



STUDENTS

5145.122

Search and Seizure Use of Trained Dogs to Search School Property

The Board of Education considers students in possession of illegal drugs and other illegal substances in the school, on school property, or at school-sponsored activities to be detrimental to the learning process and to the health of those involved. The Board supports the elimination of possession and/or use of illegal substances/drugs. The Board wants to convey a strong message to the community, faculty, and student body concerning the use or possession of illegal or improper substances in connection with the Montville Public Schools.

All students, parents, and visitors are advised that it is the policy of the Montville Board of Education that all lockers, desks, and any other areas used to store property at any school facility or on any school property are the property of the Board and are not the property of the students to whom they are assigned or who may be permitted to use them. Use of such facilities is a privilege, not a right. Likewise, permission for students and visitors to park on school property is a privilege, not a right. As such, all lockers, desks and other storage places on school property as well as vehicles parked on school property are subject to search by Board employees or agents whenever there are reasonable grounds to believe that a search would produce evidence of illegal activity or of violation of Board policy or school rules. All students and visitors must understand that they do not have the right to expect privacy in connection with their use of such lockers, desks, and other storage locations, as well as with their vehicles parked on school property, and that any illegal or improper items they may store on school property may be discovered by search or inspection. Any person possessing illegal or controlled drugs/substances, alcoholic beverages, weapons, and any other illegal items under Board policy or state or federal law has no reasonable expectation of privacy when possession of such items is on school property or at a school-sponsored activity.

The Board shall permit the administration to invite law enforcement agencies or other qualified agencies or individuals to search school property with dogs trained for the purpose of detecting the presence of illegal substances in order to protect the health and safety of students, employees, and property, and to detect odor of the presence of illegal substances, including alcohol and/or drugs. The use of the trained sniffing canine is subject to the following:

1. The administration shall authorize the use of trained sniffing dogs and the Principal or his/her designee shall be present.
2. Parents and students shall be notified of this policy through its inclusion in whole or in part in the student/parent handbook.
3. All school property both inside and outside school buildings, such as lockers, desks, other areas used for storage of property, classrooms, parking areas, and vehicles on

school property may be inspected. Dogs may not be used in areas occupied by persons except for demonstration purposes with the handler present or in serious life-threatening emergencies.

4. Individuals shall not be subjected to a dog sniff examination of their person. However, personal property such as book bags, backpacks, tote bags, purses, and other objects or materials used to transport or store property that are not a part of the individual's clothing and are intended to be readily detached from the person may be examined.
5. Once notification has been given to parents and students through the student/parent handbook, the school district will have met its obligation to advertise the use of trained sniffing dogs. Additional notices need not be given, and actual dates and times for planned sniffer dog use need not be released in advance.
6. Only the dog's handler will determine what constitutes an alert by the dog. If the dog alerts on a particular item or place, the student having the use of that item or place or responsibility for it shall, if available, be called by the principal and/or his/her designee to witness the search. If a dog alerts on a vehicle, the person who brought it onto district property or the person who is responsible for the vehicle shall be asked to open it for inspection. If a minor student does not cooperate in a search, efforts will be made to contact the parents/guardians, and the search may nonetheless be completed. When in the judgment of the Principal or his/her designee, a clearly dangerous condition is present that threatens life, health, or safety, immediate action may be taken to respond to the emergency.
7. Law enforcement agencies will be given full authorization to investigate and prosecute any person(s) found to be responsible for illegal substance(s) on school property.
8. Any illegal substances/items that violate Board policy or student rules that are recovered on school property shall be confiscated and may be turned over to law enforcement officials.
9. In addition to possible referral to law enforcement officials, students in possession of illegal items may, where applicable, be subjected to discipline under Board of Education student disciplinary policies and procedures.

Legal Reference:

Connecticut General Statutes
10-221 Boards of education to prescribe rules.
New Jersey v T.L.O., 53 U.S.L.W. 4083 (1985)
PA 94-115 An Act Concerning School Searches.

Policy adopted: 02/12/13