

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

Adopted: 11/20/2006

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### **I. PURPOSE**

The purpose of this policy is to provide guidelines for use and parking of motor vehicles by students in school district locations and school zones, 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**

It is the policy of this school district to allow the limited use and parking of motor vehicles by students in school district locations. It is the position of the school district that a fair and equitable district-wide student motor vehicle policy will contribute to the quality of the students' 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 item, which is prohibited in a school location or a school zone by school district policy or law. Examples of contraband include-but are not limited to weapons and "look-alikes," ammunition, alcoholic beverages, illegal drugs, controlled substances and "look-alikes," and stolen property. No exceptions to this definition are made for firearms that are unloaded and in a gun case, or are unloaded and in the closed trunk of a vehicle.
- B. "Reasonable suspicion" means that a school official has grounds to believe that a school rule, policy, or law has been violated and that a search will produce evidence of the violation. Reasonable suspicion may be based on a number of factors, including but not limited to 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 intrusiveness of the search is reasonably related to the objectives of the search. Factors to consider in determining what is reasonable include but are not limited to 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 (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, controlled, rented, leased, or borrowed by the school district 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 school district location shall also include 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.
- E. "School zone" means any school district location and the area surrounding any school district location to a distance of three hundred (300) feet or one city block beyond the

school district location, whichever distance is greater. A more expansive definition of this term may be used for other school district policies.

#### 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. However, the following exceptions apply:

1. Students may use motor vehicles to travel directly from the High School to the Elementary School to fulfill peer-helping duties.
2. Students may use motor vehicles to travel to authorized work release.
3. Students may use motor vehicles to attend PSEO classes.
4. Student may use motor vehicles to attend parental authorized medical appointments.
5. Any other use of motor vehicle by a student will require administrative approval and parent permission by either a note or phone call.

Students found to be driving or riding in vehicles during the noon hour or any other time during the school day, without administrative approval will face disciplinary measures. If Peer Helpers are found driving around town during Peer Helping time they will be removed from the program and face other possible consequences.

In order to ensure the safety of students, the streets around our schools must be maintained as a safe driving zone before, during or after school and at any time student are present for extra curricular activities. Unsafe driving in school zones will be reported to law enforcement. School consequences will be enforced if a student drives in as unsafe manner in the “school zone”.

#### V. STUDENT PARKING OF MOTOR VEHICLES IN SCHOOL DISTRICT LOCATIONS

- A. Parking in a school district location is a privilege, not a 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 may not park vehicles in driveways, on private property, or in other areas designated for use only by staff or marked by the city as resident parking or no parking zones.
- 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 a location off school district property.

#### VI. PATROLS, INSPECTIONS AND SEARCHES

##### A. Patrols and Plain View Inspections.

School officials may periodically patrol school district locations and public streets that are in a school zone. School officials may also periodically conduct a plain view inspection of any motor vehicle that a student parks in a school district location or on a public street that

is in a school zone. The purpose of such an inspection is determine whether any evidence of a violation of a school rule, policy, or law is in plain view. Such patrols and inspections do not involve opening or entering a vehicle and may occur without prior notice, consent, or a search warrant.

B. Search of Interior of Student Motor Vehicle.

If a student parks a vehicle in a district location or on a public street that is in a school zone, the interior of the vehicle (including the trunk, glove compartment, and any containers in the vehicle) may be searched if a school official has a reasonable suspicion that a school rule, policy, or law has been violated and that the search will produce evidence of the violation. The search must be reasonable at its inception and 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 loss of parking privileges and to discipline if the student refuses the request of a school official to open a locked motor vehicle that is under the student's control, or to open any compartment or container that is in such a vehicle.

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

It is a violation of this policy for any students to store, carry, possess, or keep contraband in a motor vehicles that is parked in a school district location or a school zone, or to interfere with any patrols, inspections, searches and/or seizures that is conducted in accordance with this policy.

D. Seizure of Contraband.

If a search yields contraband, school officials may seize the item and may turn it over to law enforcement.

E. Dissemination of Policy

A **summary** 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. Approved directives and guidelines shall be attached as an addendum to this policy.

VIII. VIOLATIONS

Any student who violates this policy, or any directives or guidelines implementing this policy, is subject to loss of driving or parking privileges and discipline in accordance with the school district's Student Discipline Policy. Such discipline may include suspension, exclusion, or expulsion. In addition, the student may be referred to law enforcement.