

## Student Privacy

At certain ages, students attain the right to decide for themselves what records will remain confidential, even from their parents, and what activities the student will participate in. At age eighteen students become legal adults and must approve any disclosure of information about themselves from school records, except directory information if a request for confidentiality has not been filed. Students at age eighteen may also sign releases, authorizations or permission slips to participate in school activities, and may sign themselves out of school and authorize their own absences. Students between sixteen and eighteen who have been granted legal emancipation from their parents or guardians have the same rights as eighteen year old students. Students over fourteen years of age have the right to keep private from everyone any District records indicating that they have been tested or treated for a sexually transmitted disease. Students thirteen years and older have confidentiality rights in records regarding drug, alcohol or mental health treatment. All students have confidentiality rights in family planning or abortion records.

### A. Searches of Students and Personal Property

Personal privacy is a fundamental aspect of individual liberty. All students possess the constitutional right to be secure in their persons, papers, and effects against unreasonable searches and seizures. Staff shall take particular care to respect students' privacy.

School officials have authority to maintain order and discipline in the schools and to protect students from exposure to illegal drugs, weapons, and contraband. The Superintendent, the principal, and other staff designated by the Superintendent shall have the authority to conduct reasonable searches on school property as provided by Board Policy, which may include the use of drug detection canines.

All persons are responsible for the security of any vehicle, locker, desk, bag or other item they possess or bring onto District property or to a District sponsored event. No person shall possess, place, keep or maintain any article or material that is prohibited by law or District policy in items, lockers, vehicles, desks or bags assigned to them or under their control while on District property or at a District sponsored event.

A search is required when there are reasonable grounds to suspect a student has any article or material that is prohibited by law or District policy on school grounds, transportation or at school events.

Prior to conducting a search, school officials shall ask that the student consent to be searched by removing all items from pockets or other personal effects. If the student refuses to consent to the search, school officials may proceed to search the student, the student's personal belongings, and the student's locker, as follows:

1. Any search of a student conducted by a school District employee must be reasonably related to the discovery of contraband or other evidence of a student's violation of the law or school rules.

For the purpose of this policy, "contraband" means items, materials, or substances the possession of which is prohibited by law or District policy, including but not limited to, controlled substances, alcoholic beverages, tobacco products, or any object that can reasonably be considered a firearm or a dangerous weapon.

2. Staff shall conduct searches in a manner which is not excessively intrusive in light of the age and sex of the student and the nature of the suspected infraction.

No student shall be subject to a strip search or body cavity search by school staff.

In the interest of ensuring student safety, systematic breath-alcohol testing may be performed on students and their guests as a condition of entry to school dances, proms, and other school-sponsored activities.

The Superintendent shall develop procedures for the testing. Results from the systematic breath tests shall not be used as the sole basis for disciplinary action other than denial of admission to the event for which the breath test is being conducted. Such results may be used to support further disciplinary action when combined with other evidence that a student has violated a related rule of conduct.

In conjunction with other District security measures, a dog may be used to sniff the air around lockers, desks, bags, items or vehicles that are on District property or at a District sponsored event. A dog's alert constitutes reasonable suspicion and only the dog's official handler will determine what constitutes an alert by the dog. If the dog alerts on a particular item or place, the person having the use of, bringing onto District property or responsible for that place or item will be called to the scene to witness the inspection. All inspections shall be made in compliance with District policy and applicable law.

In the event the dog alerts on a locked vehicle, the owner or person bringing it onto District property shall be asked to open it for inspection.

Refusal to open the item for inspection may result in referring the matter to law enforcement officials, disciplinary action, including but not limited to suspension or termination of employment for employees and suspension or expulsion for students and loss of parking privileges on District property for students. Visitors or patrons may be banned from District property.

School officials may consult with local law enforcement officials regarding the advisability of a search on school premises by a law enforcement officer if evidence of criminal activity is likely to be seized.

The Superintendent shall develop procedures regulating searches of students and their personal property.

#### **B. Locker Searches**

Students may be assigned lockers for storing and securing their books, school supplies, and personal effects. Lockers, desks, and storage areas are the property of the school District. No right nor expectation of privacy exists for any student as to the use of any

space issued or assigned to a student by the school and such lockers and other spaces are subject to search in accordance with District policy.

No student may use a locker, desk, or storage area as a depository for any substance or object which is prohibited by law or school rules or which poses a threat to the health, safety or welfare of the occupants of the school building or the building itself.

Any student's locker, desk, or other storage area shall be subject to search if reasonable grounds exist to suspect that the search will yield evidence of the student's violation of the law or school rules. Any search of an individual student's locker shall be conducted according to Board Policy governing personal searches.

All student lockers may be searched at any time without prior notice and without reasonable suspicion that the search will yield evidence of any particular student's violation of the law or school rules. If the school official conducting such a search develops a reasonable suspicion that any container inside the locker, including but not limited to a purse, backpack, gym bag, or an article of clothing, contains evidence of a student's violation of the law or school rules, the container may be searched according to Board Policy governing personal searches.

The Superintendent shall establish procedures for conducting searches of lockers, desks, or storage areas.

Cross References:	Board Policy 3414 Board Policy 3231	Infectious Diseases Student Records
Legal References:	RCW 13.64.060 RCW 28A.320.040 RCW 28A.600.020  RCW 28A.600.210-240  WAC 392-400-215	Power and Capacity of emancipated minor Bylaws for Board and school government Government of schools, pupils, employees, rules and Optimum learning atmosphere School official searches of student lockers  Student rights

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