

Students

Search and Seizure

To maintain order and security, NDSEC authorities are authorized to conduct reasonable searches of Cooperative property, equipment, students, and their personal effects. “NDSEC authorities” include local law enforcement officials.

School Property and Equipment as well as Personal Effects Left There by Students

NDSEC authorities may inspect and search NDSEC property and equipment owned or controlled by the Cooperative (such as lockers, desks, and parking lots), as well as personal effects left there by a student, without notice to or consent of the student. Students have no reasonable expectation of privacy in these places or areas or in their personal effects left there.

The Executive Director may request the assistance of law enforcement officials to conduct inspections and searches of lockers, desks, parking lots, and other school property and equipment for illegal drugs, weapons, or other illegal or dangerous substances or materials, including searches conducted through the use of specially trained dogs.

Students

NDSEC authorities may search a student and/or the student’s personal effects in the student’s possession (such as purses, wallets, knapsacks, book bags, lunch boxes, etc.) when there is a reasonable ground for suspecting that the search will produce evidence the particular student has violated or is violating either the law or the Cooperative’s student conduct rules. The search itself must be conducted in a manner which is reasonably related to its objectives and not excessively intrusive in light of the age and sex of the student and the nature of the alleged infraction.

When feasible, the search should be conducted as follows:

- outside the view of others, including students;
- in the presence of a school administrator or adult witness; and
- by a certificated employee or liaison police officer of the same sex as the student.

Immediately following a search, a written report shall be made by the school authority who conducted the search, and given to the Executive Director. The student’s parent(s)/guardian(s) shall be notified of the search as soon as possible.

Seizure of Property

If a search produces evidence that the student has violated or is violating either the law or the Cooperative’s policies or rules, such evidence may be seized and impounded by NDSEC authorities, and disciplinary action may be taken. When appropriate, such evidence may be transferred to law enforcement authorities.

Notification Regarding Student Accounts or Profiles on Social Networking Websites

The Executive Director or designee shall notify students and their parents/guardians of each of the following in accordance with the Right to Privacy in the School Setting Act, 105 ILCS 75/:

1. School officials may not request or require a student or his or her parent/guardian to provide a password or other related account information to gain access to the student's account or profile on a social networking website.
2. School officials may conduct an investigation or require a student to cooperate in an investigation if there is specific information about activity on the student's account on a social networking website that violates a school disciplinary rule or policy. In the course of an investigation, the student may be required to share the content that is reported in order to allow school officials to make a factual determination.

LEGAL REF.: 105 ILCS 5/10-20.14, 5/10-22.6, and 5/10-22.10a.
Right to Privacy in the School Setting Act, 105 ILCS 75/.
Cornfield v. Consolidated High School Dist. No. 230, 991 F.2d 1316 (7th Cir. 1993).
People v. Dilworth, 169 Ill.2d 195 (1996), *cert. denied*, 116 S.Ct. 1692 (1996).
People v. Pruitt, 278 Ill.App.3d 194 (1st Dist. 1996), *app. denied*, 667 N.E. 2d 1061 (Ill.App.1, 1996).
T.L.O. v. New Jersey, 469 U.S. 325 (1985).
Veronia School District 47J v. Acton, 515 U.S. 646 (1995).
Safford Unified School Dist. No. 1 v. Redding, 557 U.S. 364 (2009).

CROSS REF.: 7:130 (Student Rights and Responsibilities), 7:150 (Agency and Police Interviews), 7:190 (Student Behavior)

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