

THE SCHOOL DISTRICT OF PHILADELPHIA

No. 226

Section: 200 Pupils

Title: Searches

Adopted: April 27, 1981

Revised: January 27, 2022

226 SEARCHES

Purpose

The Board of Education (“Board”) is committed to maintaining School District of Philadelphia (“District”) schools as safe, secure, and welcoming places for students, staff, and parents. The Board is also committed to the goal of providing schools with the means to maintain a safe climate for all students and staff in a manner which reasonably balances limited intrusions on individual freedoms against the vital public interest in preserving an atmosphere conducive to education in our schools. The purpose of this policy is to establish a transparent and standardized search process. This process aims to improve student security while promoting each student’s dignity and minimizing negative effects of the search process.

Authority

The Pennsylvania School Code and Department of Education Regulations require the Board to adopt a reasonable policy regarding student searches. [1][2]

School officials have the authority to lawfully search students or their belongings, including lockers, automobiles, electronic devices, purses, backpacks, clothing, and other possessions, without a warrant, when in school, on school grounds, or when otherwise under school supervision, if there is a reasonable suspicion that the place or thing to be searched contains prohibited contraband; material that would pose a threat to the health, safety, and welfare of the school population; or evidence that there has been a violation of the law, Board policy, or school rules. The scope and extent of searches must be reasonable in relation to the nature of the suspected evidence, contraband, or dangerous material and to the grounds for suspecting that it may be found in the place or thing being searched. [1][2][3][4]. A reasonable search requires an articulable basis of facts and cannot be retaliatory, discriminatory, or capricious.

The District has a compelling interest in protecting and preserving the health, safety, and welfare of the school population, which under certain circumstances may warrant general or random searches of students and their lockers, vehicles, or other belongings without individualized suspicion, or prior warning, for the purpose of finding or preventing entry onto school property

of controlled substances, as defined by [Policy 227](#) - Controlled Substances/Paraphernalia; weapons, as defined by [Policy 218.1](#) - Weapons; or other dangerous materials. [5][6][7] This includes the right to conduct general point of entry searches.

Delegation of Responsibility

The Board directs the Superintendent or their designee, through the Office of School Safety, to develop administrative procedures establishing a standardized search process that is rooted in an approach that considers the unique factors related to adolescent development and includes a deep understanding and cultural awareness of the identity, values, and needs of our students.

The Board delegates authority to the Superintendent or designee to conduct searches of students or their belongings, including, but not limited to, lockers, automobiles, electronic devices, purses, backpacks, clothing, and other possessions in accordance with applicable law and Board policies. Any search procedure which would result in a school employee reaching under a person's clothing to come into contact with the person's bare skin or undergarments or expose a person's bare skin or undergarments in the area above the knees and below the neck is forbidden.

All employees or contractors involved in carrying out searches or determining when searches will be conducted shall receive appropriate periodic training about such procedures and currently applicable legal standards.

When school officials have reasonable suspicion to believe that a student's electronic device contains material of a sexual nature, school officials shall not search those electronic devices for the material, but instead shall confiscate the electronic device, notify the authorities to investigate the incident, and maintain the electronic device securely under lock and key until returned to the student or submitted to the authorities.

Mandatory Regulatory Procedures

Students, parents/guardians, and staff shall be notified at least annually, or more often if deemed appropriate by administration, about the standards and procedures in effect pursuant to this policy and administrative procedures. [2]

Legal References:

1. [24 P.S. § 5-510](#)
2. [22 PA Code 12.14](#)
3. [PA Const. Art. I Sec. 8](#)
4. [U.S. Const. Amend. IV](#)
5. [Policy 218.1 - Weapons](#)
6. [Policy 227 - Controlled Substances/Paraphernalia](#)
7. [Policy 805.1 - Relations With Law Enforcement Agencies](#)

Related Information:

[Philadelphia Home Rule Charter - 12-300](#)

[Policy 218](#) - Student Conduct and Discipline

[School District of Philadelphia Student Code of Conduct](#)

[Policy 222](#) - Tobacco Product, Alternative Nicotine Product, and Vapor Product Use by Students

[Policy 237](#) - Electronic Devices

[Policy 817](#) - Use of Scanning Equipment to Detect Weapons

[Policy 210](#) - Use of Medication/Medical Technology

[Policy 210.1](#) - Possession/Use of Emergency Medications