a student's anatomy without a reasonable basis for doing so. Refer to [P.G. 203-10](#), "Public Contact - Prohibited Conduct."

Under no circumstances will a strip-search of a student be conducted.

EMERGENCY SEARCHES OF STUDENTS AND THEIR POSSESSIONS

An emergency condition is an incident that requires immediate intervention to protect the safety and security of the school community or any person. A search may be conducted if there is reasonable suspicion to believe that a student has violated or is violating the law or school rules and procedures. Once the emergency condition is under control, the school safety agent will immediately take the student to the principal or designee and advise the principal/designee of the situation.

EMERGENCY SEARCHES OF LOCKERS

An emergency condition is one that requires immediate intervention to protect

the safety and security of the school community or any person. Once the situation is under control, the principal or designee will be immediately advised of the situation.

RELATED PROCEDURES

Procedures for Reporting and Recording Public School-Related Criminal Incidents ([P.G. 215-16](#))

Police Actions, Related Questioning, Arrests and Investigations at Department of Education Facilities ([P.G. 215-17](#))

FORMS AND REPORTS

PROPERTY CLERK INVOICE (PD521-141)