

FILE: JCAB

Cf: [JCDAC](#), [JCDAE](#)

STUDENT SEARCHES

The Jefferson Davis Parish School Board is the exclusive owner of any public school building and any desk or locker utilized by any student contained therein or any other area that may be set aside for the personal use of the students. Any teacher, principal, administrator, or school security guard employed by the School Board, having a reasonable belief that any public school building, desk, locker, area or grounds of any public school contains any weapons, illegal drugs, alcoholic beverages, nitrate based inhalants, stolen goods, or other items the possession of which is prohibited by any law, School Board policy, or school rule, may search such building, desk, locker, area or grounds of said public school. Students shall have no expectation of privacy in use of the lockers which have been assigned to them. The acceptance and use of locker facilities or the parking of privately owned vehicles on school campuses by students shall constitute consent by the student to the search of such locker facilities or vehicles by authorized school personnel. Any student not present during the search shall be informed of the search immediately thereafter.

Any teacher, principal, administrator, or school security guard employed by the School Board, may search the person of a student or his/her personal effects when based on the attendant circumstances at the time of the search, there are reasonable grounds to suspect that the search will reveal evidence that the student has violated the law, School Board policy, or a school rule. Such a search shall be conducted in a manner that is reasonably related to the purpose of the search and the nature of the suspected offense. Such factors to be considered in determining the manner in which searches may be conducted are:

1. Age and sex of student
2. Behavior record of student
3. Need for search
4. Purpose of search
5. Type of search
6. Reliability of the information used to conduct search
7. The relative importance of making the search without delay
8. Nature and severity of problem in overall school environment

Random searches with a metal detector of a student or his/her personal effects may be conducted at any time, provided such searches are conducted without deliberate touching of the student.

Any search of student's person shall be done privately by a teacher, administrator, or security guard of the same sex as the student to be searched. At least one witness who is of the same sex as said student shall be present throughout the search. Detailed documentation shall be made of all searches. If requested, notification of the search shall be sent to the parents of the student involved.

Any automobile parked on School Board property by a student may also be searched at any time by school officials who have articulable facts which lead them reasonably to believe that items in violation of state law, School Board policy or school rule are contained therein. If the automobile is locked, the student shall unlock the vehicle. If the student refuses to unlock the vehicle, proper law enforcement authorities shall be summoned and the student shall be subject to disciplinary action.

No actions taken pursuant to this policy by any teacher, principal, administrator, or school security guard employed by the School Board shall be taken maliciously or with willful and deliberate intent to harass, embarrass or intimidate any student.

Upon proper school personnel confiscating any firearm, bomb, knife, or other implement which could be used as a weapon, or any controlled dangerous substance, the principal or designee shall report the confiscation to the appropriate law enforcement officials. Any implement or material confiscated shall be retained, catalogued, and secured by the principal so as to prevent the destruction, alteration, or disappearance until such time as the implement or material is given to law enforcement personnel for disposal. Any principal or designee failing to report any prohibited weapon or confiscated material or implement to law enforcement personnel or failing to properly secure any weapon or confiscated material or implement shall be subject to appropriate disciplinary action as may be determined by the Superintendent and/or the School Board.

If any teacher, principal, administrator, or school security guard employed by the School Board should be sued for damages by any student, the parent of such student or by any other person on behalf of such student, based upon a search conducted in compliance with this policy, the School Board shall provide such teacher, principal, administrator, or school security guard with a legal defense thereto, including reasonable attorney's fees, investigative costs and other related expenses. In such suit, the School Board shall indemnify him/her fully against said judgment including principal, interest and costs.

If in any suit brought against any teacher, principal, administrator, or school security guard employed by the School Board, as stated above, there is a specific finding that the action of the teacher, principal, administrator, or school security guard was malicious and willfully and deliberately intended to harass, embarrass or intimidate the student, the School Board shall not indemnify such teacher, principal, administrator, or school security guard in the event a judgment for damages shall be rendered against him/her. Whenever any search is conducted pursuant to this policy, a written record shall be made thereof by at least two (2) adult employees of the Board who conducted the search and shall include names of the persons involved, the circumstances leading to the search and the results of the search.

DRUG DETECTION TEAM

The Drug Detection Team shall represent a joint effort between law enforcement agencies in Jefferson Davis Parish and the Jefferson Davis Parish School Board. The purpose of the Drug Detection Team shall be to provide for the use of trained drug detection dogs in assisting School Board administrative personnel in locating drugs on campuses. The Detection Team shall consist of:

1. The Superintendent or his/her designee who shall be in charge of the team.
2. A commissioned law enforcement officer with a trained drug detection dog.
3. The principal of the school where the search is being conducted, or his/her designee.
4. Such other school personnel as may be designated by the school principal.

The representative from the School Board Central Office, who shall be the Director of the team, shall be responsible for all aspects of the search by the Drug Detection Team. The commissioned law enforcement officer, who is serving as the handler for the drug detection dog, shall perform his/her duties under the general supervision of the director of the team. The school principal or his/her designee shall perform the actual search for the suspected illegal drugs or other items when the presence of such has been detected by the drug detection dog.

Each school is required to notify all students of School Board policy pertaining to the possession of prohibited articles or items and the authority of School Board personnel to conduct reasonable searches, including the use of drug detection dogs performing unannounced periodic checks. Such notification shall be posted in the schools, published in student handbooks, and announced publicly so that all students shall be aware of these provisions.

PROCEDURES FOR SEARCH AND SEIZURE

When the drug detection dog "alerts" to the presence of drugs, the principal or his/her designee shall conduct a physical search of the locker, premises, or vehicle. Any suspected illegal drugs discovered during the search shall be confiscated and turned over to a commissioned law officer for custody. A receipt for the suspected drugs, signed by the law enforcement officer, shall be given to the student and a copy given to the principal. The report shall contain at least the following information:

1. The name of the student(s),
2. The name of all members of the drug detection team,
3. The identification and quantities of the items confiscated,
4. The location from which confiscated,
5. The time and date of the search.

The commissioned law enforcement officer shall ensure that a report is made to the appropriate law enforcement agency to indicate the items confiscated in the search.

The principal shall ensure that the required report form is completed and delivered to the chairman of the school Student Assistance Team for use in counseling the student and parents. The principal shall also ensure that the parents of the student from whom the suspected drugs were confiscated are advised of the incident and informed that a report has been submitted to the school Student Assistance Team and the Jefferson Davis Parish School Board.

Revised: October, 1994

Revised: June 21, 2018

Ref: [U.S. Constitution, Amend. IV](#)

[U.S. Constitution, Amend. XIV, Sec. 1](#)

La. Rev. Stat. Ann. §§[17:416](#), [17:416.3](#)

[Moore v. Student Affairs Committee of Troy State University](#), 284 F.Supp. 725 (M.D. Ala. 1970)

[State v. Stein](#), 203 Kan. 638 456 P.2d (1969)

[New Jersey v. T.L.O.](#), 469 US 325, 105 S.Ct. 733

[Louisiana Handbook for School Administrators, Bulletin 741](#), Louisiana Department of Education

Board minutes, [6-21-18](#)

Jefferson Davis Parish School Board