

Opportunity Training Center Search and Seizure

The Central Aroostook Association seeks to maintain a safe and orderly environment at the Opportunity Training Center. School administrators authorized by the Executive Director may question and/or search students in accordance with this policy and accompanying administrative procedure.

Students and their personal property may be searched upon reasonable suspicion that they possess any items or substances which are prohibited by law, Board policies and/or school rules, or which interfere with the operations, discipline or general welfare of the school.

When special circumstances exist, including but not limited to a suspected ongoing violation of the Board's drug/alcohol or weapons policies, or when a potential threat to safety is identified, school administrators may search groups of student body without individualized suspicion.

All storage facilities are school property and remain under the control, custody and supervision of the school. Students have no expectation of privacy in school storage facilities or for any items placed in such storage facilities. School administrators have the authority to inspect and search storage facilities and their contents on a random basis, with or without reasonable suspicion, and without notice or consent.

If a search produces evidence that a student has violated or is violating the law, Board policies and/or school rules, such evidence may be seized and impounded by school administrators and appropriate disciplinary action may be taken. Evidence may be forwarded to law enforcement authorities as required by law or as deemed appropriate by school administrators.

The Executive Director is authorized to develop and implement, with input from legal counsel, administrators, and/or other appropriate persons, any administrative procedures necessary to carry out this policy.

Administrative Procedure

The purpose of this administrative procedure is to provide guidelines for the conduct of student questioning and searches by authorized school administrators. These are guidelines only and may be adjusted within reasonable and lawful limits on a case-by-case basis. School administrators have the discretion to request the assistance of law enforcement authorities, as they deem necessary.

During a search, any illegal item(s) found that violates Board policies or school rules, or which in the reasonable judgment of school administrators represents a threat to the safety and welfare of the school population will be seized. Illegal item(s) will be stored in a secure location until a determination is made regarding appropriate disposition.

School administrators are required to document all searches and items seized or impounded. The Executive Director and the parents of students involved will be provided with a copy of such reports.

A. Questioning by School Administrators

1. School administrators are under no obligation to notify a student's parents/guardians prior to questioning a student regarding alleged violations of Board policies, school rules, and/or federal/state laws.
2. School administrators will inform the student of the reasons for the questioning and provide an opportunity for the student to respond to any allegations. School administrators shall make a reasonable effort to question the student in a location out of the sight and hearing of other students.
3. If a student fails to cooperate, lies, misleads or threatens any person during questioning, he/she may be subject to disciplinary action.

B. Searches of Students' Personal Property in Students' Immediate Possession

1. School administrators are authorized to search students, personal property in students' immediate possession when, in their judgment, there are reasonable grounds to suspect that a student possesses any items or substances that are prohibited by law, Board policies and or school rules, or which interfere with the operations, discipline or general welfare of the school.
2. All searches of students and personal property shall be authorized and conducted by a school administrator in the presence of a witness, except where the circumstances render the presence of a witness impractical. A reasonable effort will be made to conduct searches out of the sight and hearing of other students.
3. If practical, the student should be present during the search. A reasonable effort will be made to conduct searches out of the sight and hearing of other students. The student may be given the opportunity to open any closed items or items that are not easily accessible to visual search. If the student refuses, the administrator will open and search the items.