

***Athens City Board Policy for Searches***

***STUDENT SEARCHES***

***School Property***

All Athens City Schools property, facilities, and grounds may be entered, inspected, and searched at any time for any lawful purpose by school officials/employees, without any prior notice and to the fullest extent permitted by law. This includes but is not limited to Athens City Schools' desks, file cabinets, closets, lockers, offices, books, computers, and telephones, however and wherever kept, stored, or maintained<sup>[EB1]</sup>.

However, no school official shall conduct an individualized search of a locker and/or desk that has been assigned to a student by school officials for storage of the student's personal property unless there is a reasonable suspicion to believe that articles are kept there that may endanger other individuals in the school or that such articles possessed are contrary to law or the regulations or policies of the school and/or Board.

***Individuals and their Belongings***

A principal or his/her approved designee (under the direction of the school principal) may make searches of a student and/or the student's personal belongings (including but not limited to a student's vehicle on school property, purse, wallet, backpack, cell phone, computer) if there is reasonable suspicion that the student is carrying articles that may endanger individuals or present a risk or threat to the safety or welfare of the school community; or evidence of an actual or suspected violation of the law or the regulations or policies of the school and/or Board. The search should be reasonably related in scope to its objectives and the circumstances that justify it.

In a case where the principal or designee determines that a "frisk" or "pat down" of the student should be conducted, then it will be in private by a school official of the same sex with another staff member of the same sex present.

In any case where the principal or designee determines that a search of more than a student's pockets, jacket, cap, outer shirt, shoes, socks, belt, purse, book bag, and other outer garments and articles, or more than a "frisk" or "pat down" is justified by sufficient reasonable cause, the principal or designee will notify the student's parent or guardian prior to the search and the parent or guardian will be given a reasonable opportunity to be present at the time of the search. Such personal searches will be conducted with due regard for the age and gender of the student, and in a way that preserves the dignity of the student to the extent practicable under the circumstances.

<sup>[EB2]</sup>

***Law Enforcement Officials***

School officials will cooperate with law enforcement officials in their effort to enforce the law. School officials will not permit warrantless searches of students by law enforcement officials on school property, unless: (a) a student gives the law enforcement officer consent to the search, (b)

the search is incident to a lawful arrest, (c) the officer is conducting a “stop and frisk” for safety reasons, (d) there are exigent/emergency circumstances (such as people in imminent danger, to provide emergency aid/assistance, where evidence faces imminent destruction, or prior to a suspect’s imminent escape), or (d) where otherwise permitted by law.

### ***Blanket Searches***

To the maximum extent permitted by law and in the interest of safety of persons and property (and not to investigate and/or secure evidence of a crime), school officials, upon the approval of the Superintendent, may conduct blanket searches of students (as opposed to searches of particular persons based on individualized suspicion) prior to entry upon school property, events, or functions. This includes, but is not limited to all students at a school being required to satisfactorily pass through a metal detector or similar device prior to entry at school. Students that do not satisfy such tests may be subject to subsequent searches of their person and personal property, within the bounds of the law.

### ***Use of Recovered Items***

Property, material, substances, information, or records that are obtained, discovered, or recovered as a result of a search may be retained and used for any lawful purpose.

### ***General***

This policy shall not be construed to prevent:

- (a) School Resource Officers or other law enforcement officials from taking independent, lawful action regarding activities that occur on campus; or
- (b) School employees from seeking the assistance of School Resource Officers or other law enforcement officials to assist in a search.

Refusal to submit to a search may be grounds for disciplinary action.

SOURCE: Athens City Board of Education, Athens, AL

ADOPTED: Nov. 5, 1978; REVISED; Jun. 16, 1994; REVISED; May 21, 2009;  
REVISED; February 13, 2025

LEGAL REF: U.S. Const. Amend. IV; U.S. Const. Amend. XIV 1.