

**HOOKSETT SCHOOL DISTRICT
STUDENT SEARCHES AND THEIR PROPERTY**

A student's person or personal property is subject to search by School District staff if reasonable grounds exist to suspect that evidence of a violation of the law or school rules will be uncovered. School staff shall report a student's suspicious activity to the Principal. Searches may only be conducted by the Principal, Superintendent, or other authorized personnel. The search must be reasonably related to the objects of the search and must not go beyond what is warranted given the nature of the suspected violation.

Establishing Reasonable Grounds

The following review of the basis for search should occur before conducting a search:

- A. Identify:
 - 1. The student's suspicious conduct, behavior, or activity.
 - 2. The source of the information.
 - 3. The reliability of the source of information.

- B. If suspicion could be confirmed, would such conduct be a violation of the law or school rules?

- C. Is the student likely to possess or have concealed any item, material or substance which is itself prohibited or which would be evidence of a violation of the law or school rule?

If the answers to B and C are yes, authorized personnel may conduct a search.

Conducting the Search

The search shall be conducted as follows:

- A. The Principal or designee will proceed to search by asking the student to remove all items from pockets, purses, handbags, backpacks, gym bags, etc.

- B. If the student refuses to cooperate in a personal search, the student should be held until the student's parent(s) or guardian(s) are available to consent to the search. If a parent or guardian cannot be reached in a reasonable time, the Principal or designee may conduct the search without the parent(s) or guardian(s) consent.

- C. If a search discovers evidence that a student has violated the law, the Principal or designee shall contact local law enforcement.

- D. If a search discovers evidence that a student has violated or is violating the School District's policies, school rules or the law, such evidence may be seized by school officials, and disciplinary action may be taken. When appropriate, such evidence may

be transferred to law enforcement authorities.

Locker, Desks, and Storage Areas

Lockers, desks, and storage areas are the property of the School District, not the student. Students who use School District lockers, desks, and other storage areas or compartments have no reasonable expectation of privacy from school employees as to the contents of those areas. Lockers, desks, and other storage areas or compartments may be subjected to searches at any time for any reason without notice, without student consent, or with or without reasonable suspicion.

Students are not to use any school area or property to store anything that should not be at the school. Students shall not exchange lockers or desks. Students shall not use any lockers or desks other than those assigned to them by the Principal or designee. A shared locker or storage area implies shared responsibility.

During a search of all student lockers or desks, if the school official conducting the search discovers any container within the locker or desk which may conceal contraband, the container may be searched according to the School District's procedures governing searches of students and their property. A "container" for the purpose of this policy may include, but is not limited to: an article of clothing, a handbag, purse, backpack, gym bag, or any other item within which contraband material may be concealed.

Social Media Accounts

Consistent with applicable law, the School District will not require or request that a student disclose or provide to the School District the student's username, password, or other authenticating information to a student's personal social media account. However, the School District may request to a student or a student's parent/guardian that the student voluntarily share printed copies of specific information from a student's personal social media account if such information is relevant to an ongoing School District investigation.

Random Searches

Recognizing the danger that contraband poses to society and students in particular, the School District reserves the right to conduct unannounced random searches at any time.

References:

NH Constitution, Pt.1, Art.19, State v. Drake, 139 NH 662 (1995), RSA 189:70

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