

Search and Seizure

Students and their personal belongings are subject to search by school personnel if there are reasonable grounds for believing that a search will reveal evidence that the student has violated the law or school rules.

The Braintree school administration reserves the right to search vehicles on school property, back packs, gym bags, and/or other articles of student clothing when a determination has been made that such a search would be in the interest of the safety and/or health of that student and/or other students and adults. Searches and subsequent seizure of substance and/or contraband will be conducted based on reasonable suspicion as a result of reliable reports from credible sources, personal observations of students engaging in prohibited conduct, and observations of suspicious behavior. Such searches will not be performed in an arbitrary or capricious manner. Except as otherwise necessary due to urgent circumstances, searches will be conducted by a member of the Braintree school administration in the presence of another adult. In all cases, the nature of the search must be reasonably related to the object sought and not excessively intrusive in light of the age and gender of the student. In the event of the search of a student or his/her belongings, parents will be notified as soon as practicable after the search has been concluded.

Lockers and student desks, as well as the student parking areas at Braintree High School are the property of the Braintree Public Schools. Students should understand that they are not considered public property and, therefore, such areas and items may be subject to random and canine searches by school officials, in coordination with the Braintree Police Department.

In the event that a student is found to be in possession of an illegal object or substance, the object or substance will be given to the Braintree Police Department. Other objects or substances that are prohibited by school rules, or are otherwise disruptive to the school environment, may be retained by school officials for later return to the student's parents/guardians.

Interrogations by Police

The Braintree Schools have legal custody of students during the day and during the hours of approved extracurricular activities. When law enforcement officials find it necessary to question students during the school day or periods of extracurricular activities, the school Principal or his/her designee will be present. Every reasonable effort will be made to contact the student's parent or guardian so that the responsible individual may be notified of the situation and be present for police questioning of the student. Except as otherwise necessary due to urgent circumstances, police questioning of students under the age of 18 will not be conducted without the presence of a legal guardian.

LEGAL REF: New Jersey v. T. L. O. (1985) S. Ct 733.

Adopted by the Braintree School Committee: March 21, 2016

