

POLICY COMMITTEE MEETING
MARCH 5, 2018
CENTRAL OFFICE - LIBRARY
4:30 PM

AGENDA

COMMITTEE MEMBERS:

N. Carlow	J. Moses
R. Deakin	M. Nadeau
A. Dube	

- Attendance
- EEAEAA-R – Drug and Alcohol Testing of School Bus Drivers
Administrative Procedure (10 mins)
- ECB – Integrated Pest Management in School Facilities and
on School Grounds (10 mins)
- BDE – Board Standing Committees (15 mins)
- JIH – Questioning and Searches of Students (10 mins.)
- JIH-R – Questioning and Searches of Students Administrative
Procedure (15 mins)

NEXT MEETING: March 5, 2018

MSAD 6

**Drug and Alcohol Testing of School Bus Drivers
Administrative Procedure**

The Board is committed to the establishment of an alcohol and controlled substance testing program that meets all applicable requirements of the federal Omnibus regulations. The purpose of the testing program will help prevent accidents and injuries resulting from misuse of alcohol and controlled substances by drivers performing safety-sensitive functions.

The following administrative rule represents a summary of the main provisions found in federal regulations promulgated to effectuate drug and alcohol testing of bus drivers. The following rule in no way attempts to modify said regulations, which will always be referred to when questions as to implementation of this policy/procedure arise.

I. APPLICABILITY

All persons operating a commercial motor vehicle in commerce in any state and subject to the commercial drivers license requirements mandated under both federal and state laws, including the Omnibus Transportation Employee Testing Act of 1991, will be subject to the drug and alcohol testing provisions herein contained.

II. IMPLEMENTATION

The superintendent will be responsible for implementing a drug and alcohol testing which complies with procedures set forth in Title 49 Parts 40, 382, 390, and 395 of the Federal Code of Regulations. Such testing program will include pre-employment/pre-duty drug testing, post-accident testing, random testing, reasonable suspicion testing, return-to-duty, and follow-up testing. MSAD 6 will provide parties subject to testing with written notice of materials and information available to them as required by Part 382.

III. CONTROLLED SUBSTANCES

Controlled substances in this administrative rule refer to those covered by Omnibus Transportation Employee Testing Act of 1991, including marijuana, cocaine, opiates, amphetamines, and phencyclidine (PCP), and semi-synthetic opioids.

IV. SAFETY-SENSITIVE FUNCTION

Safety-sensitive function(s) in this administrative rule refer to functions defined in 49 CFR § 382.207 and §395.2 (On-Duty Time, paragraphs (1) through (6)).

V. PROHIBITIONS

All drivers subject to this policy will be prohibited from:

- A. Using alcohol while on duty and four (4) hours prior to going on duty;
- B. Possessing alcohol while on duty;
- C. Reporting for duty or remaining on duty while having an alcohol concentration of 0.02 or greater;
- D. Using any alcohol for eight (8) hours following an accident, or until he/she undergoes a post-accident alcohol test, which ever occurs first;
- E. Refusing to submit to a required alcohol or controlled substance test(s);
- F. Reporting for duty or remaining on duty when using any controlled substance, except when use is pursuant to instructions of a physician who advised the driver that the substance does not adversely affect the drivers ability to safely operate the vehicle; and
- G. Reporting for duty, remaining on duty, or performing a safety-sensitive function, if the driver tests positive for a controlled substance.

VI. REQUIRED TESTING

- A. Pre-employment Testing: Prior to the first time a driver performs a safety-sensitive function for a school unit, the driver will undergo testing for controlled substances. However, no driver will be subjected to pre-employment controlled substance testing prior to having been offered a position. Employment is conditioned upon a verified negative controlled substance test result.
- B. Post Accident Testing: As so as practicable following an accident, each surviving driver will be subject to an alcohol and controlled substance testing as follows:

1. Any driver performing safety-sensitive functions with respect to the vehicle if the accident involved a loss of life;
2. Any driver who receives a citation under State or local law for a moving violation arising from the accident; and
 - a. Causes bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
 - b. Should one or more motor vehicles incurring disabling damage as a result of the accident, require a motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.
3. In addition, the following provisions will also apply:
 - a. Alcohol: If a test required under this section is not administered within two (2) hours following the accident, MSAD 6 will prepare and maintain on file a record stating the reasons the test was not promptly administered. If a test is not administered within eight (8) hours following the accident, MSAD 6 will cease to administer the test and will prepare and maintain the same record. Records will be submitted to the Federal Highway Administration (FHWA) upon request of the Associate Administrator.
 - b. Controlled Substances: If a test required by this section is not administered within thirty-two (32) hours following the accident, MSAD 6 will cease attempts to administer the test and will prepare and maintain on file a record stating the reasons the test was not promptly administered. Records will be submitted to the FHWA upon request of the Associate Administrator.
- C. Random Testing: All drivers subject to this administrative rule will be subject to random and unannounced alcohol and controlled substance testing throughout the year. The minimum annual percentage rate for testing of bus drivers is as follows:
 - 1) Random alcohol testing will be a minimum of 10 percent of the number of driver positions each selection period; and

- 2) Random controlled substance testing will be a minimum of 25-percent of the number of driver positions each selection period.

If MSAD 6 conducts random testing for alcohol and/or controlled substances through a consortium, the number of drivers to be tested may be calculated for each individual school district or may be based on the total number of drivers covered by the consortium who are subject to random testing at the same minimum annual percentage rate under 49 CFR Part 328 or any Department of Transportation random testing rule.

- D. Reasonable Suspicion Testing: All drivers subject to this administrative rule will submit to alcohol and controlled substance testing when the employer has reasonable suspicion to believe that the driver has violated the prohibitions found in Part V. of this administrative rule, with the exception of Part V. B. regarding alcohol possession. MSAD 6 will base its determination that reasonable suspicion exists requiring the driver to undergo such testing on observations concerning appearance, behavior, speech, or body odors of the driver. When controlled substances are at issue, observations may include indications of the chronic and withdrawal effects of controlled substances.

In addition the following provisions also apply.

1. Alcohol: Alcohol testing will be performed only if the aforementioned observations are made during, just preceding, or just after the period of the work day that the driver is required to be in compliance with this administrative rule. If a test required under this section is not administered within two (2) hours following the reasonable suspicion determination, MSAD 6 will prepare and maintain on file a record stating the reasons the test was not promptly administered. If a test required under this section is not administered within eight (8) hours following a determination that reasonable suspicion exists, MSAD 6 will submit to the FHWA records of tests required by this section that were not completed within eight (8) hours according to the mandates of 49 CFR 328.307 (3).
2. Controlled Substances: The school district will, within twenty-four (24) hours or before the results of the controlled substances test are released, whichever is earlier, create a written record of the observations leading to a controlled substances test which will be signed by the supervisor or school district official making said observations.

- E. Follow-up Testing: MSAD 6 will require the driver to submit to at least six (6) unannounced follow-up alcohol and/or controlled substances tests during the first twelve (12) months after returning to duty. Follow-up tests will be unannounced and may continue for up to sixty (60) months after returning to duty. Follow-up alcohol testing will be conducted only when the driver is performing, just before, or just after ceasing to perform safety-sensitive functions.

VII. REFUSAL TO SUBMIT TO TESTING

All drivers who are required by federal regulations to submit to drug/alcohol testing must do so immediately upon being directed to submit to the test(s). A driver's refusal to submit to testing will subject the driver to immediate removal from the performance of safety-sensitive functions. In addition, failure to comply with Federal Regulations or this administrative rule is grounds for dismissal. Any of the following actions on the part of the driver constitutes a refusal to submit to a test:

- A. Failure to provide adequate specimens/samples of substance(s) undergoing testing, including but not limited to breath and urine, without a valid medical reason;
- B. Engaging in conduct which obstructs the testing process; and
- C. Refusal by an employee to complete and sign testing forms.

VIII. TRAINING FOR SUPERVISORS

MSAD 6 will assign persons who will be designated to determine whether reasonable suspicion exists to require a driver to undergo testing under Part 382, with at least sixty (60) minutes of training on controlled substances. Training will cover the physical, behavioral, speech, and performance indicators of probable alcohol misuse and use of controlled substances.

IX. ENFORCEMENT

MSAD 6, in its independent authority as an employer, will subject any driver who violates this administrative rule or Federal regulations to potential disciplinary action up to and including dismissal, except to the extent that any state law or collective bargaining agreement requires otherwise.

In addition, any driver who refuses to submit to a post-accident, random, or reasonable suspicion test shall be dismissed. Furthermore, no driver tested and found to have an alcohol concentration of 0.02 or greater shall continue driving a commercial motor vehicle.

X. CONFIDENTIALITY

Employee drug and alcohol tests and results will be maintained under strict confidentiality in a secure location with controlled access and released only in accordance with the law. A driver, upon written request, will receive copies of any record pertaining to his/her use of drugs or alcohol, including any records pertaining to his/her drug tests. Records will be made available to subsequent employers or other identified persons only when expressly requested in writing by the driver.

XI. NOTIFICATIONS

Each driver will receive educational materials prior to MSAD 6's commencement of alcohol and controlled substances testing. Such material will explain the requirements of the Code of Federal Regulations, Title 49 Part 382, and contain a copy of the Board's policy and administrative rules for meeting these requirements. Representatives of employee organizations will be notified of the availability of this information. MSAD 6 will also include in the package of informational material submitted to each driver, a statement certifying that he/she has received the informational material. MSAD 6 will maintain the original signed copy of the statement on file.

In addition to the aforementioned items, MSAD 6 will also make available to drivers and representatives of employee organizations information which will identify:

- A. The person designated by MSAD 6 to answer questions about the materials;
- B. The procedures that will be used to test for the presence of alcohol and controlled substances; protect the driver and the integrity of the testing processes, safeguard the validity of the test results, and ensure that those results are attributed to the correct driver;
- C. Information concerning the effects of alcohol and controlled substances on an individual's health, work, and personal life; signs and symptoms of an alcohol or a controlled substance(s) problem (the driver's or co-worker's); and available

methods of intervening when an alcohol or controlled substances problem is suspected, including confrontation, referral to any employee assistance program and/or referral to management; and

- D. Post-accident procedures that will make it possible for a driver to comply with post-accident testing before any driver operates a commercial vehicle; MSAD 6 will also make available the following information:
1. The results of pre-employment controlled substance test(s) if the applicant requests such results within sixty (60) calendar days of being notified of the disposition of the employment application; and
 2. The results of random, reasonable suspicion and post-accident drug tests if the results are verified positive. MSAD 6 will also tell the driver which controlled substance(s) was verified as positive.

XII. CONTROLLED SUBSTANCES

Drivers will inform their supervisors if at any time they are using a controlled substance which their physician has prescribed for therapeutic purposes. Such substance may be used in conjunction with duty only if the physician has advised the driver that it will not adversely affect his/her ability to safely operate a commercial motor vehicle.

XIII. REFERRAL, EVALUATION, AND TREATMENT

- A. Referral: A driver who has engaged in conduct prohibited by this administrative rule will be advised by MSAD 6 of resources available to the driver in evaluating and resolving problems associated with the misuse of alcohol and use of controlled substances. The information the bus driver receives will include: names, addresses, and telephone numbers of substance abuse professionals, counseling and treatment programs, in addition to information relating to his/her responsibility with regard to payment of such services.
- B. Evaluation/Treatment: A driver who engages in such prohibited conduct will be evaluated by a substance abuse professional who will determine what assistance or treatment, if any, the employee needs in resolving controlled substance(s) use.

XIV. OTHER POLICIES/ADMINISTRATIVE RULES

Nothing contained in this administrative rule will prevent the Board from establishing and enforcing independent policies/rules relating to the possession, being under the influence of, distribution, sale or use of alcohol or controlled substances, or any misconduct associated therewith and the penalties for violation of those policies/rules, up to and including dismissal.

Legal References: 49CFR Parts 40, 382, 390, 395
Title 26 MRSA §§ 681 (8)(B); 685(2); 689

Reference: EEAEAA

Adopted: February 11, 2002
Revised: May 21, 2012

**Integrated Pest Management In School Facilities
And On School Grounds**

The Board recognizes that structural and landscape pests can pose significant problems for people and school district property, but that use of some pesticides may raise concerns among parents, students, and staff. It is therefore the policy of MSAD 6 to incorporate Integrated Pest Management (IPM) principles and procedures for the control of structural and landscape pests. A copy of this policy will be kept in every school and made available upon request to staff, parents, students, and the public.

IPM is a systematic approach to pest management that combines a variety of methods for managing pests, including monitoring; improved horticultural, sanitation, and food storage practices; pest exclusion and removal; biological control; and pesticides.

For the purpose of this policy, "pests" are populations of living organisms (animals, plants or microorganisms) that interfere with use of school facilities and grounds. "Pesticide" is defined as any substance or mixture of substances intended for preventing, destroying, repelling or mitigating any pests and any substance or mixture of substances intended for use as a plant regulator, defoliant or desiccant.

The objective of the school district's IPM program is to provide effective pest control while minimizing pesticide use. The goals of the IPM program include managing pests to reduce any potential hazards to human health; preventing loss or damage to school structures or property; preventing pests from spreading beyond the site of infestation to other school property; and enhancing the quality of life for students, staff and others.

The Superintendent and/or designee will develop and implement a Pest Management Plan consistent with the following IPM principles and procedures:

A. Appointment of an IPM Coordinator

The Superintendent/designee will appoint an IPM Coordinator for the school district. The IPM Coordinator will be the primary contact for pest control matters and will be responsible for overseeing the implementation of the IPM plan, including making pest control decisions.

The IPM Coordinator will consult with the building principal and/or Superintendent before a decision is made to do a pesticide application for which notice is required and before providing notification of the planned application.

The IPM Coordinator's responsibilities may include:

1. Recording and monitoring data and pest sightings by school staff and students;
2. Coordinating pest management with pest control contractors;
3. Recording and ensuring that maintenance and sanitation recommendations are carried out where feasible;
4. Ensuring that any pesticide use is done according to the school district's Integrated Pest Management Plan and Chapter 27 Me. Dept. of Agriculture Board of Pesticides Control Rules ("Standards for Pesticide Applications and Public Notification in Schools");
5. Making the school system's pest management policy available in every school building;
6. Having available for parents and staff a copy of the Maine regulation pertaining to pesticide applications in schools (Chapter 27 Me. Dept. of Agriculture Board of Pesticides Control Rules "Standards for Pesticide Applications and Public Notification in Schools") and a record of prior pesticide applications and information about the pesticides used.
7. Initiating and coordinating notification of parents and staff of pesticide applications according to the school district's notification procedure and posting notification signs as appropriate; and
8. Recording all pesticides used by either a professional applicator or school staff and maintaining other pest control data.

B. Identification of Specific Pest Thresholds

Routine inspection and accurate identification of pests are needed to recognize potential problems and determine when action should be taken.

Action thresholds for specific sites will be determined on a case-by-case basis by the IPM Coordinator in consultation with the building principal and/or Superintendent, and if necessary, with the advice of a professional pest control expert.

As pest management objectives will differ from site to site (e.g., maintaining healthy turf and specific playing surfaces on athletic fields; carpenter ant control in buildings or maintenance of ornamental plants), differences should be considered before setting an action threshold.

C. Pesticide Applicators

Any person who applies pesticides in school buildings or on school grounds, including school personnel, must possess a Maine pesticide applicator's license and should be trained in the principles and practices of IPM. All pesticide use must be approved by the school district's IPM Coordinator. Applicators must follow state regulations and label precautions and must comply with the IPM policy and pest management plan.

D. Selection, Use, and Storage of Pesticides

Pesticides should be used only when needed. Non-chemical pest management methods will be implemented whenever possible to provide the desired control. The choice of using a pesticide will be based on a review of other available options (sanitation, exclusion, mechanical means, trapping, biological control) and a determination that these options have not worked or are not feasible. When it has been determined that a pesticide must be used to achieve pest management goals, the least hazardous effective pesticide should be selected. Application should be conducted in a manner that, to the extent practicable using currently available technology, minimizes human risk.

Decisions concerning the particular pesticide to be used and the timing of pesticide application should take into consideration the use of the buildings or grounds to be treated.

Pesticide purchases should be limited to the amount expected to be used for a specific application or during the year. Pesticides will be stored and disposed of in accordance with label directions and state and federal regulations. Pesticides must be stored in an appropriate, secured location not accessible to students or unauthorized personnel.

E. Notification of Students, Staff, and Parents of Use of Pesticides

A notice will be provided to staff, students, and parents within the first two weeks of the school year briefly explaining the school unit's

IPM/pesticide use policy including provisions for notification to parents and staff of specific planned pesticide applications in school buildings or on school grounds.

When required by regulations, the school will notify staff, students, and parents/guardians at least five days in advance of planned pesticide treatments in the school or on school grounds, including playgrounds and playing fields.

When required by regulations, signs will be posted at each point of access to the treated area and in a common area of the school at least two working days prior to the application and for at least 48 hours following the application in accordance with applicable Maine Board of Pesticides Control regulations.

F. Recordkeeping

When a pesticide has been used, records pertinent to the application including labels and material safety data sheets will be maintained at a designated central location for two years following application. Records are to be completed on the day the pesticide is applied. Pest surveillance records will be maintained to verify the need for pesticide treatments.

Legal Reference: 7 MRSA §§ 601-625
22 MRSA §§ 1471-A-1471-X
Ch. 27 Me. Dept. of Agriculture Board of Pesticides Control Rules
(Standards for Pesticide Applications and Public Notification
in Schools)

Cross Reference: EBAA - Chemical Hazards

Adopted: October 20, 2003

Revised: March 19, 2012

Board Standing Committees

The Board believes that standing committees can be useful to its decision-making process and in the transaction of Board business. The Board may establish such standing committees as it deems necessary to facilitate MSAD 6 governance and address ongoing district needs. A standing committee has only such authority as specified by the Board.

All standing committees will be comprised of less than a majority of the Board.

All standing committee meetings are open to the public except as provided by the Freedom of Access Law and the Municipal Public Employees Labor Relations Law.

Establishment and Functions of Standing Committees

The following provisions apply to the establishment and functions of standing committees:

- A. All standing committees will be established by vote of the Board. A motion to establish a standing committee will state the purpose and responsibilities of the committee (the “charge”) and set the number of members comprising the committee.
- B. The Board Chair will appoint members to the following standing committees – Negotiations and Policy, from among the membership of the Board. The Finance / Facilities Committee will be elected from among the membership of the Board. Appointments/elections will be made at or as soon as practicable after the School Board’s annual organizational meeting. Whenever practicable, each standing committee will include a Board member from each town.
- C. The Board Chair will also make appointments to standing committee vacancies on standing committees that occur prior to the Board’s next organizational meeting.
- D. The term of appointment to a standing committee will be until the next organizational meeting.
- E. Each standing committee will elect its own chair and vice chair.
- F. The Board Chair and Superintendent will be ex officio (non-voting) members of all standing committees.
- G. Any Board member may attend standing committee meetings, but only appointed members of the committee may vote.

- H. Except as authorized by law or Board action, a standing committee may research issues and make recommendations for Board action, but may not act for the Board.
- I. A standing committee may be abolished at any time by a majority vote of the Board.
- J. The number of members on a standing committee and/or the responsibilities of a standing committee may be modified at any time by a majority vote of the Board.

Authorization/Appointment of Standing Committees

The Board will have the following standing committees:

- Finance and Facilities
- Policy
- Negotiations

Standing Committees and Their Responsibilities

The following is a summary of the responsibilities of the Board's Standing Committees.

A. Finance and Facilities (6 Members)

The Finance and Facilities Committee's role is to oversee the financial affairs of MSAD 6, and review and make recommendations to the Board about the financial affairs and policies of the district. This Committee oversees the preparation of the annual budget, and the financial performance of the organization in meeting its budgeted revenues and expenses. The Committee is responsible for providing oversight of the current year's budget and for helping set the parameters for the development of the next school year budget.

The Committee also reviews and monitors the needs and uses of district buildings and grounds in order to ensure that the district's buildings, facilities and infrastructure are appropriate for the educational, environmental, social, cultural and economic needs of the district. The committee studies the budgetary impact of needed improvements, and collaborates with administration and staff in the development and implementation of short and long-range improvement plans and capital projects that are in the best interest of the community and the district.

Responsibilities are:

- Monitor cash flow.
- Analyze financial data.

**Board Standing Committees
Administrative Procedure**

- A. Each standing committee will meet at the call of its chair at a time and place to be designated in the call of the meeting. Standing committee meetings will be held once a month with the exception of Negotiations which will meet as needed. Additional meetings may be scheduled as needed.
- B. The chair of a standing committee, in collaboration with the Superintendent/designee, will establish the agenda for each meeting to promote the orderly flow of information and the effective operations of the Board and its standing committees.
- C. Notice to the public of the date, time and place of a standing committee meeting and the agenda for the meeting will be provided at least three days in advance and in a manner consistent with the Board's policy and practice concerning notification of Board meetings.
- D. The Superintendent may designate administrators or staff to serve in a liaison or advisory capacity and/or to provide information and/or resources.
- E. Any member of the Board, staff or public may attend a standing committee meeting, but may speak only at the discretion of the chair.
- F. The presence of a majority of the members of a standing committee will constitute a quorum for voting purposes. Only the members of the standing committee may vote on agenda items.
- G. For any matter on its agenda, a standing committee may by majority vote of members present, or by consensus, agree to make recommendations to the full Board. Recommendations may be in the form of a proposed motion and/or a report. A standing committee may also forward a matter under discussion to the full Board with no recommendation. Standing committee reports will be included as an agenda item for all regular Board meetings.
- H. Any item referred to a standing committee by the Board will be reported on at the next regular Board meeting. The standing committee's report should indicate work completed or progress made to date. The report may include the recommendation for continued standing committee study.

- I. Standing committee minutes, if prepared, are public information, subject to the Freedom of Access Law.

Legal Reference: 1 M.R.S.A. § 401 et seq.

Adopted: November 15, 2004

Revised: August 11, 2014

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MSAD 6

QUESTIONING AND SEARCHES OF STUDENTS

The Board seeks to maintain a safe and orderly environment in the schools. School administrators may question and/or search students in accordance with this policy and accompanying administrative procedure.

Students, their personal property, and their vehicles may be searched upon reasonable suspicion that they possess any items or substances which are prohibited by law, Board policies and/or school rules, or which interfere with the operations, discipline or general welfare of the school.

When special circumstances exist, including but not limited to a suspected ongoing violation of the Board's drug/alcohol or weapons policies, or when a potential threat to safety is identified, school administrators may search groups of students or the entire student body without individualized suspicion.

Student use of all school storage facilities, including but not limited to lockers, desks, and parking lots, is a privilege granted by the school. All storage facilities are school property and remain under the control, custody, and supervision of the school.

Students have no expectation of privacy in school storage facilities or for any items placed in such storage facilities. School administrators have the authority to inspect and search storage facilities and their contents on a random basis, with or without reasonable suspicion, and without notice or consent. Canine patrols may be used.

If a search produces evidence that a student has violated or is violating the law, Board policies and/or school rules, such evidence may be seized and impounded by school administrators and appropriate disciplinary action may be taken. Evidence may be forwarded to law enforcement authorities as required by law or as deemed appropriate by school administrators.

A student who refuses to comply with a search directive may be subject to disciplinary action, including the disciplinary consequences for the suspected violation.

Not in Sample

The Superintendent is authorized to develop and implement, with input from legal counsel, administrators, and/or other appropriate persons, any administrative procedure necessary to carry out this policy.

Cross Reference: JICH – Drug and Alcohol Use by Students
JICIA – Weapons, Violence, and School Safety
JK – Student Discipline
KLG – Relations with Law Enforcement Authorities

First Reading: May 19, 2003
Adopted: June 2, 2003
Reviewed: November 1, 2004
Revised: February 7, 2005

QUESTIONING AND SEARCHES OF STUDENTS ADMINISTRATIVE PROCEDURE

The purpose of this administrative procedure is to provide guidelines for the conduct of student questioning and searches by authorized school administrators. These are guidelines only and may be adjusted within reasonable and lawful limits on a case-by-case basis. School administrators have the discretion to request the assistance of law enforcement authorities as they deem necessary and in accordance with Board policy. ~~Law enforcement authorities will not participate in searches except under exceptional circumstances.~~

During a search, any illegal item(s) found that violates Board policies or school rules, or which in the reasonable judgment of school administrators represents a threat to the safety and welfare of the school population will be seized. Illegal item(s) will be turned over the law enforcement authorities. Other item(s) will be stored in a secure location until a determination is made regarding appropriate disposition.

School administrators are required to document all searches and items seized or impounded. The Superintendent and the parents of students involved will be provided with a copy of such reports.

Questioning by School Administrators

1. School administrators are under no obligation to notify a student's parents/guardians prior to questioning a student regarding alleged violations of Board policies, school rules, and/or federal/state laws.
2. School administrators will inform the student of the reasons for the questioning and provide an opportunity for the student to respond to any allegations. School administrators will make a reasonable effort to question the student in a location out of the sight and hearing of other students.
3. If a student fails to cooperate, lies, misleads, or threatens any person during questioning, he/she may be subject to additional disciplinary action.

Searches of Students, Personal Property in Student's Immediate Possession

1. School administrators are authorized to search students and/or personal property in student's immediate possession, when, in their judgment, there are reasonable grounds to suspect that a student has violated or is violating Board policies, school rules, federal/state laws, or is interfering with operations, discipline or general welfare of the school.

2. All searches of students and/or their personal property, will be authorized and conducted by a school administrator in the presence of a witness, except where the circumstances render the presence of a witness impractical. A reasonable effort will be made to conduct searches out of sight and hearing of other students.
3. Searches should be reasonably related to the suspected violation and no more intrusive than necessary to discover the evidence for which the search was instigated. Searches may include pat downs and searches of the student's outer clothes (e.g., pockets, jacket, shoes, hat) and personal belongings (e.g., purse, backpack, gym bag, lunch bag). The student may be given the opportunity to open any closed items and items that are not easily accessible to visual search. If the student refuses, the administrator will open and search the items. If the search produces a reasonable suspicion of the presence of evidence, a broader search may be justified. If a strip search appears to be necessary, law enforcement authorities will be contacted.
4. Searches resulting in evidence that a student has violated Board policies or school rules will be addressed through school disciplinary procedures. Evidence of violation of federal/state laws may result in school disciplinary action and/or be forwarded to law enforcement authorities for possible investigation/prosecution.

Searches of Lockers, Desks, and Other School Storage Facilities

1. School administrators will consult with the Superintendent prior to conducting random searches. Students have no expectation of privacy in school storage facilities or for any items placed in such storage facilities. School administrators have the authority to inspect and search storage facilities and their contents on a random basis, with or without reasonable suspicion, and without notice or consent.
2. Searches of individual student lockers, desks, or other storage facilities and their contents based upon reasonable suspicion will be conducted in the presence of the student and a witness, if practical under the circumstances of the search. A reasonable effort will be made to conduct searches out of the sight and hearing of other students. The student may be given the opportunity to open any closed items or items that are not easily accessible to visual search. If the student refuses, the administrator will open and search the items.
3. Any searches which disclose evidence that a student has violated Board policies or school rules will be addressed through school disciplinary procedures. Evidence of violation of federal/state laws may result in school disciplinary action and/or be forwarded to law enforcement authorities for possible investigation/prosecution.

Patrolling of Parking Lots and Searching Vehicles

1. Students may drive vehicles to school and park in designated areas in accordance with school rules. School administrators retain the authority to patrol parking lots.
2. If school administrators have a reasonable suspicion that a vehicle which a student has parked at school contains evidence that the student has or is violating Board policies or school rules, federal/state laws, and/or there is a substantial threat to the welfare and safety of the schools, **then a** school administrator will search the vehicle in the presence of a witness, except where the circumstances make the presence of a witness impractical.
3. If practical, the student should be present during the search. A reasonable effort will be made to conduct searches out of the sight and hearing of other students. The student may be given the opportunity to open any closed items or items that are not easily accessible to visual search. If the student refuses, the administrator will open and search the items.

Canine Patrols

1. The Superintendent may authorize canine patrols to take place anywhere on school property if he/she deems it advisable to maintain school safety or if there is a reasonable suspicion that drugs, weapons, and/or other illegal substances or items will be found. Canine patrols may include school lockers and/or student vehicles in school parking lots.
2. The Superintendent must make requests for canine patrols in writing to the appropriate law enforcement authorities. Only certified dogs and handlers may be used.
3. Whenever possible, canine patrols will be scheduled to minimize disruption of the academic program and risk of contact with students.
4. Teachers will be notified prior to the initiation of a canine patrol to keep students in their classrooms during the patrol. Any students in the parking lot, or anywhere outside of a classroom, prior to a canine patrol will be instructed to report to the school office or appropriate classroom.
5. Any locker and/or vehicle identified by the canine patrol will be noted by the school administrators accompanying the patrol.
6. Immediately following removal of the dogs, each area noted during the canine patrol will be searched. Each search will be conducted by a school administrator in the presence of a witness, except where the circumstances make the presence of a witness impractical.

7. If practical, the student should be present during a search of his/her locker or vehicle. A reasonable effort may be made to conduct the search out of the sight and hearing of other students. The student may be given the opportunity to open any closed items or items that are not easily accessible to visual search. If the student refuses, the administrator will open and search the items.

Cross Reference: JIH – Questioning and Searches of Students
 JIH-A – Student Search Checklist
 KLG – Relations with Law Enforcement Authorities

Revised: 2/14/05