

Regulation Info

Drug Sniffing Dogs

Regulation # 4115.2R

Whenever a building administrator or transportation supervisor seeks to conduct a search by the utilization of drug-sniffing dogs, prior to police contact, the approval of the Superintendent of Schools shall be required. The procedures for the search shall be as follows:

1. Prior to the first utilization of drug-sniffing dogs each school year, the building administration will provide 24-hour notice to students and staff that drug-sniffing dogs will be on the premises.
2. No student shall be present in the area where a dog will be sniffing and there shall be no sniffing of students or other persons.
3. The dog will be walked up and down the hallways, in the classrooms, common areas, other facilities or transportation vehicle to be searched.
4. If the dog stops at a specific locker, desk, closet or other location two or more times, the same shall be opened by an administrator.
5. If there is contraband (in the nature of drugs in plain sight), the same may be removed by the administrator.
6. If no contraband is in plain sight, prior to searching the contents of an enclosing article, the dog's qualifications as a reliable informant for a particular form of contraband shall be determined (e.g., training, success record in locating similar types of drug contraband).
7. If the dog's reliability cannot be determined while on-site, the search shall be deemed concluded.
8. If the dog's reliability is established:
 - In the case of a locker, desk or closet search, the occupant, where ascertainable, shall be brought to the location and asked to voluntarily go through the contents of the article, including pockets of jackets, compartments in backpacks, in the presence of the administrator while the dog and police are not in the area. Voluntary participation shall be sought by asking questions such as: "would you please empty the pockets of your jacket?"; "would you please empty the compartments of your backpack?"; "would you please empty the contents of your pocketbook?".
 - If the individual refuses to cooperate with the administration, in the case of a student, the next step shall be to contact the parent to come to school to attempt to secure the student's cooperation or to do so through telephone communications.
 - If there is a refusal to cooperate after the efforts described above, then the administrator may go through the contents of any article that was not in plain view in reliance upon the reliability of the dog's qualification. In the case of a student, the parent should be given an opportunity, if practicable, to be present at the time of an involuntary search.
9. If contraband is discovered during the search, the individual shall be questioned to be given an opportunity to admit the nature of the substance.
10. If the individual does not make an admission, the contraband shall be given to the police in order to preserve the chain of custody and the same shall be sent out for testing to determine the nature of the substance found.

Adoption Date: 12/1/2001
