

Bond Case Briefs

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Doe v. Champaign Community Unit 4 School Dist.

United States District Court, C.D. Illinois - July 12, 2013 - Not Reported in F.Supp.2d - 2013 WL 3712350

At the time of the incident in question, D.M. was a 15-year old male enrolled at Academic Academy in Champaign, Illinois. On January 21, 2011, Principal Howard entered D.M.'s classroom prior to D.M. arriving at school. Principal Howard detected the odor of cannabis and then left the classroom. Later, D.M. arrived at school and took his seat in the classroom. About 30 students were present at the time. D.M. was one of only two African-American students in the classroom.

After D.M. had taken his seat, Principal Howard entered the classroom, removed D.M. from the classroom, and took D.M. to her office. There, Principal Howard searched D.M.'s coat and backpack. Principal Howard then required D.M. to remove his shirt, unbutton his pants, remove his belt, remove his shoes, and partially disrobe. The Complaint refers to this as a "strip search." Principal Howard did not find any contraband on D.M. during the search. Principal Howard did not contact D.M.'s parents prior to conducting the search.

D.M. then returned to his classroom. Principal Howard did not conduct a search of any other student in the classroom or of any other student's belongings.

According to the Complaint, Principal Howard did not have reasonable cause to conduct this "strip search" of D.M. Principal Howard's actions were taken in her official capacity as Principal, pursuant to the policies and direction and under the supervision of Superintendent Culver and the School Board.

The District Court ruled against Plaintiff, finding that he had proffered only boilerplate conclusory allegations, rather than identifying an express policy of the School Board that could have caused a constitutional deprivation of Plaintiff's rights.

Likewise, Plaintiffs failed to allege facts that permitted an inference there was a widespread practice or custom of conducting unreasonable or racially discriminatory searches of students