

## USE OF CANINE SEARCHES

The Board of Education seeks to maintain a climate in the schools, which is conducive to learning and protective of the safety and welfare of staff and students. To achieve this goal, it may be necessary for school personnel to search the person and/or personal property of the student and to seize any property deemed injurious or detrimental to the safety and welfare of students and staff.

The District Board of Education finds that there are certain circumstances in which canine searches are appropriate and legally permissible under state (C.R.S. 19-2-101 et seq.) and federal law. One of these is when school personnel have a reasonable individualized suspicion that a particular student has contraband on his/her person, in his/her personal belongings, or in his/her locker or car.

Additionally, there are certain circumstances in which canine searches are permissible under state and federal law without individualized suspicion. Accordingly, the use of dogs to sniff students, their backpacks and purses, cars, and lockers, will be permitted in District schools without *individualized suspicion*, provided that the administration determines that such measures are reasonable under all of the circumstances present and the sniff searches are carried out in accordance with this policy.

The Parent or guardian of any student searched shall be notified of the search as soon as reasonably possible.

### **Lockers and Cars**

Canine searches of lockers and cars will be permitted provided that the administration has first put students on notice that their lockers or cars may be subjected to sniff searches at any time, for any reason, and without prior notice. Such notice shall be given no less often than annually.

### **Personal Belongings**

The use of canines to sniff the exterior of *unattended* personal belongings (e.g., backpacks, purses, jackets) is permissible, if reasonably conducted, and provided that the administration has first put students on notice that their unattended personal belongings may be subjected to sniff searches at any time, for any reason, and without prior notice. Such notice shall be given no less often than annually.

### **Students**

Absent independently established *individualized* suspicion, a contraband-sniffing dog will not be allowed to sniff students, and should not be allowed to come into direct or even close contact with students.

### **Definitions**

1. ***Reasonable suspicion:*** The standard for a search on school property or at school activities carried out by school authorities. Reasonable suspicion should be based on facts provided by a reliable informant or personal observation which cause the school official to believe, based on his/her own experience, that the search of a particular person, place or thing would lead to the discovery of evidence of a violation of Board policy or state laws. Reasonable suspicion requires more than a mere hunch.
2. ***Individualized suspicion:*** Searches may be conducted by a school official who has reasonable grounds for suspecting that a search will turn up evidence that an individual student has violated either the law or Board policy. When reasonable grounds for a search exist, school personnel may search an individual student and/or his/her property while on the school premises or during a school activity under the circumstances outlined in this policy and may seize any illegal, unauthorized or contraband materials.
3. ***Contraband:*** Consists of all substances or materials prohibited by Board policy or state law including but not limited to drugs, alcoholic beverages, guns, knives, other weapons and incendiary devices.

Adopted: **November 14, 2006**

LEGAL REF: C.R.S. 19-2-101 et seq.

LEGAL REFS.: C.R.S. 22-32-109.1 (2)(a)(I)(I)

CROSS REFS.: JK, Student Discipline and subcodes

CROSS REFS.: JIH, Student Interrogations, Searches and Arrests

Telluride R-1 School District  
(Reviewed by TSD Attorney)