

MAINE SCHOOL ADMINISTRATIVE DISTRICT NO. 33

**QUESTIONING AND SEARCHES OF STUDENTS
ADMINISTRATIVE PROCEDURE**

The purpose of this administrative procedure is to provide guidelines for the conduct of student questioning and searches by **MSAD # 33 School Administrators**. These are guidelines only and may be adjusted within reasonable and lawful limits on a case-by-case basis.

A. Questioning by **MSAD # 33 School Administrators**

1. **MSAD # 33 School administrators** are under no obligation to notify a student's parents/guardians prior to questioning a student regarding alleged violations of Board policies, school rules and/or federal/state laws. If law enforcement officers are involved, refer to policy KLG - Relations with Law Enforcement Authorities.
2. **MSAD # 33 School administrators** shall inform the student of the reasons for the questioning and provide an opportunity for the student to respond to any allegations. **MSAD # 33 School administrators** shall make a reasonable effort to question the student in a location out of the sight and hearing of other students.
3. If a student fails to cooperate, lies, misleads or threatens any person during questioning, he/she may be subject to additional disciplinary action.

B. Searches of Student and/or Personal Property in Student's Immediate Possession

1. **MSAD # 33 School administrators** are authorized to search students and/or personal property in the student's immediate possession when, in their judgment, there are reasonable grounds to suspect that a student has violated or is violating the Board policies, school rules and/or federal/state laws.
2. All searches of students and/or personal property shall be conducted by **MSAD # 33 School Administrators** in the presence of a witness.
3. Searches should be reasonably related to the suspected violation and no more intrusive than necessary to discover the evidence for which the search was instigated. Searches may include the student's outer clothing (e.g., pockets, jacket, shoes, hat) and personal belongings (e.g., purse, backpack, gym bag, lunch bag). If the search discloses evidence, a broader search may be justified.
4. Searches which disclose evidence that a student has violated Board policies or

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school rules will be addressed through school disciplinary procedures. Evidence of violation of federal/state laws may result in school disciplinary action and/or be forwarded to law enforcement agencies for possible investigation/prosecution.

5. **MSAD # 33 School Administrators** are required to document all searches and items seized/impounded on the Student Search Form.

C. Searches of Lockers, Desks and Other School Facilities

1. School staff, students and parents shall be informed of this policy/procedure on an annual basis.
2. Searches of individual student lockers, desks or other storage facilities and their contents based upon reasonable suspicion will be conducted in the presence of the student and a witness, if practical under the circumstances of the search.
3. Searches which disclose evidence that a student has violated Board policies or school rules will be addressed through school disciplinary procedures. Evidence of violation of federal/state laws may result in school disciplinary action and/or be forwarded to law enforcement authorities for possible investigating/prosecution.
4. **MSAD # 33 School Administrators** are required to document all searches and items seized/impounded on the Student Search Form .

D. Patrolling of Parking Lots

1. Students may drive vehicles to school and park in designated areas in accordance with school rules. **MSAD # 33 School Administrators** retain the authority to patrol parking lots.
2. If **MSAD # 33 School Administrators** have a reasonable suspicion that a vehicle which a student has parked at school contains evidence that the student has or is violating a federal/state law and/or there is a substantial threat to the welfare and safety of the schools, law enforcement agencies will be requested to render assistance in accordance with Board policy KLG - Relations with Law Enforcement Authorities.

E. Involvement of Law Enforcement Authorities

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1. **MSAD #33 School Administrators** have the discretion to request the assistance of law enforcement agencies in accordance with Board policy.

Cross Reference: JIH-E-Student Search Checklist
 KLG-Relations with Law Enforcement Authorities

Approved at mtg. # 747
January 3, 2001