

PROTECTIVE SWEEPS, STUDENT SEARCHES, QUESTIONINGS AND INTERROGATIONS

Protective Sweeps

The right of inspection of students' school lockers, desks, school-issued technology devices, and other school-owned property or school-owned areas is inherent in the authority granted to public schools.

In order to best protect the safety of students and staff, the Lynn Public Schools allows “protective sweeps” of such school-owned property or areas, whether announced or unannounced, at regular intervals or at random.

Protective sweeps may encompass all or some such school-owned property or areas, however they may not be used to target any individual student(s).

Protective sweeps will be conducted at the discretion of the Lynn Public Schools, and will be conducted and/or administered by building-based and/or district level administrators.

Searches of Individual Students and Student-Owned Property by School Staff

In order to protect the constitutional rights of students, care must be taken by school principals, their designed administrators, and other appropriate school or district personnel when conducting searches of individual students or student-owned property including, but not limited to, backpacks, purses, or automobiles, as follows:

- The school must have reasonable suspicion to believe that the search will disclose evidence that the student has violated or is violating either the law or the rules of the school;
- There must be reasonable suspicion that contraband will be found in the place to be searched;
- If the school is relying on information from another person as the basis for the search, the school may conduct the search if the information shared appears to be reliable;
- Police, SROs, and other law enforcement authorities may not assist school staff in conducting searches of individual students or of student-owned property, nor may they direct school staff to conduct searches of individual students or of student-owned property.

Questioning Students by School Staff

Nothing in this policy shall limit the fact that the laws of the United States of America and the Commonwealth of Massachusetts permit school staff to question students about violations of school rules and violations of criminal laws without advising them of their constitutional rights.

Police Interrogations

Schools have legal custody of students during the school day and during hours of approved extracurricular activities. It is the responsibility of the school administration to make an effort to protect each student's rights with respect to interrogations by law enforcement officials, as follows:

- When law enforcement officials find it necessary to question students during the school day or periods of extracurricular activities, the school principal or their designee may request to be present for the interrogation.
- The school may contact the student's parent or guardian so that the responsible individual may be notified of the situation.
- In order to protect all students regardless of immigration status, all actions under this policy will comply with Lynn Public School Policy JIAAA, Resolutions to Affirm Lynn Public Schools as Safe and Welcoming Sanctuaries for All Students.

Guidance, Protocols, Procedures and Practices; Training; Student Support; Data

The Superintendent of Schools or their designee may, from time to time, issue guidance, protocols, procedures and practices relative to this policy including, for example:

- Identifying appropriate school staff to search students or property;
- Creating protocols to keep staff safe from weapons or sharp objects;
- Establishing practices that protect staff from false accusations;
- Establishing practices that safeguard the dignity of students, regardless of whether they do or do not possess contraband, and regardless of their sex, gender, gender identity, sexual orientation, creed/religion, ethnicity, or national origin.

The Superintendent of Schools or their designee is additionally empowered to:

- Provide for trainings of any kind that are relevant to this policy;
- Develop administrative procedures to ensure student support in matters where this policy is applied; and
- Arrange for the keeping of data regarding the application of this policy.

Adopted by the Lynn School Committee

_____, 2023