Personnel / Employee Rights and Responsibilities

 Searches of Employee Personal Property and STI Owned / Provided Property

STI administrators are authorized to make searches of employees’ personal property and vehicles on STI premises and STI owned/provided property under the conditions outlined below.

“STI owned/provided property” includes, but is not limited to, real estate, buildings, parking lots, offices, desks, instruments, storage containers, storage areas, lockers, computer systems and equipment, voicemail, electronic devices and vehicles. This property is intended for use for educational purposes and STI business only.

Employees shall have no expectation of privacy or confidentiality when using STI owned/provided property.

“Reasonable suspicion” means a determination based on objective facts and inferences drawn from those facts as well as personal observations that suggest there has been a violation of STI policy or state or federal law related to public schools (e.g. prohibition against bringing weapons on public school property).

Employee Personal Property Searches

When an STI administrator has reasonable suspicion to believe that an employee is in possession of items that are, or may contain items that are, unauthorized according to STI policy or state or federal law related to public schools (e.g. prohibition against bringing weapons on public school property), the administrator may take possession of and hold an employee’s personal property (e.g. purse, wallet, book bag, cell phone, electronic devices) brought onto STI premises, for processing by the appropriate entity. In emergency situations an administrator may take possession of and hold an employee’s personal property without the employee’s knowledge.

Any search, and the extent of any search, of the employee’s personal property shall be determined and conducted by law enforcement unless written authorization, witnessed by an another adult, for STI to perform a search is provided by the employee prior to the search. Any authorized search by STI will be conducted in the presence of another adult witness. For any STI search of employee personal property, the employee has the right to Association representation.

STI Owned/Provided Property Inspections and Searches
STI owned/provided property is temporarily assigned to employees and remains the property of STI at all times. Employees are expected to assume full responsibility for the security of STI owned/provided property. Employees have no expectation of privacy or confidentiality when using STI owned/provided property.

**Maintenance Inspections** – STI has a reasonable and valid interest in ensuring STI owned/property provided to employees is properly maintained. For this reason, periodic inspection of STI owned/provided property is permissible. An employee may request an inspection or STI may conduct a maintenance inspection at any time without notice and without the employee’s consent.

Any items discovered during such inspections that are or may contain items in violation of STI policy or state or federal law related to public schools (e.g. prohibition against bringing weapons on public school property) will be confiscated by administration.

**Non-maintenance Searches** – STI owned/provided property and its contents may be searched by an STI administrator when a reasonable suspicion exists that the property contains items that are or may contain items that are unauthorized according to STI policy or state or federal law related to public schools (e.g. prohibition against bringing weapons on public school property). Whenever possible the employee shall be informed of the search of STI owned/provided property. The employee has the right to Association representation. However, emergency situations may necessitate a search with or without the employee’s knowledge or representation. Searches should be conducted in the presence of another adult witness.

**Vehicle Searches**
Employees are permitted to park on STI premises as a matter of privilege, not a right. STI retains authority to conduct routine patrols of parking lots and inspections of exterior of vehicles parked on those lots. The interior of an employee’s vehicle on STI premises may be searched by an STI administrator if administration has reasonable suspicion to believe items that are unauthorized according to STI policy or state or federal law related to public schools (e.g. prohibition against bringing weapons on public school property) are contained inside. Whenever possible, the employee shall be informed of the search. The employee has the right to Association representation. However, emergency situations may necessitate a search with or without the employee’s knowledge or representation. All searches shall be conducted in the presence of another adult witness.

**Law Enforcement Involvement**
Any search and/or seizure by law enforcement officials will occur only when law enforcement officials properly advise STI administration and provide documentation of the lawful authority to conduct the search and/or seizure.

**Informing Employees**
Every new employee will be provided a copy of this policy. Annually thereafter, employees will receive an overview, along with instructions to access the full policy on
the STI website, and will sign an acknowledgement form indicating they have received the information. Administration shall submit the signed form to the STI Human Resources Department. Administrators shall receive annual training related to searches resulting from reasonable suspicion.

Legal Reference:
SDCL 13-5-1 school districts defined – general corporate and proprietary powers
SDCL 13-8-39 management of schools – general powers

RELATED POLICIES:
IJNDC/STI – IJNDC-R/STI – Acceptable and Ethical Use of Technology Resources
GBEB/STI – Code of Conduct

STI Policy Board Action:
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