



HEARTLAND LAKES COMMUNITY SCHOOL EXISTS TO EMPOWER SCHOLARS TO:
 BRAVELY LIVE THEIR TRUTH,
 TO BECOME WISE STEWARDS OF THE LAND AND RESOURCES
 AND TO IGNITE LASTING CURIOSITY THAT LEADS TO POSITIVE CHANGE IN THEIR SCHOOL, THEIR COMMUNITIES, AND THEMSELVES.

Policy 502

Search of Student Lockers, Desks, and Personal Possessions

Adoption:	November 27, 2023
Revision History	
Last Board Review: November 27, 2023	
Next Board Review: November 2024; 2027	
Review Frequency: Every 3 Years (per Policy 208)	

I. PURPOSE

The purpose of this policy is to provide for a safe and healthful educational environment by enforcing Heartland Lakes Community School's policies against contraband.

II. GENERAL STATEMENT OF POLICY

A. Lockers and Personal Possessions within a Locker.

Pursuant to Minnesota statutes, school lockers or cubbies are the property of Heartland Lakes Community School (HLCS). At no time does HLCS relinquish its exclusive control of lockers/cubbies provided for the convenience of students. Inspection of the interior of lockers/cubbies may be conducted by school officials for any reason at any time, without notice, without student consent, and without a search warrant. The personal possessions of students within a school locker/cubby may be searched only when school officials have a reasonable suspicion that the search will uncover evidence of a violation of law or school rules. As soon as practicable after the search of a student's personal possessions, the school officials must provide notice of the search to students whose lockers/cubbies were searched unless disclosure would impede an ongoing investigation by police or school officials.

B. Desks

School desks and tables are the property of HLCS. At no time does HLCS relinquish its exclusive control of desks and tables provided for the convenience of students. Inspection of the interior of desks and tables may be conducted by school officials for any reason at any time, without notice, without student consent, and without a

search warrant.

C. Personal Possessions and Student's Person.

The personal possessions of students and/or a student's person may be searched when school officials have a reasonable suspicion that the search will uncover a violation of law or school rules. The search will be reasonable in its scope and intrusiveness.

- D.** It shall be a violation of this policy for students to use lockers/cubbies, desks, and cubbies for unauthorized purposes or to store contraband. It shall be a violation for students to carry contraband on their person or in their personal possessions.

III. DEFINITIONS

- A.** "Contraband" means any unauthorized item possession of which is prohibited by HLCS policy and/or law. It includes but is not limited to weapons and "look-alikes," alcoholic beverages, controlled substances and "look-alikes," overdue books and other materials belonging to HLCS, and stolen property.
- B.** "Personal possessions" includes but is not limited to purses, backpacks, bookbags, packages, and clothing.
- C.** "Reasonable suspicion" means that a school official has grounds to believe that the search will result in evidence of a violation of school district policy, rules, and/or law. Reasonable suspicion may be based on a school official's personal observation, a report from a student, parent or employees member, a student's suspicious behavior, a student's age and past history or record of conduct both in and out of the school context, or other reliable sources of information.
- D.** "Reasonable scope" means that the scope and/or intrusiveness of the search is reasonably related to the objectives of the search. Factors to consider in determining what is reasonable include the seriousness of the suspected infraction, the reliability of the information, the necessity of acting without delay, the existence of exigent circumstances necessitating an immediate search and further investigation (e.g. to prevent violence, serious and immediate risk of harm or destruction of evidence), and the age of the student.

IV. PROCEDURES

- A.** School officials may inspect the interiors of lockers and desks for any reason at any time, without notice, without student consent, and without a search warrant.
- B.** School officials may inspect the personal possessions of a student and/or a student's person based on a reasonable suspicion that the search will uncover a violation of

law or school rules. A search of personal possessions of a student and/or a student's person will be reasonable in its scope and intrusiveness.

- C. As soon as practicable after a search of personal possessions within a locker pursuant to this policy, the school officials must provide notice of the search to students whose possessions were searched unless disclosure would impede an ongoing investigation by police or school officials.
- D. Whenever feasible, a search of a person shall be conducted in private by a school official of the same sex. A second school official of the same sex shall be present as an observer during the search of a person whenever feasible.
- E. A strip search is a search involving the removal of coverings or clothing from private areas. Mass strip searches, or body cavity searches, are prohibited. Strip searches will be conducted only in circumstances involving imminent danger.
- F. A school official conducting any other search may determine when it is appropriate to have a second official present as an observer.
- G. A copy of this policy will be printed in the family handbook or disseminated in any other way which school officials deem appropriate. HLCS shall provide a copy of this policy to a student when the student is given use of a locker.

V. DIRECTIVES AND GUIDELINES

School administration may establish reasonable directives and guidelines which address specific needs of HLCS, such as use of tape in lockers, standards of cleanliness and care, posting of pin-ups and posters which may constitute sexual harassment, etc.

VI. SEIZURE OF CONTRABAND

If a search yields contraband, school officials will seize the item and, where appropriate, turn it over to legal officials for ultimate disposition.

VII. VIOLATIONS

A student found to have violated this policy and/or the directives and guidelines implementing it shall be subject to discipline in accordance with HLCS's Student Discipline Policy, which may include suspension, exclusion, or expulsion, and the student may, when appropriate, be referred to legal officials.

Note: The applicability and enforceability of this policy 502 is limited to, and qualified by, Minnesota or Federal law that, at the time any such circumstance within the scope of the policy arise, may be contrary to some aspect or all of the policy.