

FREQUENTLY ASKED QUESTIONS SCHOOL SAFETY: RANDOM SEARCH PROGRAM

What is the school random search program?

Random searches in schools involve randomly selected locations in which all or a pre-determined number of individuals and their personal belongings are searched. The random selection process is based on a pre-determined, systematic pattern or guideline. For example, students in a randomly selected classroom, riding on a randomly selected bus, or entering the school through a randomly selected door may be searched. The search process used in these randomly selected areas is consistent with a search you would undergo when preparing to board an airplane, enter a government building, attend an event at a performance venue, or enter a theme park. These types of searches may be conducted in middle and high schools. Elementary schools are not included in the random search program.

Why are random searches conducted in schools?

Random searches are conducted to deter individuals from bringing weapons and contraband to school or school-sponsored activities, curtail the threat of violence, and foster a safe learning environment. Schools have a responsibility to ensure that its students are safe. If a student feels that he/she may be subjected to a search while at school, he/she will hopefully be less likely to bring contraband, such as a weapon, to school.

Are random searches in schools legal?

Students in schools maintain their Fourth Amendment right to be free from unreasonable searches. Courts have ruled that the standard for "reasonableness" is lower in a school environment because of the special needs of a school to maintain a safe learning environment. Certain "suspicionless" searches, such as random searches, may be conducted by schools when certain guidelines are followed. CCSD's search procedures conform to these guidelines.

How does CCSD ensure that random searches do not target certain students?

The procedure for randomly selecting individuals for searches is documented by the administrator managing the search. Typically, an online random number generator is used to aid in the random selection process. The random selection process also involves multiple staff members.

Can a student refuse to undergo a random search?

No. Students who do not comply with a random search will be subjected to school discipline just as if they have violated other school procedures. Pursuant to Section 59-63-110, South Carolina Code of Laws, any person entering the premises of a school in this state shall be deemed to have consented to a reasonable search of his/her person and effects.

Who conducts the random searches?

Random searches are conducted by a school administrator or their designees or authorized district staff including the CCSD Search and Safety Team. Random searches are not administered by law enforcement officers.

What is the CCSD Search and Safety Team (SST)?

The SST is a group within the CCSD Office of Security and Emergency Management that holds responsibility for conducting random searches in CCSD schools. This full-time security team is dedicated to school safety, and many of them are former law enforcement officers. The creation of this team was authorized by the CCSD Board of Trustees after several weapons-related offenses occurred in district schools during the 2018-2019 school year.

What schools will the SST visit for random searches?

Initially, the SST will focus its efforts on CCSD high schools. At some point in the future, the program may be expanded to include middle schools.

How long have random searches been used in CCSD schools?

Random searches have been conducted in CCSD middle and high schools for many years. The decision to conduct a search and the frequency of the searches has previously been left up to the principal of the school. Under this model, some high schools were being searched frequently; others may not have been at all. The introduction of the SST is intended to create a consistent minimum standard at all CCSD schools involved in the program. Principals may still elect to conduct their own searches to supplement the efforts of the SST.

What training is received by those who perform the searches?

All CCSD staff members who conduct searches are required to complete annual school search training developed by the Offices of Security and Emergency Management and General Counsel.

What safety measures are taken during a search?

The search procedures, including the manner in which searches are completed, are developed with safety as the number one priority. All random searches have at least one law enforcement officer present to monitor and respond quickly to any safety concerns.

Will metal detectors be used?

Both walk-through and handheld metal detectors may be used to conduct random searches.

Will these searches include pat-downs?

A simple pat-down will only be conducted if necessary. For example, if a metal detector alerts to an unidentified metal item, a pat-down may be necessary to identify the item. In the event that individualized suspicion is developed during a search that requires a more thorough search, the student will be escorted to a private area. If a pat-down is necessary, it will only be conducted by a school official of the same gender as the student.

Will it go on my child's record that he/she was searched?

No. Only if contraband is found on a student will the search show up on a child's student record.

Will dogs (canines) be used during random searches?

On occasion, trained detection dogs may be used to sniff randomly selected student belongings. If a dog "alerts" to the presence of contraband, individualized reasonable suspicion will exist to justify a more thorough search. At no time will a canine be used to sniff a person during a school search, and every effort is made to keep students completely separated from dogs being used during a search.

What if contraband is located on a student?

If a student is found with an item that is a violation of the CCSD Student Code of Conduct, he/she will face disciplinary action pursuant to the Progressive Discipline Plan. If the contraband also constitutes a violation of law, the item will be immediately turned over to law enforcement.

Will special consideration be given for students with special needs?

Administrators and school staff are accustomed to working with and accommodating students who have special needs.

Will I be notified every time my child is searched?

No. The school community is being notified that a random search program is being utilized in CCSD schools, and your child may be subjected to suspicionless searches throughout the school year. If any contraband is located on your child, you will be notified.

Will searches be announced ahead of time?

The effectiveness of the random search program will be largely based on the ability of the school/district to keep searches truly random (both in scope and schedule). Students need to be aware that the program is in place and that they may be subject to search at any time; however, students will not know when/where searches will be held throughout the year.

Are school lockers, desks, and electronic devices included in random searches?

School lockers, desks, and district-owned electronic devices may be searched under this program; however, it should be noted that Board policy states that school lockers, desks, and CCSD-owned electronic devices are the property of the school district and are subject to search. A student has a significantly diminished expectation of privacy for any items stored in a locker, desk, or on a district-owned device.

Is there a fear that random searches will create a prison-like environment in schools?

The intrusiveness of a search program should always be weighed against the rights of students and need for the school to maintain a safe environment. This program is designed to reduce the likelihood that a student will bring contraband to school and increase a student's feeling of safety within his/her school. Searches will also be completed as quickly as possible in order to protect instructional time.