

**Kern County Superintendent of Schools Office**  
**Alternative Education Policy 2007**  
**Disposal of Seized Property**

Current Board Policy recognizes that incidents may occur which jeopardize the health, safety and welfare of students and staff and which necessitate the search and seizure of students, their property, or their lockers by school officials. (see Search and Seizure Board Policy approved 8/14/01). This policy does not divulge what an administrator or designee should do with seized property. This policy statement provides some guidelines for administrators/designees on this topic.

When **weapons** are found, in most cases law enforcement is notified. The weapons should be given to the appropriate law enforcement agency upon their request. School officials may choose to photograph the weapon first, but at a minimum, should describe the weapon in the student file along with the name of the law enforcement official to whom it was given. If for any reason, law enforcement does not confiscate the weapon, it should be destroyed before being discarded and careful documentation of the destruction noted in the student file.

If the administrator/designee makes a determination that law enforcement should not be called due to the weapon falling into more of the category of “**dangerous object of unknown use to the student**”, then the administrator/designee can make the judgment call if the object should be returned to the parent. Such items in this category may include family property such as pocket knives. Clear communication between the school site and parent is needed at this point to ensure that a second weapon infraction does not occur. If it does, the property will be seized and not returned. Weapons (knives) are treated as evidence for the expulsion proceedings and/or for the police report. When the case is adjudicated by the courts and/or the Probation Department, parents may retrieve their property (family knife, etc...). Any other evidence in this category not returned to a parent or guardian, is submitted to KCSO Property Room to be destroyed. Any illegal contraband are inventoried, then submitted to the KCSO Property Room to be destroyed.

In most cases when **drugs or paraphernalia** are found, law enforcement is notified. Please follow the same guidelines as described above for weapons. If law enforcement does not respond, the drug may be maintained in a locked and secure area until release to the Probation Department. If the probation department does not choose to take the drugs for testing for a petition, the school site may flush them. Please have a second person witness the destruction and make careful notation in the student file. All drugs are sealed and documented by our KHSD police department. Evidence that is no longer of use to the district or allied law enforcement agencies is collected and delivered to the KCSO for destruction.

**Contraband** such as candy, gum, eye drops, matches, or belt buckles are usually thrown in the trash after the contraband has been recorded and a reasonable discipline action is taken. Items such as cell phones (if they are being used inappropriately at school) and hats with a gang affiliation may be returned to the student upon the first offense, to the

parent on the second offense and then trashed on the third offense. Clear documentation on the discipline files should be maintained including a note that these items are not allowed, and further infractions will result in their seizure. In general, misc. contraband is destroyed. A strict chain of custody is used for identification and storage of valuable items such as MP-3 Players, Cell Phones, Video Equipment, etc. Parents may retrieve their property and the items will not be destroyed.

**Cash** (large amounts) may indicate criminal activity. If large amounts of cash are seized, get as much information as possible from the student as to the source of the cash. A second employee should witness the counting of the cash and its careful storage. If a determination is made not to contact law enforcement, the parent should be contacted immediately for pick up. Careful storage and documentation should be followed.