



It is recognized that from time to time in order to maintain the integrity of the school environment or to protect the health and safety of students and staff, it is required that school authorities and/or the RCMP may undertake a search of a student or a student's effects.

Police officers require a search warrant before they are entitled to search school premises, a student's locker or other property, except in an investigation of an alleged offence under *the Narcotics Control Act*.

When a school administrator or designate decides to search a locker or desk of a student, the personal effects of a student, or a student-driven vehicle, the school administrator or designate must have reasonable grounds to suspect that:

- A student is in violation of the law or a school or division rule; or
- Poses a threat to the proper order and discipline, health or safety of the school; and
- Evidence of such a violation will be found in the location or on the person of the student searched.

Reasonable grounds for a search mean any one of the following:

- Information received from a credible student or person,
- Information from more than one person,
- A teacher's or school administrator's own observations, or
- Any combination of the above information that the school administrator or designate considers credible.

Should it become necessary to search a student or any of a student's effects, these procedures will be followed to the best of the division representative's abilities, subject to the urgency of the response. The primary purpose for such inspections will be the protection of health, safety and general welfare of students, staff or school property.

### **Desks, Lockers, Storage Areas Utilized by Students and Student Effects**

Student lockers, desks and storage areas provided by the school are the property of the division. When reasonably possible the student will be informed and present when a locker,



## JIHB-R PROCESS FOR SEARCHES

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desk or storage area search is conducted. If it is not possible for the student to be present, the student will be informed as soon as convenient of any item(s) removed from the locker, desk or storage area believed to be placed there by the student.

The inspection of a locker(s), desk(s), or storage area(s) will be conducted by two (2) division employees, at least one of whom must be a school administrator or designate. Should an inspection result in the discovery of any material(s) that is inappropriate, the school administrator or designate has the authority to remove the material(s) or seal the locker, desk or storage area for the purpose of seeking a solicitor's advice or contacting the police.

School administrators or designates also have the authority to search the student's personal effects (personal effects may include but are not limited to: purse, wallet, backpack, book bag, outer clothing). Staff will not directly search the student(s) but will require them to empty the contents of pockets and/or personal effects.

Under no circumstances will a staff member conduct a body search, but if there is reason to believe a police search is required, students may be detained by the school administrator or designate under close supervision.

If a student refuses a search of personal effects, the school administrator or designate will advise the student and the student's parent(s)/legal guardian(s) that the police will be contacted.

### **Student-Driven Vehicles**

Vehicles brought by students and parked on school property are subject to inspection by school authorities. Refusal by a student, parent/legal guardian, or owner of the vehicle to allow access to a motor vehicle on school premises at the time of a request to search the vehicle shall be cause for termination without further having the privilege of bringing the vehicle on to school premises and may result in a report of the refusal to the police. Routine patrolling of student parking lots and inspection of the outside of student automobiles is permitted at all times.



**Responding to the Results of a Search**

Following any search or seizure, the school administrator or designate will determine whether or not the results warrant the involvement of the police. Illegal or contraband materials found or seized shall be turned over to the authorities for final disposition. Discipline arising out of the results of a search or seizure will be assigned by the school administrator or designate, in accordance with the Sunrise School Division Code of Conduct.

**Police Involvement in Searches**

School authorities will cooperate with police:

- a) When they present the school administrator or designate with a properly executed search warrant; or
- b) As part of a search following an arrest; or
- c) As part of a search for weapons only following a detention based on reasonable suspicion that the student has engaged in criminal conduct for which the police are investigating; or
- d) If urgent circumstances exist such as where there is a risk of physical harm to individuals.

<b>Cross Reference:</b>		
<b>Date Adopted:</b> August 1, 2017	<b>Date Amended:</b>	<b>Board Motion(s):</b>
<b>Procedure:</b> JIHB	<b>Guidelines:</b>	<b>Exhibit:</b>