

Searches of Students and Student Privacy

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.

School officials have authority to maintain order and discipline in the schools and to protect students from exposure to illegal drugs, weapons, and contraband. The superintendent, the principal, and other staff designated by the superintendent have the authority to conduct reasonable searches on school property in accordance with the law.

Any authorized school official will conduct searches according to the procedures associated with this policy.

Student Privacy

Adult Students, Emancipated Minors, and Confidential Health Information

At age eighteen students become legal adults and must approve any disclosure of information about themselves from school 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 school activities, and may sign themselves out of school and authorize their own absences.

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.

State law provides that at certain ages, children attain the right to consent to certain healthcare services. Students fourteen and over have rights to testing or treatment of sexually transmitted diseases. Students thirteen and over have rights to drug, alcohol or mental health treatment. As such, the treatment records associated with the testing and treatment of drug, alcohol and sexually transmitted diseases remain confidential and may not be disclosed by a health care provider without the patient's authorization. Additionally, state law provides for family planning and abortion right for all individuals.

The Lynden School District is not a healthcare facility or provider. The Lynden School District does not provide health care services such as abortion, family planning, drug, alcohol or mental health treatment as well as testing and treatment of sexually transmitted diseases.

The Lynden School District is subject to FERPA. Parents/guardians have the right under Family Educational Rights and Privacy Act (FERPA) to request their student's educational records and if requested, the District will provide the student's educational records to the parent/guardian according to Policy 3231 and Procedures 3231P.

Lynden School District No. 504
BOARD POLICY

Policy: 3230

Under FERPA, "education records" are records that are directly related to a student and that are maintained by an educational agency or institution or a party acting for or on behalf of the agency or institution. These records include but are not limited to grades, transcripts, class lists, student course schedules, health records (at the K-12 level), student financial information (at the postsecondary level), and student discipline files. The information may be recorded in any way, including, but not limited to, handwriting, print, computer media, videotape, audiotape, film, microfilm, microfiche, and e-mail.

Cross References: 3414 - Infectious Diseases
 3245 - Students and Telecommunication Devices
 3231 - Student Records

Legal References: 34 CFR - 99.5 Family Educational Rights and Privacy
 42 CFR - 2.14 Minor patients- Consent to Treatment
 RCW 9.02.100 Reproductive privacy - Public policy
 RCW 13.64.060 Power and capacity of emancipated minor
 RCW 28A.320.040 Bylaws for board and school government
 RCW 28A.600.020 Exclusion of student from classroom -
 Written disciplinary procedures - Long-term suspension or
 expulsion
 RCW 28A.600.210-240 School locker searches-Findings-No
 expectation of privacy-Authorization-Limitations-Notice and
 reasonable suspicion requirements
 RCW 70.02.220 Sexually transmitted diseases-Permitted and
 mandatory disclosures
 RCW 70.02.240 Mental health services-Minors-Permitted
 disclosures
 RCW 70.02.265 Adolescent behavioral health services-
 Disclosures of treatment information and records-Restrictions
 and requirements

Management Resources: Policy News, June 1999 School safety bills impact policy

Classification: Important

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