

STUDENT SEARCHES

The Livingston Parish School Board is the exclusive owner of any public school building and any desk or locker utilized by any student contained therein or any other area that may be set aside for the personal use of the students. Any teacher, principal, administrator, or school security guard employed by the School Board, having a reasonable belief that any public school building, desk, locker, area or grounds of any public school contains any weapons, illegal drugs, alcoholic beverages, nitrate based inhalants, stolen goods, or other items the possession of which is prohibited by any law, School Board policy, or school rule, may search such building, desk, locker, area or grounds of said public school. The acceptance and use of locker facilities or the parking of privately owned vehicles on school campuses by students shall constitute consent by the student to the search of such locker facilities or vehicles by authorized school personnel. Students shall have no expectation of privacy in use of the lockers which have been assigned to them. The School Board reserves the right to inspect or search at any time lockers, desks, or any facilities, objects, or vehicles on the school campus, or other areas used by students. Any student not present during the search shall be informed of the search immediately thereafter.

Upon any such violation, the student shall be automatically recommended for expulsion by the appropriate school authorities, and investigative facts and/or seized items immediately turned over to the proper law enforcement officials.

Whenever any search is conducted pursuant to this policy, as soon as is reasonably practical a written record shall be made thereof by the school administrator/designee conducting the search and such record shall include the name of the student and/or person(s) involved, the circumstances leading to the search and the results of the search and maintained in the school administrator's office.

No actions taken pursuant to this policy by any teacher, principal, administrator, or school security guard employed by the School Board shall be taken maliciously or with willful and deliberate intent to harass, embarrass or intimidate any student.

SEARCH OF VEHICLES

The School Board shall require students who bring vehicles on campus to provide the school authorities with a *consent to search* of such vehicle signed by the student, parents and/or owner of the vehicle. Any vehicle parked on School Board property may be searched without consent at any time by a school administrator/designee when such school administrator/designee has articulable facts which lead the school administrator/designee to a reasonable belief that weapons, dangerous substances or elements, illegal drugs, alcohol, stolen goods, or other materials or objects the possession of which is a violation of law, School Board policy or school regulations will be found or for health, safety or security concerns. Such searches shall be conducted in the presence

of the student whenever possible. If the automobile is locked, the student shall unlock the automobile. If the student refuses to unlock the automobile, proper law enforcement officials shall be summoned, and the student shall be subject to disciplinary action. Any student not present during the search shall be informed of the search immediately thereafter.

CONFISCATION

Upon proper school personnel confiscating any firearm, bomb, knife, or other implement which could be used as a weapon, or any controlled dangerous substance, the principal or designee shall report the confiscation to the appropriate law enforcement officials. Any implement or material confiscated shall be retained, cataloged, and secured by the principal so as to prevent the destruction, alteration, or disappearance until such time as the implement or material is given to law enforcement personnel for disposal. Parents shall be notified of any item impounded. Any principal or designee failing to report any prohibited weapon or confiscated material or implement to law enforcement personnel or failing to properly secure any weapon or confiscated material or implement shall be subject to appropriate disciplinary action as may be determined by the Superintendent and/or School Board.

Any item seized or confiscated shall remain impounded unless its return to the student or student's parent or legal guardian is authorized by the Superintendent.

INDEMNIFICATION

If any employee of the School Board is sued for damages by any student, the parent of any student, or any other person qualified to bring suit on behalf of the student, based upon a search of that student's desk, locker, vehicle or any other area of a school building or grounds set aside specifically for that student's personal use, when the employee reasonably believed that the student had any evidence of gang activity, weapons, dangerous substance(s) or elements, illegal drugs, alcohol, stolen goods, or other materials or objects the possession of which is a violation of law, School Board policy or school regulations, in the student's possession, or had a reasonable suspicion that such desk, locker, vehicle or other area contained such items, it shall be the responsibility of this School Board to provide its employee named as a defendant with a legal defense, including reasonable attorney's fees, investigatory costs and other related expenses. If any such employee named as a defendant is cast in judgment for damages in the suit, it shall be the obligation of this School Board to indemnify him/her fully against such judgment, including all principal, interest and costs. The Livingston Parish School Board shall not indemnify an employee named as a defendant against a judgment wherein there is a specific finding that the action of the employee was maliciously, willfully, and deliberately intended to harass, embarrass, or intimidate the student.

Revised: May, 2018

Ref: US Constitution, Amend. IV; US Constitution, Amend. XIV, Sec. 1; La. Rev. Stat. Ann. ' '17:416, 17:416.3; Moore v. Student Affairs Committee of Troy State University, 284 F.Supp. 725 (M.D. Ala. 1970); State v. Stein, 203 Kan. 638 456 P.2d (1969); New Jersey v. T.L.O., 469 U.S. 325, 105 S. Ct. 733; Louisiana Handbook for School Administrators, Bulletin 741, Louisiana Department of Education; Board minutes, 12-12-77, 12-82, 11-83, 11-91, 11-92.