

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 at Minnesota North Star Academy [hereinafter “North Star”], to maintain order and discipline at North Star and to protect the health, safety and welfare of students and school personnel.

II. GENERAL STATEMENT OF POLICY

It is the policy of North Star to allow the limited use and parking of motor vehicles by students at North Star. It is the position of North Star that a fair and equitable school-wide student motor vehicle policy will contribute to the quality of the student’s educational experience, will maintain order and discipline at North Star, and will protect the health, safety and welfare of students and school personnel. This policy applies to all students at North Star.

III. DEFINITIONS

- A. “Contraband” means any unauthorized item possession of which is prohibited by North Star 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 school district, 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 North Star 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, 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. “North Star” means property that is owned, rented, leased, or borrowed by North

Star 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 North Star 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 North Star.

IV. STUDENT USE OF MOTOR VEHICLES IN SCHOOL DISTRICT LOCATIONS

Students generally are not permitted to use motor vehicles during the school day at North Star. Students may use motor vehicles on campus during the school day only if there is an emergency and permission has been granted to the student by the executive director to use a motor vehicle. Students are permitted to use motor vehicles at North Star outside of the school day only on campus. Further, part-time students are permitted to use motor vehicles to and from North Star outside of their scheduled class(es).

V. STUDENT PARKING OF MOTOR VEHICLES IN SCHOOL DISTRICT LOCATIONS

- A. Students are permitted to park at North Star as a matter of privilege, not of right. Students driving a motor vehicle may park the motor vehicle in the parking lot designated for student parking only. Students will not park vehicles on private property.
- B. When there are unauthorized vehicles parked on North Star property, school officials may:
 - 1. move the vehicle or require the driver or other person in charge of the vehicle to move it off North Star 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 North Star property.

VI. PATROLS, INSPECTIONS AND SEARCHES

School officials may conduct routine patrols of North Star property and routine inspections of the exteriors of the motor vehicles of students. In addition, the interiors of motor vehicles of students at North Star 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 North Star 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 at North Star, including glove or trunk 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

It shall be a violation of this policy for students to store or carry contraband in motor vehicles in a school district location or to 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 Executive Director is granted authority to develop and present for school board review and approval reasonable directives and guidelines which address specific needs of North Star related to student use and parking of motor vehicles at North Star, 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 school'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)