

Senate Amendment 3037

Amendment Text

PAG LIN

1 1 Amend [Senate File 21](#) as follows:
1 2 #1. Page 1, by striking lines 1 through 10 and
1 3 inserting the following:
1 4 "Section 1. Section 808A.2, subsection 1, Code
1 5 1995, is amended to read as follows:
1 6 1. A school official may conduct a search of a
1 7 student or a protected student area

~~only if all of the~~

~~-~~
1 8

~~following apply~~

~~- in either of the following situations:~~

1 9 a.

~~The school official has a reasonable and~~

~~-~~
1 10

~~articulable suspicion that a criminal offense or a~~

~~-~~
1 11

~~school rule or regulation bearing on school order has~~

~~-~~
1 12

~~been violated.~~

~~- A school official may search a student~~

1 13 or protected student area if the official has
1 14 reasonable grounds for suspecting that the search will
1 15 produce evidence that a student has violated or is
1 16 violating the criminal law or a school rule or
1 17 regulation.

1 18 b.

~~The school official has a reasonable and~~

~~-~~
1 19

~~articulable belief that the search will produce~~

~~-~~
1 20

~~evidence of such violation.~~

~~- A school official may~~

1 21 search more than one student or protected student area
1 22 pursuant to a student search rule. A rule allowing
1 23 searches of more than one student or protected student
1 24 areas must be reasonable based on balancing the need
1 25 for the search against the intrusion into a protected
1 26 student area. A search conducted pursuant to this
1 27 paragraph shall be conducted in a manner reasonably
1 28 related to the circumstances which justified the
1 29 search.

1 30

~~c. If the search is of an individual student, the~~

1 31

~~suspicion and belief required by paragraphs "a" and~~

1 32

~~"b" is particular to the student to be searched.~~

1 33

~~d. If the search is of more than one student or of~~

1 34

~~a protected student area, the search must be based~~

1 35

~~upon and pursuant to a valid and reasonable student~~

1 36

~~search rule.~~

—"

1 37 #2. Title page by striking lines 1 and 2 and
1 38 inserting the following: "An Act relating to the
1 39 grounds upon which a school official may search
1 40 student lockers or protected student areas.

1 41

1 42

1 43 _____

1 44 EUGENE [FRAISE](#)

1 45

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1 47 _____

1 48 DON [GETTINGS](#)

1 49 [SF 21](#).501 76

1 50 mk/jw