

## Policies and Regulations

### NEPN Code: JIH/STI

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#### Students

##### Student Searches

Southeast Technical Institute administrators are authorized to make searches of persons' personal property and vehicles and Southeast Tech owned/provided property under the conditions outlined below.

“Southeast Tech owned/provided property” includes, but is not limited to buildings, parking lots, desks, instruments, electronic devices, storage containers, storage areas, lockers, computer systems and equipment, voice-mail, and vehicles. This property is intended for use for educational purposes and Southeast Tech business only.

##### Student and Student Property Searches

A student and/or a student's personal property (e.g. purse, back pack, book bag, cell phone, electronic devices, luggage taken on institute sponsored trips, etc.) may be searched when an administrator has reasonable suspicion to believe that the student is in possession of items that are unauthorized, illegal, or contraband or the search will produce evidence of the violation of an institute rule or potential harm to self or others.

Searches of a student's garments while being worn (such as jackets, socks, pockets, etc.) will be conducted in private. Two school employees, one of whom is an administrator, must be present during the search. The employee who conducts the search must be the same gender as the student. A more intrusive search of the student's person is permissible in emergency situations when the health or safety of students, employees or visitors on the school premises are threatened. Such a search may only be conducted in private by an administrator of the same gender, with an adult of the same gender present, unless the health or safety of students will be endangered by the delay caused by following these procedures.

If a personal search of a minor has been conducted, the administration will inform the parent/guardian by the end of the day. If circumstances do not allow for verbal notification on the same day, a letter will be sent.

Student property may also be screened for the presence of weapons or prohibited items (e.g. drugs) by District administration or law enforcement using appropriate detection devices and may be screened in conjunction with law enforcement by using animals trained to locate and/or detect weapons and prohibited items.

### **Searches of Southeast Tech Owned/Provided Property**

Southeast Tech owned/provided property is temporarily assigned to individual students, but remains the property of Southeast Tech at all times. Students have no expectation of privacy or confidentiality when using STI owned/provided property. However, students are expected to assume full responsibility for the security of Southeast Tech owned/provided property. Students are not to share Southeast Tech owned/provided property unless assigned by the administration or designee (e.g. Students should not share private locker combinations with other students).

### **Maintenance Searches**

Southeast Tech has a reasonable and valid interest in ensuring that the Southeast Tech owned/provided property is properly maintained. For this reason, periodic inspection of Southeast Tech owned/provided property is permissible to check for cleanliness and vandalism. General maintenance inspections may be conducted by Southeast Tech's staff if instructed by a Southeast Tech administrator, or designee, at any time without notice, without the student's consent and without a search warrant.

Any contraband discovered during such searches will be confiscated by the administration. The administration may refer a student to outside agencies for assistance or to law enforcement officers, depending upon the severity of the situation.

### **Non-maintenance Searches**

Southeast Tech owned/provided property and its contents may be searched by a Southeast Tech administrator or designee when a reasonable suspicion exists that the property contains items that are unauthorized, illegal, or contraband. Whenever possible the student should be aware of and be involved in a search of such property. Emergency situations may necessitate a search with or without the student's knowledge. Such searches should be conducted in the presence of another adult witness.

### **Vehicle Searches**

Students are permitted to park on school premises as a matter of privilege, not a right. Southeast Tech retains authority to conduct routine patrols of the student parking lots and inspections of the exterior of vehicles. The interior of a student's vehicle on the school premises may be searched by a Southeast Tech administrator or designee if the administration has reasonable suspicion to believe items that are unauthorized, illegal, or contraband are contained inside. Whenever possible the student should be aware of and be involved in a search of the vehicle. Emergency situations may necessitate a search with or without the student's knowledge or consent. Such searches must always involve two adults.

### **Scope of any Search**

Administration will consider the intrusiveness of the search in light of the age, gender, and the nature of the alleged violation. The scope of any search will be limited to only what is necessary due to the policy/rule violation under investigation. If the search discovers items not related to the policy/rule violation under investigation, but items are found that are in violation of the law

or another school policy/rule, the student may be subject to additional discipline for that additional violation.

**Law Enforcement Involvement**

Any search and/or seizure by law enforcement officials will occur only when law enforcement officials properly advise school personnel that they have lawful authority to conduct the search and/or seizure.

**Informing Students and Parents**

Southeast Tech shall inform students and parents/guardians of minors of this policy regarding searches through the Southeast Tech Handbook/Catalog and provide written copies on request.

Legal Reference: SDCL 13-5-1  
SDCL 13-8-39

**RELATED POLICIES:**

INJDC-R/STI – Acceptable and Ethical Use of Technology Resources  
GBEB/STI – Code of Conduct

Policy		Board Action
adopted:	03-22-04	33778
reviewed:	03-22-10	35655
amended:	04-23-12	36350
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