
I. PURPOSE

Athlos Academy of St. Cloud strives to maintain a safe and healthful environment for students by prohibiting the use of drugs, alcohol, tobacco, toxic substances, controlled substances without a physician's prescription, and weapons. It shall be a violation of this policy for any student to use or possess any type of drugs, alcohol, tobacco, weapon, or drug paraphernalia at Athlos Academy of St. Cloud, and any reasonable suspicion merits grounds for a search and seizure.

II. DEFINITIONS

- A. "Contraband" means any unauthorized item possession of which is prohibited by school district policy and/or law.
- 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.
 - 1. Reasonable suspicion may be based on a school official's personal observation, a report from a student, parent or staff 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.

III. 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 **POLICY**

- A. This policy extends to all school facilities and includes all school property, including school lockers and cubbies, desks, and all off-campus events sponsored by the school.

Search of Student Lockers, Desks, Personal Possessions, and Student's Person

1. In accordance with Minn. Stat. § 121A.72, a copy of this policy shall be given out to a student the first time that the student is given use of a locker.

B. Qualifications for a Search and Seizure:

1. Use of controlled substances, toxic substances, and/or alcohol before, during, or after school hours, at school or in any location in which a school-related activity is held is prohibited.
2. Paraphernalia associated with controlled substances is prohibited on school grounds.
3. Other reasonable suspicion of a school official.

C. Search and Seizure Protocol:

1. Searches shall be reasonable in scope.
2. School officials may inspect the interiors of lockers, cubbies, and desks for any reason at any time, without notice, without student consent, and without a search warrant.
3. 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.
4. A search consists of the student emptying the item(s) being searched under observation.
 - a. A search may include search of a student's backpack, purse/wallet or other personal bag, locker, vehicle (if applicable), electronic device, and may include asking a student to empty his/her pockets;
 - b. If the student is non-compliant, employees may empty the item(s) being searched; and
 - c. Gloves are advised.
5. For searches of a student's person, a search shall be conducted by at least two school employees, in private, and be conducted by an employee of the same sex as the student.
6. Law enforcement may be involved if a student is in possession of illegal substances, has intent to use legal substances dangerously (i.e. prescription drugs or common chemicals), or school administration otherwise deems it necessary.

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

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- E. The appropriate school administrator is responsible for the prompt and thorough recording in writing of each search.
 - 1. All documentation of the search must be kept strictly confidential to protect the student's privacy.
 - 2. Parent/guardian notification is not necessary before a search is conducted, although it is suggested.

- F. Consequences:
 - 1. Any student found to be in possession of prohibited substances or items will be disciplined according to *Student Policy 5502*.

Legal References:

[Minn. Stat. § 121A.72](#) (School Locker Policy)
[U. S. Constitution, Amendment IV](#)
[Minnesota Constitution, Article 1, § 10](#)

Related Documents:

[Discipline Policy 5502](#)

Legal References:

[Utah Admin R277-615](#)

Related Documents:

[Discipline Policy 5502](#)