

## 502.1.5 Searches

### 1. Definitions

- 1.1 “reasonable grounds for search” means any one of the following
  - 1.1.1 information received from an individual;
  - 1.1.2 a staff member or administrator’s own observations, or
  - 1.1.3 any combination of the above information that the school administrator considers credible.
- 1.2 “school property used by a student” means a desk, locker, school storage area or any other school article or object used by a student including Lethbridge School District No. 51 electronic devices.
- 1.3 “student articles and objects” means articles or objects owned or used by a student either on or off District premises including but not limited to backpacks, clothing, purses, suitcases, tote bags, and electronic devices.

### 2. Communication to Students and Parents

Each school shall advise students and parents in information provided to parents/guardians and students that:

- 2.1 The following may be subject to search:
  - 2.1.1 school desks, lockers and school storage areas used by students;
  - 2.1.2 articles and objects belonging to or used by students either on or off District premises including, but not limited to, backpacks, clothing, purses, suitcases, tote bags, electronic devices; and
  - 2.1.3 Lethbridge School District electronic devices.
- 2.2 the use of personal locking devices (those not supplied by the school) shall be subject to school approval;
- 2.3 students are responsible for the content of their lockers which are provided for storage of personal belongings, instructional materials and other items defined by the school;
- 2.4 student lockers and student-owned articles and objects may be searched by the principal or designate when there are “reasonable grounds for search” pointing to situations in which safety, health or disciplinary matters are involved.
- 2.5 students shall not be permitted to have in their possession any illegal materials, including various forms of illicit drugs, narcotics, intoxicants, weapons, or stolen property, pornographic or any other offensive materials;
- 2.6 the removal of illegal or offensive materials subsequent to a search by District employees is permitted;
- 2.7 A request for students to clean out untidy lockers shall not be considered

a search.

3. Schools

3.1 Random Searches

Random and arbitrary searches of students, school property used by students or student articles and objects including random and arbitrary canine searches are prohibited.

3.2 Reasonable grounds for a search.

A principal or designate may conduct a search of school property used by a student and student articles and objects in the following circumstances:

- 3.2.1 when there are reasonable grounds to believe that there has been a breach of school rules or discipline and that the search will reveal evidence of the violation; or
- 3.2.2 in an investigation of a violation of school discipline; or
- 3.2.3 as a matter of school welfare or safety.

3.3 Conduct of Searches

- 3.3.1 Searches may only be conducted by the school principal or their designate, and in the presence of another employee or volunteer (except under emergency circumstances). When conducting a search, the principal or designate is acting as an agent of the Board.
- 3.3.2 For the purpose of this procedure, during an off-site activity the principal's designate is the teacher-in-charge.
- 3.3.3 All searches must be carried out in a reasonable manner, respect the privacy of the student, be minimally intrusive, be conducted in a sensitive manner, and take into consideration the age and gender identity of the student.
- 3.3.4 Schools must ensure they adhere to FOIP with regards to collected, used, or disclosure of personal information during search and seizures.
- 3.3.5 The principal or designate shall inform the students of this policy when search and/or seizures are conducted.

3.4 Search Procedures

- 3.4.1 The physical search of a student is prohibited.
- 3.4.2 When conducting a search of "student articles and objects" the principal or designate shall ensure the student is present during the search (unless not possible and the search is urgent).
- 3.4.3 When conducting a search of the student's person, the principal or designate may ask the student to do any of the following:
  - 3.4.3.1 Empty out their pockets, and any other articles and objects that belong to or are used by the student;
  - 3.4.3.2 Shake out their clothing;
  - 3.4.3.3 Unroll their sleeves, waist bands, pant cuffs and/or hat brim;

- 3.4.3.4 Remove belts, head coverings, hats, overcoats, jackets, scarves, mitts, gloves, socks, shoes, electronic device covers, and any other accessories.
- 3.4.4 Under no circumstances shall a student be required to undress with the exception of (3.4.3).
- 3.4.5 In the event that illegal or offensive materials are found during a search, the principal or designate shall remove the materials.
- 3.4.6 The principal or designate may request police involvement if the search and /or seizure of property is associated with criminal activity.
- 3.5 Police Involvement
  - 3.5.1 Prior to police engagement with students at the school, the principal or designate will ensure that Procedure 504.8 Involvement with Authorized Agencies is reviewed and subsequently adhered to.
  - 3.5.2 School engagement of police: The principal or designate may request police involvement if the search and/or seizure of property is suspected to be associated with a criminal activity and/or a safety concern. In engaging the police, the principal or designate will carefully consider the context to ensure the school is not acting as “an agent of the police.” Parents will be contacted and informed regarding the circumstances warranting police engagement, and provided with opportunity for involvement unless emergent circumstances prevent immediate parental involvement. Refer to policy and procedure 504.8 Involvement with Authorized Agencies
  - 3.5.3 Police engagement of the school: When police have made a request to access student information or property, the principal or designate shall provide police access to the property of a student and/or personal information regarding the student without informing the parent prior to release of property or information only if:
    - 3.5.3.1 there is a matter of safety;
    - 3.5.3.2 the officer possesses a warrant (either for arrest or search);
    - 3.5.3.3 the officer is “in fresh pursuit” after the commission of an offence; or
    - 3.5.3.4 the officer has common law authority incidental to the arrest or procedures. (An example is during a drug arrest.)
- 3.6 Storage and Disposal of Seized Material
  - 3.6.1 If a teacher or principal has confiscated unauthorized material other than an illegal substance or object (e.g. alcohol, drugs, tobacco, electronic smoking device, weapon), the teacher or principal must ensure that the unauthorized material is kept in a secure location and return the item to the student at the end of the school day, or, in the case of a parent or guardian, at a time that is mutually agreeable.
  - 3.6.2 If a student is found in possession of alcohol, drugs, or tobacco, the

principal or designate will secure the item(s) and dispose of the confiscated item(s) by contacting local law enforcement for legally authorized disposal where appropriate.

- 3.6.3 If a student is found in possession of firearms, imitation firearms or explosive substance(s) the principal or designate must immediately secure the item(s) and contact local law enforcement for management of such item(s) and their legally authorized disposal.
- 3.7 Parents/guardians should be made aware of the fact that a search has been made, and the results of such search.
- 3.8 Consequences associated with the outcome of student searches will be in accordance with the school's Code of Conduct and District student policies and procedures.