



SECTION: POLICY 549  
TITLE: SEARCH OF STUDENTS AND SEIZURE OF EVIDENCE

# NESHAMINY SCHOOL DISTRICT

1	<b>PURPOSE</b>	Neshaminy School District has a compelling interest in promoting an environment which is safe and conducive to learning so students may become worthwhile members of society. Therefore, Neshaminy School District wishes to establish a policy for conducting student searches and seizing contraband so that the District can protect students, maintain order, discipline, and curb violence.	1
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8	<b>DEFINITIONS</b>	<b>Search</b> -An actual examination of an individual's property, clothed body or designated area for an individual's exclusive use where or when the individual has a reasonable expectation of privacy.	8
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12		<b>Reasonable Suspicion</b> - The ability of a district employee to articulate facts or circumstances that cause the employee to believe a particular search would lead to evidence indicating a student is violating or has violated the law or a school rule.	12
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17		<b>Random Search</b> - An inspection of a person's property, or clothed body, or designated area for an individual's exclusive use without reasonable suspicion. Random search shall not include searches based on reasonable generalized suspicion of illegal activity or policy violations.	17
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22	<b>CONDUCTING A SEARCH</b>	Neshaminy School District may conduct a search of a student's property, clothed body, or areas designated for a student's exclusive use if reasonable suspicion has been established that evidence indicating a student is violating or has violated the law or a school rule will be found as a result of the search. At the discretion of the Superintendent or designee, trained dogs under the control of their handler may be used to sniff the air around students' property or areas designated for students' exclusive use including, but not limited to lockers, desks, bags, items, or vehicles on District property or at District sponsored events to alert the staff to the presence of contraband prohibited by law or District policy. Trained dogs will not be allowed to sniff any person. The dog's official handler will determine what constitutes an alert by the dog.	22
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**Policy #549 (Continued)**

Searches may also include the use of a Breathalyzer or any device used to protect the health, safety and welfare of the school population.

No strip searches, or random searches as defined by Pennsylvania Law will be permitted to take place at Neshaminy School District.

At all times a witness will be present during a search, in addition to the individual conducting the search and the student. If a student refuses to cooperate in a search of his or her property, clothed body or areas designated for a student's exclusive use, his or her refusal can lead to discipline as found in the discipline code.

**SEIZURE OF EVIDENCE**

Neshaminy School District may seize any evidence indicating a student is violating or has violated the law or a school rule that the District may find as a result of a search of a student's property, clothed body, or areas designated for a student's exclusive use.

Approved: 3/25/97  
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Rev/App: 4/2014

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