

527 STUDENT USE AND PARKING OF MOTOR VEHICLES; PATROLS, INSPECTIONS, AND SEARCHES

I. PURPOSE

The purpose of this policy is to provide guidelines for use and parking of motor vehicles by students in cooperative locations, to maintain order and discipline in the schools and to protect the health, safety and welfare of students and school personnel.

II. GENERAL STATEMENT OF POLICY

The policy of this cooperative is to allow the limited use and parking of motor vehicles by students in cooperative locations. The position of the cooperative is that a fair and equitable cooperative-wide student motor vehicle policy will contribute to the quality of the student's educational experience, will maintain order and discipline in the schools, and will protect the health, safety and welfare of students and cooperative personnel. This policy applies to all students in the cooperative.

III. DEFINITIONS

- A. "Contraband" means any unauthorized item possession of which is prohibited by cooperative policy and/or law. It includes but is not limited to weapons and "look-alikes," alcoholic beverages, controlled substances and "look-alikes," overdue books and other materials belonging to the cooperative, and stolen property.
- B. "Reasonable suspicion" means that a cooperative official has grounds to believe that the search will result in evidence of a violation of cooperative policy, rules, and/or law. Reasonable suspicion may be based on a cooperative official's personal observation, a report from a student, parent or staff member, a student's suspicious behavior, a student's age and past history or record of conduct both in and out of the school context, or other reliable sources of information.
- C. "Reasonable scope" means that the scope and/or intrusiveness of the search is reasonably related to the objectives of the search. Factors to consider in determining what is reasonable include the seriousness of the suspected infraction, the reliability of the information, the necessity of acting without delay, the existence of exigent circumstances necessitating an immediate search and further investigation (e.g. to prevent violence, serious and immediate risk of harm or destruction of evidence), and the age of the student.
- D. "Cooperative location" means property that is owned, rented, leased, or borrowed

by the cooperative for school purposes, as well as property immediately adjacent to such property that may be used for parking or gaining access to such property. A cooperative location also shall include off school property at any school-sponsored or school-approved activity, event, or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district.

IV. STUDENT USE OF MOTOR VEHICLES IN SCHOOL DISTRICT LOCATIONS

Students generally are not permitted to use motor vehicles during the school day in any cooperative location. Students may use motor vehicles on the high school campuses during the school day only during the student's designated lunch period or if there is an emergency and permission has been granted to the student by Abbie Ensrud, Social Worker, Jennifer Kimpton, Social Worker or Stephanie Schmitz, Coordinator to use a motor vehicle. Students are permitted to use motor vehicles in cooperative locations outside of the school day only on the high school campuses.

V. STUDENT PARKING OF MOTOR VEHICLES IN COOPERATIVE DISTRICT LOCATIONS

- A. Students are permitted to park in a cooperative location as a matter of privilege, not of right. Students driving a motor vehicle to a high school campus may park the motor vehicle in the parking lot designated for student parking only. Students will not park vehicles in driveways, on private property, or in [other designated areas, e.g. parking lots designated for use only by staff or by the general public].
- B. When there are unauthorized vehicles parked on cooperative property, cooperative officials may:
 - 1. move the vehicle or require the driver or other person in charge of the vehicle to move it off cooperative property; or
 - 2. if unattended, provide for the removal of the vehicle, at the expense of the owner or operator, to the nearest convenient garage or other place of safety off of cooperative property.

VI. PATROLS, INSPECTIONS AND SEARCHES

Cooperative officials may conduct routine patrols of cooperative locations and routine inspections of the exteriors of the motor vehicles of students. In addition, the interiors of motor vehicles of students in cooperative locations may be searched when cooperative officials have a reasonable suspicion that the search will uncover a violation of law and/or cooperative policy or rule.

A. Patrols and Inspections

Cooperative officials may conduct routine patrols of student parking lots and other cooperative locations and routine inspections of the exteriors of the motor

vehicles of students. Such patrols and inspections may be conducted without notice, without student consent, and without a search warrant.

B. Search of Interior of Student Motor Vehicle

The interiors of motor vehicles of students in cooperative locations, including glove or trunk compartments, may be searched when cooperative officials have a reasonable suspicion that the search will uncover a violation of law and/or cooperative policy or rule. The search will be reasonable in its scope and intrusiveness. Such searches may be conducted without notice, without consent, and without a search warrant. A student will be subject to withdrawal of parking privileges and to discipline if the student refuses to open a locked motor vehicle under the student's control or its compartments upon the request of a cooperative official.

C. Prohibition of Contraband and Interference with Patrols, Inspections, Searches and/or Seizures

A violation of this policy occurs when students store or carry contraband in motor vehicles in a cooperative location or interfere with patrols, inspections, searches and/or seizures as provided by this policy.

D. Seizure of Contraband

If a search yields contraband, cooperative officials will seize the item and may turn it over to legal officials for ultimate disposition when appropriate.

E. Dissemination of Policy

A copy of this policy will be printed in the student handbook or disseminated in any other way which cooperative officials deem appropriate.

VII. DIRECTIVES AND GUIDELINES

The director is granted authority to develop and present for cooperative board review and approval reasonable directives and guidelines which address specific needs of the cooperative related to student use and parking of motor vehicles in cooperative locations, such as a permit system and parking regulations. Approved directives and guidelines shall be attached as an addendum to this policy.

VIII. VIOLATIONS

A student found to have violated this policy and/or the directives and guidelines implementing it shall be subject to withdrawal of parking privileges and/or to discipline in accordance with the cooperative district's Student Discipline Policy, which may include suspension, exclusion, or expulsion. In addition, the student may be referred to legal officials when appropriate.

Legal References: U. S. Const., amend. IV
Minn. Const., art. I, §10
Minn. Stat. § 123B.02, Subds. 1 and 5 (General Powers of Independent School Districts)
New Jersey v. T.L.O., 469 U.S. 325, 105 S.Ct. 733, 83 L.Ed.2d 720 (1985)

Cross References: MSBA/MASA Model Policy 417 (Chemical Use and Abuse)
MSBA/MASA Model Policy 418 (Drug-Free Workplace/Drug-Free School)
MSBA/MASA Model Policy 501 (School Weapons Policy)
MSBA/MASA Model Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 712 (Video Surveillance Other Than on Buses)