

Student Privacy and Searches

Privacy

State law provides that at certain ages, students attain the right to decide for themselves what records will remain confidential, even from their parents, and what activities the student will participate in. At age eighteen students become legal adults and must approve any disclosure of information about themselves from program records, except directory information if a request for confidentiality has not been filed. Students at age eighteen may also sign releases, authorizations or permission slips to participate in program activities, and may sign themselves out of programs. Students between sixteen and eighteen who have been granted legal emancipation from their parents or guardians have the same rights as eighteen year old students. Students over fourteen years of age have the right to keep private from everyone any ESD 112 records indicating that they have been tested or treated for a sexually transmitted disease. Students thirteen years and older have confidentiality rights in records regarding drug, alcohol or mental health treatment. All students have confidentiality rights in family planning or abortion records.

Searches of Students and Personal Property

Personal privacy is a fundamental aspect of individual liberty. All students possess the constitutional right to be secure in their persons, papers, and effects against unreasonable searches and seizures. Staff will take particular care to respect students' privacy.

The ESD has the authority to maintain order and discipline in programs and to protect students from exposure to illegal drugs, weapons, and contraband. The Superintendent, the Assistant Superintendent, and other staff designated by the Superintendent or Assistant Superintendent will have the authority to conduct reasonable searches on school property in accordance with state and federal law, and as provided by board policy and the procedure that implements this policy.

The Superintendent will establish procedures for conducting searches pursuant to this policy.

Legal References:

*RCW 13.64.060 Power and capacity of emancipated minor.
RCW 28A.310.180 ESD board—Compliance with rules and regulations—Depository and distribution center—
Cooperative service programs, joint purchasing programs,
and direct student service programs including pupil
transportation.
RCW 28A.210.310 Prohibition on use of tobacco products
on school property.*

Adoption Date: **8-29-17**
Revised Date: **10-29-24**