

Policies and Regulations

NEPN Code: GBEG/STI

Personnel / Employee Rights and Responsibilities

Searches of Employee Personal Property and STC Owned / Provided Property

STC administrators are authorized to make searches of employees' personal property and vehicles on STC premises and STC owned/provided property under the conditions outlined below.

"STC owned/provided property" includes, but is not limited to, real estate, buildings, parking lots, offices, desks, instruments, storage containers, storage areas, lockers, computer systems and equipment, voicemail, electronic devices and vehicles. This property is intended for use for educational purposes and STC business only.

Employees shall have no expectation of privacy or confidentiality when using STC owned/provided property.

"Reasonable suspicion" means a determination based on objective facts and inferences drawn from those facts as well as personal observations that suggest there has been a violation of STC policy or state or federal law related to public schools (e.g. prohibition against bringing weapons on public school property).

Employee Personal Property Searches

When an STC administrator has reasonable suspicion to believe that an employee is in possession of items that are, or may contain items that are, unauthorized according to STC policy or state or federal law related to public schools (e.g. prohibition against bringing weapons on public school property), the administrator may take possession of and hold an employee's personal property (e.g. purse, wallet, book bag, cell phone, electronic devices) brought onto STC premises, for processing by the appropriate entity. In emergency situations an administrator may take possession of and hold an employee's personal property without the employee's knowledge.

Any search, and the extent of any search, of the employee's personal property shall be determined and conducted by law enforcement unless written authorization, witnessed by another adult, for STC to perform a search is provided by the employee prior to the search. Any authorized search by STC will be conducted in the presence of another adult witness. For any STC search of employee personal property, the employee has the right to Association representation.

STC Owned/Provided Property Inspections and Searches

STC owned/provided property is temporarily assigned to employees and remains the property of STC at all times. Employees are expected to assume full responsibility for the security of STC owned/provided property. Employees have no expectation of privacy or confidentiality when using STC owned/provided property.

Maintenance Inspections – STC has a reasonable and valid interest in ensuring STC owned/property provided to employees is properly maintained. For this reason, periodic inspection of STC owned/provided property is permissible. An employee may request an inspection or STC may conduct a maintenance inspection at any time without notice and without the employee's consent.

Any items discovered during such inspections that are or may contain items in violation of STC policy or state or federal law related to public schools (e.g. prohibition against bringing weapons on public school property) will be confiscated by administration.

Non-maintenance Searches – STC owned/provided property and its contents may be searched by an STC administrator when a reasonable suspicion exists that the property contains items that are or may contain items that are unauthorized according to STC policy or state or federal law related to public schools (e.g. prohibition against bringing weapons on public school property). Whenever possible the employee shall be informed of the search of STC owned/provided property. The employee has the right to Association representation. However, emergency situations may necessitate a search with or without the employee's knowledge or representation. Searches should be conducted in the presence of another adult witness.

Vehicle Searches

Employees are permitted to park on STC premises as a matter of privilege, not a right. STC retains authority to conduct routine patrols of parking lots and inspections of exterior of vehicles parked on those lots. The interior of an employee's vehicle on STC premises may be searched by an STC administrator if administration has reasonable suspicion to believe items that are unauthorized according to STC policy or state or federal law related to public schools (e.g. prohibition against bringing weapons on public school property) are contained inside. Whenever possible, the employee shall be informed of the search. The employee has the right to Association representation. However, emergency situations may necessitate a search with or without the employee's knowledge or representation. All searches shall be conducted in the presence of another adult witness.

Law Enforcement Involvement

Any search and /or seizure by law enforcement officials will occur only when law enforcement officials properly advise STC administration and provide documentation of the lawful authority to conduct the search and/or seizure.

Informing Employees

Every new employee will be provided a copy of this policy. Annually thereafter, employees will receive an overview, along with instructions to access the full policy on

the STC website, and will sign an acknowledgement form indicating they have received the information. Administration shall submit the signed form to the STC Human Resources Department. Administrators shall receive annual training related to searches resulting from reasonable suspicion.

Legal Reference:

SDCL 13-5-1 school districts defined – general corporate and proprietary powers

SDCL 13-8-39 management of schools – general powers

RELATED POLICIES:

IJNDC/STI – IJNDC-R/STI – Acceptable and Ethical Use of Technology
Resources

GBEB/STI – Code of Conduct

STC Policy

Adopted: 04-23-12

Board Action:

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