

AP 332 – Search and Seizure

Background

The purpose of this procedure is to protect students in the Abbotsford School District from harm and maintain the safety of our schools. This procedure provides guidelines for searches or inspections of students, their lockers and their possessions, and for seizing illegal substances or dangerous objects. Procedures for the use of drug detection dogs is also outlined.

Procedures

1. General Procedures

- 1.2 Where the principal, vice-principal or designate has reasonable grounds to believe a school rule has been or is being violated and that a search will produce evidence of that violation and the principal, vice-principal or designate intends to conduct a search of a student or their possessions.
- 1.3 The following are examples of what may constitute reasonable grounds in this context:
 - information believed to be credible received from a student
 - a teacher's or administrator's observation
 - any combination of sources of information (including drug detection dogs in respect to lockers used by students) that the principal or vice-principal considers to be credible.
- 1.4 The following guidelines will be observed:
 - the reason and purpose of the search will be clearly stated to the student(s);
 - the search will be conducted in a private area in a respectful manner which recognizes the right to be treated fairly. The use of threats is not permitted;
 - searches will be conducted in the presence of a second adult;
 - where reasonably possible a search will be conducted by a person of the same gender as the student;
 - school officials should not physically search students. Rather, students should be requested to provide any concealed articles on their person, or in their personal property; and
 - a reasonable attempt will be made to contact the parent(s) and/or legal guardian(s) prior to the search.

2. Procedures for Use of Drug Detection Dogs

- 2.1 Drug detection dogs may be used to inspect lockers used by students, for the maintenance of a safe school environment.

- 2.2 Drug detection dogs may only be used to inspect other areas of the school premises, including parking lots and unattended property found on school premises, where there is a reasonable suspicion that illegal substances or dangerous objects are present. Drug detection dogs may not be used on a random basis or in the absence of such reasonable grounds.
 - 2.3 Inspections by drug detection dogs will be conducted by trained personnel and will be conducted in such a way as to minimize interaction with students. Inspections will be conducted during class times or outside school hours. The area in which the dog will be present will be blocked off by a staff member, classroom doors will be closed, and only personnel associated with the inspection will be allowed in the area while the dog or dogs are present.
 - 2.4 Lockers or property indicated by the drug dog will be noted and opened at a later time by the principal or vice-principal. To protect student confidentiality, videotape recordings will be made during the sweep and stored, viewed, and handled in the same way as surveillance videotapes (Reference AP 520 – Video Surveillance in Schools).
3. Miscellaneous
 - 3.1 Illegal substances found during a search must be turned over to the police.
 - 3.2 Generally, dangerous objects seized should be turned over to the police. However, administrators may use discretion when it is clear that an object was not brought to the school for harmful purposes (for example, a pocket knife). In these cases, the item should be confiscated and the parent notified that the object may be picked up from the school.

Appendix [AP 332-1 Guidelines for Locker Sweeps](#)

References AP 320 – Possession of Weapons or Explosives
 AP 331 – Drugs and Controlled Substance Abuse
 AP 333 – Student Suspensions

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AP 332-1 Guidelines for Locker Sweeps

The purpose of these guidelines is to ensure that locker sweeps are completed in an orderly fashion and that school level procedures adhere to District Procedure AP 331 (Drugs and Controlled Substances), [AP 332](#), (Search and Seizure). Locker sweeps may be completed once per semester at each middle and secondary school in the district. Individual principals may also request a locker sweep over and above this schedule.

Background

Drug sweeps using drug detection dogs are to be limited to lockers. The use of drug detection dogs in respect to any other areas of school premises or unattended property found on school premises requires a reasonable suspicion that illegal substances or dangerous objects are actually present.

At the beginning of each school year the Assistant Superintendent will create a master schedule outlining the dates that each school will be visited during the year. The scheduled locker sweeps will be based on each school's calendar (bell times, special events, non-instructional days, assemblies etc.). More visits may be scheduled as the particular circumstances warrant.

1. Locker sweeps will be scheduled in both morning and afternoon periods, and will be completed in approximately one hour. The principal or vice-principal must accompany each dog team for the duration of the locker sweeps.
2. In general, more locker sweeps will be conducted at secondary schools than middle schools. Because of the difficulty of securing the school site after hours, it is unlikely that locker sweeps will be conducted after school. Locker sweeps will not be conducted in elementary schools.
3. In order to complete the locker sweeps in the allotted time, two members of the secondary school administrative team must make themselves available to accompany the dog team(s).
4. The information related to this procedure AP 331-1 Rules Regarding Student Lockers: Conditions of Use must be included in student agenda books. All students and parents must sign the locker use agreement in order to be issued a locker. Principals should also send a notice home to all parents at the beginning of the year reminding them of the policy and the impending locker sweep(s).
5. If prior to the arrival of the security company any media personnel arrive at the school to videotape the event or interview staff, please cancel the scheduled locker sweep, and then make immediate contact with the Superintendent or your Assistant Superintendent. Should media personnel arrive during a locker sweep the principal is required to direct them to the office of the Superintendent (as per Procedure AP 301 Access to Students and/or the Distribution of Information or Materials).
6. The principal must make arrangements to video tape the locker sweep. Principals are asked to electronically store this video evidence in a secure location for a minimum of one year.

Preparing for the Locker Sweep

1. The security company will contact the principal one hour before arriving at the school. The security company will be given a copy of each school's bell times, but it is the principal's responsibility to coordinate with the security company to arrive just prior to the end of a scheduled block. This will allow the dog teams to commence the locker sweep at the beginning of the subsequent block, and not disrupt instruction.
2. Once the dog team has arrived, the principal must make a formal announcement to all staff and students in the building. The announcement should be concise but clear and directive:

Attention all students and staff. In keeping with our commitment to make our school a safe place to learn, we will be commencing a locker sweep using drug dogs shortly. Will everyone please go to a classroom and remain there until the dog(s) has(ve) left the building. If any student needs to leave their room while this is occurring, please see your teacher. We will advise you as soon as it is completed. Thank you for your cooperation.

3. It is the principal's responsibility to ensure that the halls are cleared of students and parents, and that the security company staff is escorted into the school. Neither the security staff nor the drug dogs should make any contact with students or other staff. It is advisable that the school entrance be secured to monitor unexpected visitors.

During the Locker Sweep

1. Once the hallways are cleared of students, the locker sweep will begin. The dogs will walk with their handlers and an administrator alongside each locker. When the dog makes a positive alert he/she will sit, paw at the locker, or bark. The administrator should then record the number of this locker. It may be more efficient to simply bring along a number of extra locks, and each time a locker is identified the lock can be exchanged for a new one so that students cannot remove its contents in the interim. It is important that the locker not be searched at this time.
2. The principal should secure only those lockers that were positively identified by the dog. Lockers adjacent to an identified locker should not be opened.
3. While the security company will make every attempt to complete the locker sweep within the hour, it may be necessary to hold students in class to permit the dog team to properly complete the locker sweep.
4. If for emergency reasons students are required to enter the halls, the principal is required to inform the security company so that they may temporarily remove the dogs from the building and allow students to pass unimpeded.
5. Once the locker sweep is completed, the principal will escort the security company staff and dog off the school premises.

6. At this point, the principal will make an announcement, thanking the students and staff for their cooperation, and giving them permission to re-enter the hallways.

After the Locker Sweep

1. The principal is responsible for examining the contents of all positively identified lockers within a reasonable time (Reference [AP 332 – Search and Seizure](#)). Lockers should be searched in the presence of a second adult.
2. If no illegal substances are found in the locker, the principal will use his/her judgment to determine if further action is warranted with a student and his/her parents.
3. If an illegal substance is found, reasonable attempts must be made to contact the parent(s)/guardian(s) prior to interviewing the student(s). Principals/vice-principals must exercise due care in interviewing students(s). It is important to take careful notes of all student interviews.