

STUDENT SEARCHES

The Terrebonne 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 contain any weapons, illegal drugs, alcoholic beverages, 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 the following:

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. 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 in accordance with the procedures outlined below. 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 School Board.

If any teacher, principal, administrator, or school security guard employed by the 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. 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 School 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.

PROCEDURES FOR HANDLING CONFISCATED MATERIALS

Implements and/or materials confiscated by school authorities shall be retained and secured in the following manner:

1. The principal or designee shall confiscate from any student weapons, illegal drugs, alcohol, stolen goods, or other material or objects.
2. The principal or designee who has confiscated said weapons, illegal drugs, alcohol, stolen goods, or other materials or objects shall not allow said weapons, illegal drugs, alcohol, stolen goods, or other materials or objects to leave his/her presence until said weapons, illegal drugs, alcohol, stolen goods, or other materials are turned over to law enforcement authorities.
3. Photocopies shall be taken of confiscated materials, specifically, but not limited to, weapons. Such photocopies shall be made by placing a ruler next to the object being photocopied.
4. Said weapons, illegal drugs, alcohol, stolen goods, or other materials shall be tagged and placed in an evidence bag.
5. The principal or designee shall obtain a signed receipt from the law enforcement authority who retrieves materials which must be turned over to law enforcement.

Disposal of materials not given to appropriate law enforcement authorities shall be governed by the following:

1. The principal or designee shall destroy all materials in an appropriate manner. A witness shall be present at the disposal.
2. The principal or designee shall document on file that confiscated materials have been disposed of properly.

Administrators or their designees who violate the procedures established for search and seizure shall be disciplined according to the provisions set forth in Bulletin 1525, Personnel Evaluation Accountability.

INDEMNIFICATION OF EMPLOYEES

Indemnification of any School Board employee who is sued for damages based on any act or omission in the directing of and disciplining of school children shall be made by the Terrebonne Parish School Board to the extent required by state law.

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Ref: US Constitution, Amend. IV; US 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 U.S. 325, 105 S. Ct. 733; *Louisiana Handbook for School Administrators*, Bulletin 741, Louisiana Department of Education; Board minutes, 7-16-96, 8-8-18.