Hickman County Board of Education

	Descriptor Term: **Interrogations and Searches**	Descriptor Code: **6.303**	Issued Date: **05/05/25**
		Rescinds: **6.303**	Issued: **04/03/23**

INTERROGATIONS BY SCHOOL PERSONNEL

School personnel have a duty to report any reasonable suspicion that a student is carrying, or has carried, a weapon or is violating, or has violated, a provision of the Tennessee Drug Control Act to the principal, the principal's designee or, if the principal and the principal's designee are unavailable and the offense was committed on school property, to the appropriate authorities.[1]

Students may be questioned by teachers or principals about any matter pertaining to the operation of a school and/or the enforcement of its rules. Questioning must be conducted discreetly and under circumstances which will avoid unnecessary embarrassment to the student being questioned. Any student answering falsely, evasively or refusing to answer a proper question may be subject to disciplinary action, including suspension.

If a student is suspected or accused of misconduct or infraction of the student code of conduct, the principal may interrogate the student, without the presence of parent(s)/guardian(s) or legal custodians and without giving the student constitutional warnings.

INTERROGATIONS BY POLICE (AT ADMINISTRATOR'S REQUEST)

If the principal has requested assistance by the police department to investigate a crime involving his/her school, the police shall have permission to interrogate a student suspect in school during school hours. The principal shall first attempt to notify the parent(s)/guardian(s) or legal custodians of the student of the intended interrogation unless circumstances require otherwise. The interrogation may proceed without attendance of the parent(s)/guardian(s) or legal custodians. The principal or his/her designee shall be present during the interrogation.

The use of police women or female staff members is desirable in the interrogation of female students.

POLICE-INITIATED INTERROGATIONS

If the police deem circumstances of sufficient urgency to interrogate students at school for unrelated crimes committed outside of school hours, the police department shall first contact the principal regarding the planned interrogation, inform him/her of the probable cause to investigate within the school. The principal shall make reasonable effort to notify the parent(s)/guardian(s) or legal custodians of the interrogation unless circumstances require otherwise. The interrogation may proceed without attendance of the parent(s)/guardian(s) or legal custodians. The principal or his/her designee shall be present during the interrogation.

SEARCHES BY SCHOOL PERSONNEL

In order to ensure a safe and secure learning environment, the Director of Schools shall develop procedures regarding the searching of students' lockers, vehicles, and containers which are consistent with state law. The Director of Schools shall develop additional procedures to ensure compliance with all of the provisions of the School Security Act of 1981.[1,6]

~~Any principal, or his/her designee, having reasonable suspicion may search any student, place or thing on school property or in the actual or constructive possession of any student during any organized school activity off campus, including buses, vehicles of students or visitors *(Notice shall be posted in the school parking lot that vehicles parked on school property by students or visitors are subject to search for drugs, drug paraphernalia or dangerous weapons)*, and containers or packages if he/she receives information which would cause a reasonable belief that the search will lead to the discovery of:~~

~~1. Evidence of any violation of the law;~~

~~2. Evidence of any violation of school rules or regulations or proper standards of student or faculty conduct;~~

~~3. Any object or substance which, because of its presence, presents an immediate danger of harm or illness to any person.~~

~~A student using a locker that is the property of the school system does not have the right of privacy in that locker or its contents. All lockers or other storage areas provided for student use on school premises remain the property of the school system and are provided for the use of students subject to inspection, access for maintenance and search. *Notice shall be posted in each school that lockers and other storage areas are school property and are subject to search.*~~

~~A student may be subject to physical search or a student's pocket, purse or other container may be required to be emptied because of the results of a locker search, or because of information received from a teacher, staff member or other student if such action is reasonable to the principal. All of the following standards of reasonableness shall be met:~~

The school principal shall authorize all searches at the outset per state law.[2] All principal initiated searches shall be conducted by a school security officer or a school administrator who has completed the state required training.[3] The following conditions shall apply to principal initiated searches:

1. All the following standards of reasonableness must be met:
    a. A particular student has violated policy;
    b. The search could be expected to yield evidence of the violation of school policy or disclosure of a dangerous weapon or drug;
    c. The search is in pursuit of legitimate interests of the school in maintaining order, discipline, safety, supervision and education of students;
    d. The primary purpose of the search is not to collect evidence for a criminal prosecution; and

e. The search shall be reasonably related to the objectives of the search and not excessively intrusive ~~in light of the age of the student~~ considering the age and sex of the student, as well as the nature of the infraction alleged to have been committed.[4]

2. A school administrator shall be on-site at any principal-initiated search;

3. A school administrator shall oversee the search and may end the search at any time; and

4. If a student is under the age of eighteen (18), the principal must notify the student's parent or guardian within a reasonable time of the search[3]

School officials may conduct hand-held or walk-through metal detector checks of a student's person or personal effects.

If a school resource officer searches a student, based on having probable cause, the principal shall notify the Director of Schools/designee.[5]

USE OF ANIMALS

When necessary, dogs or other animals trained to detect drugs or dangerous weapons may be used in conducting searches, but the animals shall be used only to pinpoint areas which need to be searched and shall not be used to search the persons of students or visitors.

SEARCHES BY POLICE

If public health or safety is involved, upon request of the principal who shall be present, police officers may make a general search of students' lockers and desks, or students' or nonstudents' automobiles for drugs, weapons or items of an illegal or prohibited nature.

If the principal has received reliable information which he/she believes to be true that evidence of a crime or of stolen goods, not involving school property of members of the school staff or student body, is located on school property and that any search for such evidence or goods would be unrelated to school discipline or to the health and safety of a student or the student body, he/she shall request police assistance; and procedures to obtain and execute a search warrant shall thereafter be followed.

Anything found in the course of the search conducted in accordance with this policy which is evidence of a violation of the law or a violation of student conduct standards may be:

1. Seized and admitted as evidence in any hearing, trial, suspension or dismissal proceeding. It should be tagged for identification at the time it is seized and kept in a secure place by the principal or the principal's designee until it is presented at the hearing. At the discretion of the principal, the items seized may be returned to the parent or guardian of a student or, if it has no significant value, the item may be destroyed, but only with the express written permission of the director of schools.

2. Any seized item may be turned over to any law enforcement officer. Any dangerous weapon or drug as defined in TCA 49-6-4202 shall be turned over to an appropriate law enforcement

official after completion of an administrative proceeding at which its presence is reasonably required.

Whenever the possibility of uncovering evidence of a criminal nature exists, the principal or his/her designee may request the assistance of a law enforcement officer to:

1. Search any area of the school premises, any student or any motor vehicle on the school premises; or

2. Identify or dispose of anything found in the course of a search conducted in accordance with this policy.

The involvement of law enforcement officials is encouraged when there is reasonable cause to suspect that criminal evidence is about to be uncovered.

Legal References

1. TCA 49-6-4203(b)
2. TCA 49-6-4204(a); TCA 49-6-4205(a)
3. Public Acts of 2025, Chapter No. 244
4. TCA 49-6-4205(b)
5. State v. R.D.S., No. M200801724COAR3JV, 2009 WL 2136324, at *1 (Tenn. Ct. App. July 16, 2009)
6. TCA 49-6-4201; Tenn. Op. Att'y Gen. No. 14-21 (February 24, 2014)

Cross References

Traffic and Parking Controls 3.403
Procedural Due Process 6.302
Reporting Child Abuse 6.409

Hickman County School System

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Use of Metal Detectors

Hickman County Schools authorizes the use of hand-held or walk-through metal detectors to check a student's person or personal effects as follows:

1. School officials or law enforcement officers may conduct metal detector checks of groups of individuals if the checks are done in a minimally-intrusive, nondiscriminatory manner. Metal detector checks of groups of individuals may not be used to single out a particular individual or category of individuals.

2. If a school official or a law enforcement officer has reasonable suspicion to believe that a particular student is in possession of an illegal or unauthorized metal-containing object or weapon, s/he may conduct a metal detector check of the student's person and personal effects.

A student's failure to permit a metal detector check as provided in this police will be considered grounds for disciplinary action.

The Hickman County Alternative Schools use hand-held detectors for each student that enters the classrooms. This is a precautionary measure to ensure the safety of students and staff.