

Student Privacy and Searches

State law provides that at certain ages, students attain the right to decide for themselves what records will remain confidential, even from their parents, and what activities the student will participate in. At age eighteen students become legal adults and must approve any disclosure of information about themselves from school records, except directory information if a request for confidentiality has not been filed. Students at 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.

A. 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 will take particular care to respect students' 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, the principal, and other staff designated by the superintendent will have the authority to conduct reasonable searches on school property as provided by board policy.

A search is required when there are reasonable grounds to suspect a student has a firearm on school grounds, transportation or at school events.

Prior to conducting a search, school officials will 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 school 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 will conduct searches in a manner that is not excessively intrusive in light of the age and sex of the student and the nature of the suspected infraction.

No student will 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 will develop procedures regulating searches of students and their personal property.

B. 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 school district. No right or expectation of privacy exists for any student as to the use of any space issued or assigned to a student by the school. Lockers and other spaces are subject to search in accordance with district policy.

No student may use a locker, desk, or storage area to store 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 will 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 will 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 will establish procedures for conducting searches of lockers, desks, or storage areas.

C. Biometric Identification

1. Prior to performing a biometric finger scan of a student, the school district shall provide notification of the intent to do so to the parent/guardian. A parent/guardian or a student who has reached the age of 18, may request to opt-out of the biometric identification program by signing and submitting to the school Form 3230 A-1 Deny Finger Scan. Failure to respond with a written request not to participate in the biometric identification program shall be considered as giving permission for the student to participate.
2. The software scans the finger for identification. It does not store a copy of the fingerprints. Instead, the software creates a template of the unique points on the finger and converts it to a unique number. Each unique number is stored in the school's database with the same high level of security of all of our records. The stored numbers are also protected by the Family Educational Rights and Privacy Act (FERPA). FERPA is the same Federal Law that protects all student records. When your child graduates or is no longer enrolled in the school system, the stored numbers are deleted. At no time is a fingerprint image stored, and a fingerprint cannot be recreated from any stored number.
3. The biometric information is to be used solely by the school district for identification or fraud prevention.
4. The school district will not sell, lease, or disclose any biometric information to any other person or entity.

5. The choice for the student not to participate in the biometric identification program by the parents, or the individual who has legal custody of the student, or by the student, if he or she has reached the age of 18, must not be the basis for refusal of any services otherwise available to the student.

Cross References:	Board Policy 3231 3245 3414	Student Records Students and Telecommunication Devices Infectious Diseases
Legal References:	RCW 13.64.060 28A.320.040 28A.600.020 28A.600.210-240 WAC 392-400-215	Power and Capacity of emancipated minor Bylaws for board and school government Exclusion of student from classroom — Written disciplinary procedures — Long-term suspension or expulsion School official searches of student lockers Student rights
Management Resources:	<i>Policy News</i> , June 1999	School safety bills impact policy

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