

***STUDENTS
BOARD POLICY 527
St. Cloud Area School District 742
St. Cloud, Minnesota***

*Adopted: October 10, 2001
Revised: December 7, 2016
Reviewed/No Change: March 2018
Revised: September 18, 2019
Revised: June 2, 2021
MSBA 2022*

**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 school district 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 St. Cloud Area School District 742 is to allow the limited use and parking of motor vehicles by students in school district locations. The position of the school district is that a fair and equitable district-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 school personnel. This policy applies to all students in the school district.

III. DEFINITIONS

- A. "Contraband" means any unauthorized item possession of which is prohibited by school district policy and/or law. It includes but is not limited to, weapons and "look-alikes," alcoholic beverages, controlled substances and "look-alikes," and stolen property.
- B. "Reasonable suspicion" means that a school official has grounds to believe that the search will result in evidence of a violation of school district policy, rules, and/or law. Reasonable suspicion may be based on a school official's personal observation, a report from a student, parent or staff member, a student's suspicious behavior, 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. "School district location" means property that is owned, rented, leased, or borrowed by the school district for school purposes. A school district 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 school district location. Students may use motor vehicles on the high school campus(es) during the school day only if there is an emergency and permission has been granted to the student by an administrator to use a motor vehicle. ~~Students are permitted to use motor vehicles in school district locations outside of the school day only on the high school campus(es).~~

V. STUDENT PARKING OF MOTOR VEHICLES IN SCHOOL DISTRICT LOCATIONS

A. Students are permitted to park in a school district 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 school district property, school officials may:

1. move the vehicle or require the driver or other person in charge of the vehicle to move it off school district 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 school district property.

VI. PATROLS, INSPECTIONS AND SEARCHES

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

A. Patrols and Inspections

School officials may conduct routine patrols of student parking lots and other school district 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 school district locations, including glove or trunk concealed compartments, may be searched when school officials have a reasonable suspicion that the search will uncover a violation of law and/or school 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 school 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 school district location or interfere with patrols, inspections, searches and/or seizures as provided by this policy.

D. Seizure of Contraband

If a search yields contraband, school 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 school officials deem appropriate.

VII. DIRECTIVES AND GUIDELINES

The Superintendent is granted authority to develop and present for School Board review and approval reasonable directives and guidelines which address specific needs of the school district related to student use and parking of motor vehicles in school district locations, such as a permit system and parking regulations. Refer to the student handbook annually for updated information regarding parking guidelines and regulations.

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 school district's Student Discipline Policy, which may include suspension, exclusion, or expulsion. In addition, the student may be referred to legal 527A-3 officials when appropriate.

Legal References: U.S. Const., amend. IV

Minn. Const., art. I, §10

Minn. Stat. § 123B 38(hearing)-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: Board Policy 418 (Drug-Free Workplace/Drug-Free School)
Board Policy 501 (School Weapons)
Board Policy 502 (Search of Student Lockers, Desks, Personal Possessions and Student's Person)
Board Policy 506 (Student Discipline)
Board Policy 712 (Video Surveillance Other Than on Buses)

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