

Section 9-15.4. Reasonable suspicion requirements; same sex requirement; parent notification — A. All individual searches of students must be based on reasonable suspicion. In order to be permissible, the search must be: (1) justified at its inception and (2) reasonably related in scope to the circumstances justifying the search. An individual search is justified at its inception when a school official has reasonable grounds, based on the totality of the known circumstances, for suspecting that the search will reveal evidence that the student has violated or is violating either the law or the rules of the school. A search is reasonable in scope when it is reasonably related to the objectives of the search and is not excessively intrusive in light of the age and sex of the student and the nature of the suspected infraction. A personal search may include requiring a student to be scanned with a metal detector.

B. If the school official has reasonable suspicion to believe that a student has in his or her person an item imminently dangerous to the student or to others a more inclusive search of the student's person may be conducted. Such a search may only be conducted in private by a school official of the same sex with an adult witness of the same sex present and only upon the prior approval of the superintendent or his designee unless the health or safety of students will be endangered by the delay.

C. Parent notification before conducting a search of students is not required if the search is for weapons, drugs, or other contraband, or for any item that has the potential to endanger the health or safety of the student population. Whether the item that is the subject of a search will endanger the health or safety of students or school employees is left to the sound discretion of the building administrator. (Adopted August 14, 1997)

Legal Authority - Virginia Code §22.1-78 (1950), as amended.