



## MANGAKAHIA AREA SCHOOL TE KURA TAKIWA O MANGAKAHIA

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### SEARCH AND SEIZURE

#### LEGISLATION

State Sector Act (1988) Education Act (1989)  
Children, Young Persons and Their Families Act (1989)  
Bill of Rights Act (1990) Human Rights Act (1993) Privacy Act (1993)  
Smokefree Environments Act (1990),  
Health and Safety in Employment Act (1992)  
Health and Safety in Employment Regulations (1995)  
Vulnerable Children's Act (2014)

**Memorandum of Understanding** Manaia PHO: Health Promoting School, Wellness Team  
**Memorandum of Understanding** Ministry of Education: He Matariki Teen Parent Unit

#### ADDITIONAL POLICIES

Behaviour Management, Bus safety, Concerns and Complaints, Equity, Employment,  
Finance and Property, Health and Safety,  
Learning Experiences Outside The Classroom (LEOTC), Nutrition, Sport, Sunsmart, Stand downs and  
Suspensions, Student Achievement, Town Bus

#### RATIONALE

To ensure that the school environment is a safe and secure learning place, we must, at various times, check that students are not in possession of illicit items, including drugs, alcohol, cigarettes, pornography, weapons, or stolen property. Searches may be carried out either for cause (for example, because the school is concerned that items have gone missing) or randomly from time to time by any member of the teaching staff. All searches will be carried out in a manner that ensures the dignity of the student is protected, and will be in accordance with the following guidelines.


#### GUIDELINES

- Students may be asked at any time by a teacher, to empty out their pockets, or to open their bag for inspection.
- Students must be present at all times during a search of their personal property.
- If an illicit item is found on the student, or in the student's bag, the teacher must hand the item to the Deputy Principal pending the appropriate inquiry or disciplinary process.
- If a student does not agree to the search being carried out, the student will be asked to go to the office of the Deputy Principal.
- The student will then have the opportunity to ask any questions that they have in relation to the search, and the student's parents will be telephoned. The student will be supervised at the office of the Deputy Principal until the arrival of a parent or guardian.
- Following the arrival of the parent or guardian, the student will again be asked to empty their pockets, or to open their bag for inspection. If the student maintains they will not agree to the search being carried out, refusal will be dealt with as a disciplinary matter.
- If a parent or guardian is unavailable to attend the school, a school counsellor or similar will be asked to attend in support of the student. If the student maintains they will not agree to the search being carried out, such refusal will be dealt with as a disciplinary matter.
- The policy will not prevent any urgent search of a student or their bag, or seizure of property, where it is required to prevent harm to the student or other people, or to prevent damage to property.

- Any items that are retained will be stored by the school with reasonable care but the school shall not be liable to the student for any loss of items.

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The above policy was reviewed and mandated by the Board of Trustees on 1 August 2017

Chairman of the Board of Trustees:  (signature)  
Judi Laird (Acting)

Date signed off: 1 August 2017

Next Review: Term 3 2018