

WESTMORLAND UNION ELEMENTARY SCHOOL DISTRICT

**Board Policy No. 5027:     SEARCHES**

- A.     The California Legislature has prohibited all searches of pupils that involve: (1) conducting any type of body cavity search; or (2) removing or arranging any or all of the clothing to permit a visual inspection of underclothing, breast, buttocks or genitalia. No employee of the District may conduct such prohibited searches on any pupil.
  
- B.     The Superintendent or designee may conduct searches of lockers used by pupils, and the personal property of pupils consistent with current applicable law as long as such search also is reasonable, is related to the safety and welfare of the school, and does not violate the legal rights of pupils.
  
- C.     The District retains the right to inspect District property (communal areas, lockers, classrooms, gym areas, parking lots, grounds, and other facilities and areas) to protect the safety and welfare of pupils, employees, parents and visitors. The inspection of property is separate and distinct from the inspection of a person.
  
- D.     The District in all cases prohibits the use of random and suspicionless dog sniff searches of pupils or any other individual.

Legal Reference:

Education Code section 49050

*Powers v. Plumas Unified School District* (1999) 192 F. 3D 1260

*In re Randy G.* (2001) 26 Cal. 4<sup>th</sup> 556

83 Ops. Cal. Atty. Gen. 257 (2000)

Date Policy Adopted By The Board: November 8, 1994

Date Policy Revised By The Board: October 9, 2003 (formerly B.P. 5022)