

**SHAKER REGIONAL SCHOOL DISTRICT
POLICY COMMITTEE
MEETING AGENDA
BHS
September 25, 2018
5:00 PM**

I. Call to Order

II. Policy Review:

- a) **JIH** – Searches of Students and Their Property
- b) **JIJ** – Student Demonstrations
- c) **JJE** – Fund-Raising Activities by Students
- d) **JJI** – Athletics

Other:

- a) NHSBA Policy Task List

III. Adjournment

**Shaker Regional School District
Policy Committee Minutes
June 26, 2018
5:00 PM**

Present: Michelle Lewis, Jodie Martinez, Eric Johnson and Michael J. Tursi

Eric called the meeting to order at 5:05 PM.

The following policies were reviewed, amended and action taken as follows:

CBI R&P – Superintendent Evaluation Procedure and Timeline

- Added new sentence in procedure.
- Added wording to timeline.
- Bring to full board as amended.

EEBB – Use of Private Vehicles During School Hours

- Amended by legal.
- Bring to full board as amended.

JICA – Dress Code for Students

- No changes. Update review date.

JIE – Pregnant Students

- No changes. Update review date.

JLCB – Immunization of Students

- No changes. Update review date.

JRA – Student Records and Access

- Tabled and send to legal.

KR1 – Community Use of School Buildings and Grounds

- Amend 1a under General Provisions, page 3.
- Amend 3c under Type C, page 2.

The following policies will be reviewed at the next meeting:

- TBD

The meeting adjourned at 5:58 PM.

Respectfully submitted,

Michael J. Tursi

1

2 **SEARCHES OF STUDENTS AND THEIR PROPERTY¹**3 Student Searches

4 A student is subject to search by **Shaker Regional School District (SRSD)**
 5 administration if reasonable suspicion exists that evidence of a violation of the law or
 6 school rules will be uncovered. Authorized administrators are permitted to arrange for
 7 the use of trained canines to aid in the search process.

8 Establishing reasonable suspicion. The following review of the basis for search shall
 9 occur before conducting a search:

10 -Identify the student's suspicious conduct, behavior or activity, the source of the
 11 information and the reliability of the source of information.

12 -If suspicion could be confirmed, would such conduct be a violation of the law or
 13 school rules?

14 -Is the student likely to possess or have concealed any item, material or substance
 15 which is itself prohibited or which would be evidence of a violation of the law or
 16 school rule?

17 Conducting the search. If the Principal, or his/her designee determines that reasonable
 18 suspicion exists to search a student's clothing, personal effects, desk, locker, assigned
 19 storage area or automobile, the search shall be conducted as follows:

20 -If evidence of criminal activity is suspected and criminal prosecution will be
 21 recommended if confirmed by the search, consult law enforcement officials
 22 regarding the appropriateness of a search by a law enforcement officer.

23 -If evidence of violation of a school rule is suspected, and if that is confirmed by the
 24 search, the matter will be handled solely as a student discipline action. The
 25 Principal or authorized personnel will proceed to search by asking the student to
 26 remove all items from pocket(s), purse(s), handbags, backpacks, gym bags, or
 27 other places of concealment.

28 Locker Searches

29 Lockers, desks and storage areas are the property of the **SRSD**. When assigned a
 30 locker, desk or storage area, a student shall be responsible for its proper use and care.

31 A student's locker, desk or storage area may be searched by **SRSD** staff if reasonable
 32 suspicion exists that evidence of a violation of the law or school rules will be uncovered.
 33 School staff shall report a student's suspicious activity to the principal prior to initiating a
 34 search, except in emergency situations when the risk of harm to students or staff
 35 demands immediate action.

36 Building principals should refer to these procedures for conducting searches of students
 37 and their property, for guidance in establishing whether a search is reasonable under
 38 the circumstance.

¹ *NH Constitution, Part I, Article 19*

1 Administrative or health and welfare inspections may be conducted at any time for the
2 purpose of locating misplaced library books, textbooks or other school property or to
3 ensure that all lockers, desks or storage areas are being kept clean and free from
4 potential health or safety hazards. Periodic inspections of lockers will reinforce the
5 district's ownership of lockers and the minimal expectation of privacy students have in
6 the contents of their lockers.

7 Principals may search all lockers, desks or storage areas without prior notice given to
8 students and without reasonable suspicion that the search will yield evidence of any
9 particular student's violation of the law or school rules.

10
11 During a search of all student lockers, if the school official conducting the search
12 discovers any container within the locker that may conceal contraband, the container
13 may be searched according to **SRSD** procedures governing searches of students and
14 their property. A "container" for the purpose of this policy may include, but is not limited
15 to: an article of clothing, a handbag, purse, backpack, gym bag or any other item within
16 which contraband material may be concealed.

17
18 Searches of Student Automobiles

19 Parking an automobile on school property is a student privilege and not a right. As part
20 of this privilege, the **SRSD** may search students' automobiles while parked on school
21 property if the **SRSD** has reasonable suspicion that a violation of school rules or policy
22 has occurred. Students consent to having their automobiles searched by parking in
23 school parking lots.

1

2 **STUDENT DEMONSTRATIONS**

3 The **Shaker Regional School District (SRSD)** recognizes the rights of students to
4 assemble and advocate peacefully so long as the day-to-day educational environment is
5 not disrupted or hampered.

6

7 When student demonstrations include violations of the rights of other students to an
8 education or when such demonstrations involve force, threat of force, or actual violation
9 of the law, those students responsible will be subject to discipline consistent with and in
10 accordance with **Shaker Regional School Board** policy.¹

¹ SRSD Policy JIC

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2 **FUND-RAISING ACTIVITIES BY STUDENTS**

3 Student initiated fundraising activities must be for the support of the school mission and
4 associated with a school-sponsored organization. Fundraising will not be school
5 sponsored unless it is approved by the Superintendent or designee. All fundraising
6 money must be deposited in the school activity accounts which shall be maintained
7 according to rules and procedures established by the Superintendent or his/her
8 designee.¹

¹ SRSD Policy JJF

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2 **ATHLETICS**

3 The **Shaker Regional School Board (SRSB)** has authorized the Superintendent to
4 establish an integrated intramural athletic and interscholastic athletic program which is a
5 part of a comprehensive and equitable co-curricular activities program.

6 Athletic programs shall be provided to maximize opportunities for student participation,
7 promote gender equity and encourage the physical and social development of student-
8 athletes. Participation in athletic programs is a privilege, not a right.

9
10 Student participation in elementary and middle school athletics shall be subject to rules
11 and procedures published by the Superintendent.

12 Student participation in high school interscholastic athletics shall be subject to the rules
13 adopted by the New Hampshire Interscholastic Athletic Association and all Shaker
14 Regional School District policies which may pertain.

15 The Superintendent shall closely monitor all athletic scheduling to ensure that students
16 and staff are not losing substantial instructional time.¹

¹ SRSD Policy IJOA

JIH - STUDENT SEARCHES AND THEIR PROPERTY

(Download policy)

Category R

The superintendent, principal, security personnel of the school or other authorized personnel may detain and search any student or students on the premises of the public schools, or while attending, or while in transit to, any event or function sponsored or authorized by the school under the following conditions:

1. When any authorized person has reasonable suspicion that the student may have on the students' person or property alcohol; dangerous weapons; prohibited electronic devices; controlled dangerous substances as defined by law or stolen property if the property in question is reasonably suspected to have been taken from a student, a school employee, or the school during school activities; or any other items which have been or may reasonably be disruptive of school operations or in violation of student discipline rules and applicable provisions of the student handbook.
2. School lockers and school desks are the property of the school, not the student. Students who use school district lockers, desks, and other storage areas or compartments have no reasonable expectation of privacy from school employees as to the contents of those areas. Lockers, desks, and other storage areas or compartments may be subjected to searches at any time with or without reasonable suspicion. Students are not to use any school area or property to store any thing that should not be at school. Students shall not exchange lockers or desks. Students shall not use any lockers or desks other than those assigned to them by the principal or designee. A shared locker or storage area implies shared responsibility.
3. Authorized personnel may conduct a search of the student's person or the student's belongings, as noted above, whenever a student freely and voluntarily consents to such a search. Consent obtained through threats or coercion is not considered to be freely and voluntarily given.
4. Strip searches are forbidden. No clothing except cold weather/outdoor garments and footwear will be requested to be removed before or during a search.
5. Authorized personnel conducting a search shall have authority to detain the student or students and to preserve any contraband seized. Contraband seized during the course of a search will be preserved and held in accordance with applicable administrative rules and procedures.
6. Any searches of students as outlined herein will be conducted by authorized personnel of the same sex as the student being searched. Whenever possible, two authorized persons shall be present during any search of a student or student property.
7. The Superintendent is authorized to arrange for the use of trained canines to aid in the search process.
8. Items that may be seized during an unauthorized search, in addition to those mentioned in Paragraph 1 above, shall include but not be limited to, any item, object, instrument, or material commonly recognized as unlawful or prohibited by law or by district policy. For example: prescription or non-prescription medicines, switchblade knives, brass knuckles, billy clubs, and pornographic literature are commonly recognizable as unlawful or prohibited items. Such items, or any other items which may pose a threat to a student, the student body, or school personnel shall be seized, identified as to ownership if possible, and held for release to proper authority.

In conducting searches of students and property, school officials should consult with legal counsel and law enforcement authorities to be aware of circumstances when involvement of the police is advisable and/or necessary.

Searches of student automobiles are governed by Board Policy JIHB.

Legal References:

NH Constitution, Pt.1, Art.19

State v. Drake, 139 NH 662 (1995)

State v. Tinkham, 143 NH 73 (1998)

Appendix [JIH-R](#)

Revised: April 2009

Revised: January 2001, February 2005

New policy: July 1998

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JIJ - STUDENT PROTESTS, DEMONSTRATIONS AND STRIKES

(Download policy)

Category O

See also [JIA](#), [JIC](#), [JICD](#)

The Board recognizes the rights of students to dissent peacefully so long as the day-to-day educational focus is not disrupted or hampered.

When student protests, demonstrations or strikes include violations of the rights of other students to an education, or when such protests, demonstrations, or strikes involve force, threat of force, or actual violation of the law, those students responsible will be temporarily suspended from school pending further investigation. Students may face more severe discipline consistent with and in accordance with Board policy.

It will be the duty of teachers and administrators to see that order is maintained and that the right of the majority to pursue their education is not abridged by those who would disrupt that aim.

The Superintendent is directed to develop specific procedures for handling student protests, demonstrations and strikes. At all times, the safety of the students shall be the main priority during times of student protests, demonstrations or strikes.

New Policy: August 2006

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JJE - STUDENT FUND-RAISING ACTIVITIES

(Download policy)

Category O

The Board recognizes that students may wish to engage in fundraising activities. All such fundraising activities require prior approval of the Superintendent.

Student fundraising activities must be for the support of the school mission. Fundraising will not be school sponsored unless it is approved by the Superintendent. All fundraising money must be deposited in the school activity accounts which shall be maintained according to standards and procedures established by the Superintendent or his/her designee, and these accounts shall be audited annually.

Reviewed: October, 2004

Revised: November, 1999

Revised: July, 1998

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Bills Initiating Local Policy Review

Task List

- HB 1499**, Kindergarten – Policy AD, Philosophy of a District
- SB 349**, CTE Programming – Policies IK & IKA, Credit
- SB 435**, Alternative Learning Programs – Policies IHBH, IHB, IHCD, IMBC, alternative and experiential learning
- HB 1674**, Computer Science & Adequate Education – Instructional Policies
- HB 1744**, Parent Exemption – *New Policy*
- HB 1347**, RTK Meeting Minutes – BEDG
- HB 1370**, Emergency Management Plans – Policies EBC & EBCA, Crises Prevention & Loss
- HB 1593**, Trust Funds & Capital Reserve Funds – Policies concerning Expendable Trusts & Capital Reserve
- HB 1612**, Data & Security – Policies EHAA, EHB, *New Policy*
- HB 1319**, Discrimination – Policies AC & GBH, Non-Discrimination & EOE
- SB 334**, Temporary Licenses – Policies GCB & GCF, PS Contracts and Hiring
- SB 357**, Safe School Zones – Policy ADB, Drugfree Workplace & Drug Free Schools
- HB 1551**, Records Retention – Policy EHB, Retention of Student Records
- SB 247**, Lead Testing in Schools – *New Policy*, Spring 2019

