

**FOR REFERENCE: MARION COUNTY PUBLIC SCHOOLS ADMINISTRATIVE  
SEARCH POLICY  
(CURRENT AS OF FEBRUARY 2023)**

Book	Administrative Procedures Project
Section	5000 Students
Title	Administrative Search Procedures
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**5771.01 - ADMINISTRATIVE SEARCH PROCEDURES**

**A. Purpose and Goals of Administrative Searches**

1. School officials and School Resource Officers, with the assistance of others, are authorized by the School Board to conduct administrative searches of students, their lockers, backpacks, vehicles, personal effects, and storage areas for the purpose of locating firearms, controlled substances, and other prohibited or illegally possessed items or substances. The use of metal detectors and specially trained animals, including drug detecting dogs and firearm/gunpowder detecting dogs, may be employed during administrative searches.
2. Searches based upon reasonable suspicion or probable cause are not governed by administrative search procedures.
3. Administrative searches are designed to be conducted in a manner that results in the least amount of disruption possible to the educational process.
4. Administrative searches shall only occur at middle and high schools. A school selected to be administratively searched may be referred to throughout this procedure as "the selected school."
5. The school and classrooms and/or student parking lots to be administratively searched, as well as the date(s) on which an administrative search will occur, shall be randomly selected pursuant to the methods set forth in this procedure.
6. Up to two administrative searches may occur each week, except that:
  - a. In recognition that at times there will be an increased need for administrative searches to fully create a deterrent effect, the Sheriff and the Superintendent may jointly agree to conduct more than two administrative searches in a week; and

- b. In recognition that administrative searches require the use of resources which may occasionally be required to be otherwise deployed to carry out the duties of Marion County Public Schools and the duties of the Sheriff, either the Superintendent or the Sheriff may unilaterally determine that less than two administrative searches will occur in a week.
7. One school may be randomly selected for more than one administrative search per week.
8. A search of multiple classrooms within a school shall be considered part of a single administrative search.
9. Up to 10 classrooms, in addition to the student parking lot, may be administratively searched, per day, per school. If more than one classroom is to be searched, the random selection process shall be repeated.
10. If selected for a random screening, students must cooperate and submit to the screening.
11. Students who refuse to cooperate and submit to the screening will be subject to disciplinary action for failing to follow school rules and may be prevented access to or be removed from the school property.

#### **B. Notification Procedure**

1. The week prior to a scheduled administrative search, the Superintendent shall randomly select the schools at which an administrative search will occur using the random selection methods set forth below.
2. The Superintendent will document the results of the random selection process. The random selection process may be recorded with an audio-visual recording device, including by a law enforcement officer using a body-worn camera. The Office of Safe Schools will maintain documentation for the randomization of each school selected.
3. Advance notification that a school will be subject to an administrative search shall be made to the school principal, the Executive Director of Operations and Emergency Management, the Area Superintendent, the Chief of Operations, and the Marion County Sheriff's Office Captain who oversees the Unified Juvenile Enforcement and Security Team. Notifications shall be made no later than the Thursday of the week preceding the scheduled administrative search.

#### **C. Classroom Administrative Search Procedure**

1. When a school is randomly selected for an administrative search, the administration of that school shall be advised of the classroom(s) and/or student parking lot to be administratively searched.

2. Administrative searches of a school shall begin as early in the school day as practicable and shall not occur in such a manner to be ongoing during classroom changes, dismissal, or lunchtime. Every effort will be made to ensure searches are completed at least ten minutes prior to the end of the class period.
3. The school or district administrator shall enter the classroom and explain the purpose of the administrative search, the method by which the administrative search will be conducted, and the fact that the classroom was randomly selected.
4. Students shall be directed to stand, leave their belongings behind at their desk, and exit the classroom, forming a line in the corridor or hallway immediately outside of the classroom.
5. Thereafter, two separate screenings shall occur – one of the students' persons and one of the students' backpacks, personal effects, and other objects.

#### Screening of Students

6. Once students are outside of the classroom, the teacher shall proceed outside the classroom with the students to monitor behavior while students are in line waiting to be screened.
7. Each student shall proceed separately to a screening area to be screened. The student shall be directed to remove all metal objects from their persons. The metal objects shall be visually inspected by school personnel.
8. Thereafter, the student shall be scanned by school or district personnel using a handheld metal detector. Staff conducting the screening must use the same scanning technique/pattern for each student. The handheld device should not touch the student's body during the search. Administrative searches conducted with handheld metal detectors shall not involve touching the student's person.
9. If the metal detector activates, the student shall be removed to a private location outside of the view of other students, and then:
  - a. The student shall be asked if they are in possession of any metal object in the area of the activation.
  - b. If the student advises he or she is in possession of a metal object, the student will be directed to remove the object.
  - c. If the object is not removable (e.g., permanently affixed jewelry, rivets on pants, etc.), school personnel may attempt to visually confirm the student's explanation and/or request a School Resource Officer to perform a pat-down of the area to determine whether the student is in possession of a firearm, other weapon, or prohibited metallic object.

- d. If the student denies being in possession of a metallic object, then a School Resource Officer will perform a pat-down of the area to determine whether the student is in possession of a firearm, other weapon, or prohibited metallic object.
10. If during the screening, any item is discovered that is evidence of a violation of law or school rules, the item shall be seized as evidence and/or confiscated, and the student may be subject to disciplinary action and/or arrest.
11. If the screening results in negative findings, the student will provide his/her student number to the staff member who conducted the screening. Student numbers shall be documented for each student screened.
12. Following the screening, the students will form a line in a nearby hallway, beyond the screening area, until any screening of backpacks and personal effects inside of the classroom is completed. Thereafter, students may be permitted to re-enter the classroom.

#### Screening of backpacks and personal effects

13. While students are outside of the classroom, law enforcement personnel may walk a firearm and/or drug-detection dog through a classroom to sniff the students' backpacks, personal effects, and other objects, for the purpose of detecting the presence of firearms, ammunition, or controlled substances.
14. If a dog alerts on a student's backpack, personal effects, or other object, that object may be searched, provided the law enforcement officer has reasonable suspicion that the search will result in evidence that a student has violated the law and/or school rules.
15. If during the search of an object, any item is discovered that is evidence of a violation of law or school rules, the item shall be seized as evidence and/or confiscated, and the student may be subject to disciplinary action and/or arrest.

#### Screening of Student Parking Lot

16. Student Parking Lot screening utilizing specially trained drug detecting dogs and/or firearm/gunpowder detecting dogs may be conducted. If a dog alerts on a student's vehicle, that vehicle may be searched, provided the law enforcement officer has reasonable suspicion that the search will result in evidence that a student has violated the law or school rules. Prior to the search, law enforcement will collaborate with the school/district administrator to identify the student owner of the vehicle. Once the student is identified the student will be present to unlock the vehicle for the search to be conducted.

17. If, during the search of the vehicle, any item is discovered that is evidence of a violation of law or school rules, the item shall be seized as evidence and/or confiscated, and the student may be subject to disciplinary action and/or arrest.

#### **D. Administrative Search Random Selection Methods**

1. The selected school and the date of the administrative search shall be randomly selected using the following method.
2. Step 1: Randomly select the day of the week pursuant to the following methodologies:
  - a. Method (5-day week): During a 5-day week, Monday would be assigned 1, Tuesday would be assigned 2, Wednesday would be assigned 3, Thursday would be assigned 4, and Friday would be assigned 5. The random number generator or other method of random selection would then be employed to select a number from 1 to 5. If the number 3 was selected, the administrative search would occur on Wednesday
  - b. Method (non-5-day week example): During a 4-day week, where there was no school on Monday, then Tuesday would be assigned 1, Wednesday would be assigned 2, Thursday would be assigned 3, and Friday would be assigned 4. The random number generator or other method of random selection would then be employed to select a number between 1 and 4. If the number 3 was selected, the administrative search would occur on Thursday.
  - c. Method (unavailable firearm detection K9 example): If known prior to the selection of a selected school that a firearm detection K9 will not be available on a particular day, an administrative search will not occur on that day. For example, if a firearm detection K9 was unavailable on a Monday and Thursday, then during a 5-day week, Tuesday would be assigned 1, Wednesday would be assigned 2, and Friday would be assigned 3. If the number 3 was selected, the administrative search would occur on Friday.
  - d. This selection procedure shall be repeated to determine the selected school for the second, and any subsequent, administrative search.
3. Step 2: Randomly select the school that will be the subject of an administrative search.
  - a. A school shall be randomly selected using the method set forth in paragraph (b), unless the circumstance in paragraph (c)(ii) exists.
  - b. Method: All middle and high schools shall be numbered in alphabetical order, beginning at 1. The random number generator or other method of random selection would then be employed to select a number between 1 and 18 (the current number of middle and high schools in Marion County). If, for example,

the number 3 was selected, the administrative search would occur at Dunnellon High School because it is the 3rd middle/high school in alphabetical order, following Belleview High School and Belleview Middle School.

- c. Exception:
    - i. MCSO firearm detection K9 handlers are School Resource Officers whose duties include serving as a substitute SRO in a school when the assigned SRO is unavailable due to illness or other unpredictable absence.
    - ii. If, on a day an administrative search is scheduled to occur at a given school, a MCSO firearm detection K9 handler is assigned as a Rover SRO to cover a different middle or high school due to the illness or other unpredictable absence of the school's regularly assigned School Resource Officer, then that school shall be deemed to have been randomly selected for administrative search on that day. Thereafter, the classroom(s) to be searched may be randomly selected using a random number generator or other method of random selection, as outlined below.
      - 1. If this occurs, all notifications required to be made pursuant to this procedure shall be promptly made.
4. Step 3: Randomly select classroom(s) of school to be searched.
- a. Method: At each middle and high school, all instructional classrooms will be assigned a number, beginning at 1 and continuing until all instructional classrooms are numbered. The random number generator or other method of random selection would then be employed to select a number between 1 and the total number of instructional classrooms. (i.e., if there were 75 instructional classrooms in a school, the random number generator or other method of random selection would then be employed to select a number between 1 and 75). For example, if the number 62 was selected, the search would occur in the classroom assigned the number 62.
    - i. The fully self-contained classrooms for Exceptional Student Education may be exempt from search unilaterally by the Principal for reasons that may include but are not limited to concerns of student's emotional wellbeing, instability of class schedule due to unforeseen staffing conflicts, etc.
    - ii. If a classroom selected for administrative search is undergoing assessment (testing), then a different classroom shall be randomly selected.
  - b. This selection procedure shall be repeated to select the second, and any subsequent, classroom that will be subject to an administrative search.

## **E. Administrative Search Logs**

1. Administrative Search logs will be provided for use in recording administrative search activities and findings.
2. The administrative search log shall include, at minimum, the following information:
  - a. The day selected for the administrative search, and a notation of the methodology used to select the day.
  - b. The school selected for the administrative search, and a notation of the methodology used to select the day, including whether the selected school was changed due to reassignment of the Rover SRO responsible for use of the firearm detection K9.
  - c. All classroom(s) and/or student parking lot selected for the administrative search, and a notation of the methodology used to select the classroom(s), including whether the selected school was changed due to the selected classroom undergoing assessment or concerns with entering a self-contained Exceptional Student Education classroom.
  - d. For each classroom/student parking lot searched:
    - i. The time of the administrative search.
    - ii. The student number of every student in the classroom who is subject to the administrative search procedure.
    - iii. The names of all school personnel and law enforcement officers participating in or observing the administrative search.
  - e. For any prohibited item found during the administrative search:
    - i. A description of the item.
    - ii. The location of the item when it was found.
    - iii. Whether the item was detected during a screening of the student or the screening of the student's property.
    - iv. Whether a K9 was involved in the detection of the prohibited item.
3. Upon completion, the administrative search log shall be returned to the Office of Safe Schools and a copy provided to the Sheriff's Captain assigned to the Unified Juvenile Enforcement and Security Team.

## **F. Parental Notification**

1. The parents/guardians of children attending Marion County Public Schools shall be advised of the possibility that their child may be searched pursuant to this program.
2. At the discretion of the Superintendent, additional communication to parents/guardians may be sent out on the day of screening.
3. The scope and timing of any additional notification is the decision of the Superintendent (i.e., whether to notify all parents that a screening occurred or to just notify the parents of those students that participated in the screening).
4. Any notification to the parents/guardians should follow the completion of the screening in order to preserve the deterrent value of the program.
5. Per Florida State Statute 1006.07 4(b), the district/principals will notify parents in a timely manner when a weapon is found.