

## **Student Privacy**

At certain ages, students attain the right to decide for themselves what records will remain confidential, even from their parents, and in what activities the student will participate. At age eighteen students become legal adults and must approve any disclosure of information about themselves from student records, except directory information if a request for confidentiality has not been filed. Students age eighteen may also sign releases, authorizations or permission slips to participate in school activities and may sign themselves out of school and authorize their own absences. Students between sixteen and eighteen who have been granted legal emancipation from their parents or guardians have the same rights as eighteen year old students. Students over fourteen years of age have the right to keep private from everyone any District records indicating that they have been tested or treated for a sexually transmitted disease. Students thirteen years and older have confidentiality rights in records regarding drug, alcohol or mental health treatment. All students have confidentiality rights in family planning or abortion records.

## **Searches of Students and Personal Property**

Personal privacy is a fundamental aspect of individual liberty. All students possess the constitutional right to be secure in their persons, papers and effects against unreasonable searches and seizures. Staff shall take particular care to respect student's privacy.

School officials have authority to maintain order and discipline in the schools and to protect students from exposure to illegal drugs, weapons and contraband. The Superintendent, principal and other staff designated by the Superintendent shall have the authority to conduct reasonable searches on school property as provided by Board policy.

Prior to conducting a search, school officials shall ask that the student consent to be searched by removing all items from pockets or other personal effects. If the student refuses to consent to the search, school officials may proceed to search the student, the student's personal belongings and the student's locker, as follows:

1. Any search of a student conducted by a District employee must be reasonably related to the discovery of contraband or other evidence of a student's violation of the law or school rules.

For the purpose of this policy, "contraband" means items, materials or substances the possession of which is prohibited by law or District policy, including but not limited to, controlled substances, alcoholic beverages, tobacco products or any object that can reasonably be considered a firearm or a dangerous weapon.

2. Staff shall conduct searches in a manner which is not excessively intrusive in light of the age and sex of the student and the nature of the suspected infraction.

No student shall be subject to a strip search or body cavity search by school staff.

School officials may consult with local law enforcement officials regarding the advisability of a search on school premises by a law enforcement officer if evidence of criminal activity is likely to be seized.

The Superintendent shall develop procedures regulating searches of students and their personal property.

### Locker Searches

Students may be assigned lockers for storing and securing their books, school supplies and personal effects. Lockers, desks and storage areas are the property of the District. No right nor expectation of privacy exists for any student as to the use of any locker issued or assigned to a student by the school and such lockers and other spaces are subject to search in accordance with District policy.

No student may use a locker, desk or storage area as a depository for any substance or object which is prohibited by law or school rules or which poses a threat to the health, safety or welfare of the occupants of the school building or the building itself.

Any student's locker, desk or other storage area shall be subject to search if reasonable grounds exist to suspect that the search will yield evidence of the student's violation of the law or school rules. Any search of an individual student's locker shall be conducted according to Board policy governing personal searches.

All student lockers may be searched at any time without prior notice and without reasonable suspicion that the search will yield evidence of any particular student's violation of the law or school rules. If the school official conducting such a search develops a reasonable suspicion that any container inside the locker, including but not limited to a purse, backpack, gym bag or an article of clothing, contains evidence of a student's violation of the law or school rules, the container may be searched according to Board policy governing personal searches.

The Superintendent shall establish procedures for conducting searches of lockers, desks or storage areas.

Legal Reference:	RCW 13.64.060	Power and capacity of emancipated minor
	28A.600.020	Exclusion of student from classroom—Written disciplinary procedures — Long-term

28A.600.210-240	suspension	or expulsion
28A.320.040	School official searches of student lockers	
WAC 392-400-215	Bylaws for board and school government	Student rights

Bremerton School District

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