

## Searches and Seizures of Students and Property

---

The right of search and inspection of students and their property, including lockers, is inherent in the authority granted school boards and administrators and should be exercised so as to assure parents that the school, in exercising its “in loco parentis” relationship with their student will exercise every safeguard to protect the well-being of those students.

Nevertheless, exercise of that authority by school officials places unusual demands upon their judgment so as:

1. To protect each child’s constitutional rights to personal privacy and protection from coercion
2. To emphasize that schools are educational rather than penal institutions.

The Superintendent, principal, teacher or security personnel employed by the School Department are authorized to detain and search any student or students on the premises of any School Department property or while attending or in transit to any event or function sponsored or authorized by the Portsmouth School Department when:

1. Any authorized person has reasonable suspicion that the student may have on their person or property: alcohol, dangerous weapons, electronic paging devices, controlled substances as defined by RSA 318:B, stolen property, if the property in question is reasonably suspected to have been taken from another student or from the Portsmouth School Department or from any of its employees,
2. The student is in possession of property that may be reasonably believed to be disruptive of school operations or in violation of student discipline rules and applicable provisions of School Department policies.

School lockers, desks, athletic lockers, and storage areas are the property of the Portsmouth School Department and not that of the student. The users of lockers, desks, and other storage areas or compartments have no reasonable expectation of privacy from school employees as to the contents of those areas. Lockers, desks, and other storage areas or compartments may be subject to searches at any time with or without reasonable suspicion. Students are not to use any school area or property to contain anything that should not be at school. Students shall not exchange lockers or desks or use any lockers or desks other than those assigned to them by the principal.

Student parking on campus is a privilege and students have a lesser expectation of privacy of their vehicles and in those areas designated for student parking. Authorized personnel may, from time to time, arrange for and use trained canines in searches of student designated parking areas.

In conducting a search, authorized personnel shall have the authority to

- Lawfully obtain the consent of the student,
- Detain the student or students and to preserve any contraband seized,

The following restrictions shall apply to searches:

- Any search of the person shall be conducted by authorized personnel that is the same sex as the student searched.
- Strip searches are forbidden.