

**Student Privacy and Searches and Seizure****Student Privacy**

The right to privacy is a fundamental tenet of human liberty. Staff shall take particular care to respect students' privacy. At the same time, they must protect the health and safety of all students and promote the effective operation of the schools. The Principal shall have the authority to conduct student searches. He/she shall do so only upon reasonable suspicion and in the manner prescribed by District policy.

**Searches and Seizure**

A student shall be free from searches of his/her clothing and other personal property unless there is reasonable suspicion to believe that something is concealed that may be of immediate danger to the student or to other students. School officials shall request the student to remove all items from pockets or other personal effects. If the student refuses and there is no immediate danger, school officials shall refrain from a search until the parent or, in the case of possible criminal activity, law enforcement officers are available.

School authorities may inspect and search school property and equipment owned or controlled by the school, as well as personal effects left there by the students, without notice or consent of the student. The school personnel may request the assistance of law enforcement officials to conduct inspections and searches conducted through the use of specially trained dogs.

**Seizure of Property**

If a search produces evidence that the student has violated either the law or the District's policies or rules, such that evidence may be seized and impounded by school authorities, and disciplinary action may be taken. When appropriate, such evidence may be transferred to law enforcement authorities.

Legal Reference: Article II, Section 10 & 15, 1972 Montana Constitution

**Policy History:**

Adopted on: 2008-09

Revised on: 11-15-2018