

CHAPTER 5.00 – STUDENTS

STUDENT DETENTION, SEARCH, AND SEIZURE

5.31

- I. Any instructional or administrative staff member shall be authorized to temporarily detain and question a student under circumstances which reasonably indicate that such student has committed, is committing, or is about to commit a violation of Florida Statutes or School Board policies. No student shall be temporarily detained longer than is reasonably necessary. Such temporary detention shall not extend beyond the school property.
- II. If, at any time, a school principal or other school employee designated by the principal has a reasonable suspicion that a prohibited or illegally possessed substance or object is contained within a student's locker, other storage area, or vehicle parked on the school campus, the principal or designee may search the locker, storage area, or vehicle for the purpose of disclosing the presence of suspected prohibited or illegally possessed property.
- ~~III.~~ Any search of a student's personal belongings, including a purse, backpack, or bookbag, must be conducted discreetly to maintain the privacy of the student's personal items within such belongings
- IV. Prohibited or illegally possessed property which is seized during a search of the personal property of the student or his/her locker, his/her automobile, or other student storage area shall be given to law enforcement authorities, when appropriate.
- ~~IV.V.~~ Personal items that are not prohibited on school grounds must be immediately returned to the student's personal belongings.
- VI. Use of Metal Detectors. As part of an overall plan to protect the health, welfare, safety and lives of students, faculty, staff and visitors to the public schools, and to enforce provisions of the Code of Student Conduct, metal detectors may be used to scan and screen for firearms and other weapons in order to locate and deter their use. Firearms and other weapons have no place in public schools. They are life threatening, may cause bodily harm and have adverse and disruptive effects on the educational process. Metal detectors may also be used as a part of a search for prohibited articles in the event a staff member has reasonable suspicion to conduct a student search.
- ~~IV.VII.~~ If your child refuses a search by a school administrator, they may be subject to the Code of Student Conduct due to insubordination. Prior to return to school, the student and parent must participate in a re-entry parent conference where a safety plan will be created.
- ~~V.VIII.~~ Each principal shall place a sign, which is clearly visible to students and in a prominent location(s) within the school. The sign shall contain the following text:

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Notice to Students

School authorities may search student lockers, automobiles, or other areas when reasonable suspicion that a prohibited or

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illegally possessed substance or object is contained within the area Pursuant to Florida Statutes.

- ~~VI.~~IX. Parents, students, School Board employees, and the public shall be informed that public school campuses, including, but not limited to, buildings, parking areas, athletic and recreational areas, and lockers are School Board property and no one using said property, whether as a student or in any other capacity, has the expectation of privacy in or around said property.
- ~~VII.~~X. Students shall be informed that automobiles, trucks, vans, or other transportation means located or operated on School Board property is a privilege granted by the

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School Board and students whose vehicles are so located shall not have any expectation of privacy in or around said vehicles and, by virtue of receiving permission to park on campus, give school authorities the right to search their vehicle upon reasonable suspicion that a student has a prohibited or illegally possessed substance or object contained therein.

~~VIII.XI.~~ The following provisions shall apply to canine searches for screening for illegal substances:

- A. Canine sniffers shall be used primarily for detection of illegal substances.
- B. The Superintendent or designee shall determine at what times and in which schools the canine sniffers shall be utilized. The school principal or designee shall be notified each time the canine sniffers are brought on campus.
 - 1. The canine sniffers shall be controlled and directed at all times by qualified handlers from the Sheriff's Department or local police departments.
 - 2. Searches shall be conducted at the qualified handler's direction in cooperation with the School Board's administrative personnel.
 - 3. School Board administrative personnel shall be responsible for necessary parental notification, student disciplinary action, student due process, and public relations related to such searches.
 - 4. Custody, analysis, and disposal of the illegal substance shall be the responsibility of law enforcement.
- C. The primary purpose of the canine sniffer program shall be to deter illegal drug use by students. The circumstances _____ in some cases may make it advisable to refer that case to police authorities due to the serious nature of the offense, dangerous nature or sizable amount of the contraband seized, past school disciplinary or criminal record of the suspect, or serious disruption of school that has occurred or is likely to occur. The decision to refer a case to police authorities shall be made by the school principal, after consultation with the qualified handler and Superintendent or designee.
- D. Annual written notice of this policy shall be included in the Code of Student Conduct and in the school student/parent handbook.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAWS IMPLEMENTED: 1001.43, 1003.31, 1006.07, 1006.09(9), 1006.13, F.S.

HISTORY: Adopted: 08/21/01
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