

# POLICY JIH

## Board of Education Las Cruces Public Schools

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**Related Entries:** JIH-RA, KLG, KLG-RA, JLF, JLF-RA, JICH, JICH-RA, JICF, JICF-RA  
**Responsible Office:** Associate Superintendent for Operations

### Student Searches and Seizures

#### I. PURPOSE

The Board of Education in recognition of the necessity of conducting searches and seizures of students from time to time in order to maintain a safe and drug-free environment, enforces school policies and discipline, adopts the following policy regarding searches and seizures.

#### II. DEFINITION

As used in this Policy contraband means any substance, material or object prohibited from school pursuant to Board policy, school policy or state or federal law, including drugs, alcohol, fireworks, or weapons.

#### III. GUIDELINES

- A. All students possess the constitutional right to be secure in their persons, papers, and effects against unreasonable searches and seizures. School personnel will protect students from exposure to illegal drugs, weapons, and contraband.
- B. With respect to students' constitutional rights, the School District reserves the right to search students' personal effects, and vehicles as follows:
  - 1. A pat-down search of a person may be conducted on the basis of a reasonable, individualized suspicion that such person is in possession of contraband.
  - 2. Periodic general inspections of lockers, desks, and similar facilities may be conducted by school officials for any reason, at any time, without notice and without consent.
  - 3. Persons are permitted to park on school premises as a matter of privilege, not of right. Vehicles may be searched by or, at the direction of authorized school officials, at any time it is on school premises. The School District also retains the authority to conduct routine patrols of school parking lots and inspections of the exteriors of automobiles on school property. Such patrols and inspections may be conducted without notice and without consent.

4. In any of the foregoing enforcement actions, the Administration is authorized to use dogs whose reliability and accuracy for sniffing and detecting contraband has been established. The dogs will be accompanied by a qualified and authorized dog trainer-handler who will be responsible for the dog's actions. Any indication by the dog that an illegal or unauthorized substance or object is present on school property or in a vehicle on school property shall be reasonable cause for a search by school officials
- C. Reasonable notice of this Policy shall be provided to all students each school year.
- D. The Superintendent shall promulgate regulations which implement and provide guidance for this Policy which comply with all applicable and established state and federal law on search and seizure.
- E. Information of evidence of any crime contrary to the laws of the State of New Mexico or defined as a criminal or delinquent act shall be reported and turned over the appropriate law enforcement agency.

**IV. REVIEW**

This policy shall be reviewed on an ongoing basis in accordance with the Board of Education policy review process.

*Legal Ref: 32A-4-3 NMSA (1978) 6.11.2.10 NMAC*  
History: Previously Policy 365 and 370, Revised 01.17.06



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*Approved, Board of Education President*

May 20, 2008  

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