

SEARCHES BY SCHOOL AUTHORITIES

Background

The Division is committed to providing a safe and caring school environment that is conducive to effective learning and to providing for the safety and security of its students while those students are in its care and custody. The Division will authorize searches by school authorities as a means to achieve this objective

Procedures

1. Each year the Division will provide a fair notice letter for schools to distribute to students and their families regarding our commitment to student safety. The letter will also be included as part of the registration process. Details regarding Division policy around searches within schools will be included in the letter.
 - 1.1 The school shall be required to maintain a list of students with their assigned locker numbers.
 - 1.2 Students may be permitted to use a personal lock on their locker.
 - 1.3 If the administrator, or designate, requires the student to remove the lock and the student does not comply with the request, the administrator shall authorize the removal of the lock and the school will not be responsible for the replacement.
2. If there are reasonable grounds to believe that a breach of school rules has been committed and a search will provide evidence concerning these matters, the administrator, or designate, may authorize a search to be conducted.
 - 2.1 When practicable to do so, the administrator, or designate, shall attempt to have the student present when a search is conducted.
 - 2.2 During any search, the administrator, or designate, and one other staff member shall be present and will ensure that any potential gender concerns are addressed.
 - 2.3 If the search reveals evidence of suspected criminal activity, the administrator, or designate, shall immediately secure the evidence and contact the RCMP and the parent(s) or guardian(s) shall be notified.
3. When there are reasonable grounds to believe that school policies or administrative procedures have been violated, the administrator, or designate, may direct a student to satisfy that they are not carrying or concealing prohibited materials. School personnel may not conduct a physical search of a student.
 - 3.1 If the search is minimally intrusive in relation to the potential harm (eg. a turning out of pockets when drugs are suspected), administrators and

teachers may perform a search that requires a student to empty their pockets, purses, wallets, books, binders, bags, backpacks, etc.

- 3.2 When a search is conducted under Procedure 3.1, the administrator, or designate, and at least one other staff member is present during the search and shall ensure that gender concerns are addressed.
 - 3.3 In the event that a physical search of the student's person is necessary, the RCMP shall be called in and the parent(s) or guardian(s) shall be notified.
 - 3.4 In the event that the student refuses to cooperate with the search or leaves the school, the RCMP shall be called in and the parent(s) or guardian(s) shall be notified. The administrator shall interpret this action on the part of the student to be willful disobedience or opposition to authority.
4. The administrator shall record, in writing, the reasons for conducting the search, the result of the search and any action taken. The administrator shall keep the record in a secure location.

Legal Reference: Section 85, 87, 108, 175 Education Act

Updated: March 2019