

The Burnt Hills-Ballston Lake School District is committed to ensuring an atmosphere on school property and at school functions that is safe and orderly. To achieve this kind of environment, any principal or designee authorized to impose a disciplinary penalty on a student may question a student about an alleged violation of law or the district code of conduct. Students are not entitled to any sort of “Miranda” type warning before being questioned by school officials, nor are school officials required to contact a student’s parent (or guardian) before questioning the student.

In addition, the Board authorizes only the superintendent and/or building principals or assistant principals or their designees to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the district code of conduct.

Before searching a student or the student’s belongings, the authorized school official should attempt to get the student to admit that he or she possesses physical evidence that they violated the law or the district code, or get the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought.

Whenever practical, searches will be conducted in the privacy of administrative offices with a second school employee present, as a witness. The authorized school official conducting the search is responsible for recording pertinent information about the search.

A. Student lockers, desks and other school storage places

The rules in this Code of Conduct regarding searches of students and their belongings do not apply to student lockers, desks, and other school storage places. Students have no reasonable expectation of privacy with respect to these places, and school officials retain complete control over them. This means that student lockers, desks, and other school storage places may be subject to search at any time by school officials, without prior notice to students and without their consent.

B. Student Motor Vehicles

It is a privilege, not a right, to park on school grounds. The school retains the authority to conduct routine patrols of any or all school parking areas. The interior of a student’s automobile on school premises may be searched if the school authority has reasonable suspicion to believe that such a search will produce evidence that the student has violated or is violating either the law or district policy.

C. Strip searches

Under this Code of Conduct, school personnel are not allowed to conduct a strip search (defined as a search that requires a student to remove any or all of his/her underwear).

D. Digital Information

The district’s computer network coordinator shall be responsible for monitoring to ensure that the online activities of staff and students are consistent with the district’s Internet Safety Policy and this regulation. He or she may inspect, copy, review, and store at any time, and without prior notice, any and all usage of the district’s instructional computer network for accessing the Internet and World Wide Web and direct electronic communications, as well as any and all information transmitted or received during such use. All users of the district’s computer network shall have no expectation of privacy regarding any such materials.

E. Police involvement in searches and interrogations of students

Police officials have authority to interview or search students in schools or at school functions, or to use

school facilities in connection with police work in accordance with New York State and Federal Law. Where possible, police will confer with school officials before exercising such authority. Except in an emergency, police officials will not question or search any student on school grounds without the permission of the parents or guardians.

School Resource Officer (SRO)

The school resource officer (SRO) may interview or question students regarding an alleged violation of law. A school resource officer may also accompany school officials executing a search or may perform searches under the direction of school officials.

F. Child Protective Services Investigations

The district will cooperate with local Child Protective Services workers who wish to conduct interviews of students on school property relating to allegations of suspected child abuse, and/or neglect, or custody investigations.

All requests by Child Protective Services to interview a student on school property shall be made directly to the principal (or designee). The administrator shall set the time and place of the interview and shall decide if it is necessary and appropriate for a school official to be present during the interview, depending on the age of the student being interviewed and the nature of the allegations. If the nature of the allegations is such that it may be necessary for the student to remove any of his or her clothing in order for the child protective services worker to verify the allegations, the school nurse, social worker, or other district medical personnel must be present during that portion of the interview.

Approved June 2006

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