

I. PURPOSE

The purpose of this policy is to provide guidelines for use and parking of motor vehicles by students at NWSISD program or activity sites, to maintain order and discipline during NWSISD programs and activities, and to protect the health, safety and welfare of students and staff.

II. GENERAL STATEMENT OF POLICY

It is the policy of NWSISD to allow the limited use and parking of motor vehicles by students at NWSISD program and activity sites. It is the position of NWSISD 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, and will protect the health, safety and welfare of students and staff. This policy applies to all students participating in NWSISD programs and activities.

NWSISD member school districts' policies regarding student use and parking of motor vehicles, patrols, inspections and searches shall supersede this policy when NWSISD programs or activities are held at sites controlled by a member school district.

III. DEFINITIONS

- A. "Contraband" means any unauthorized item possession of which is prohibited by NWSISD 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 NWSISD, and stolen property.
- B. "Reasonable suspicion" means that a NWSISD staff member has grounds to believe that the search will result in evidence of a violation of NWSISD policy, rules, and/or law. Reasonable suspicion may be based on a NWSISD staff member'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 learning environment, 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. "NWSISD location" means property that is rented, leased, or borrowed by NWSISD for its program or activity purposes, as well as property immediately adjacent to such property that may be used for parking or gaining access to such property. A NWSISD location also shall include property at any NWSISD sponsored or approved activity, event, or function, such as a field trip, where students are under the jurisdiction of NWSISD.

IV. STUDENT USE OF MOTOR VEHICLES AT NWSISD LOCATIONS

Student's use of motor vehicles to get to and from NWSISD programs and activities shall be determined by the student's home school district.

V. STUDENT PARKING OF MOTOR VEHICLES AT NWSISD PROGRAM AND ACTIVITY SITES

- A. Students are permitted to park at a NWSISD program or activity site as a matter of privilege, not of right. Students driving a motor vehicle to a NWSISD program or activity site, or a member school district's site may park the motor vehicle in the parking area 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. 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

The interiors of motor vehicles of students at NWSISD program and activity sites may be searched when NWSISD staff have a reasonable suspicion that the search will uncover a violation of law and/or NWSISD policy or rule. When weapons or contraband are suspected, or dangerous or illegal behavior is observed in the parking lot, NWSISD staff should call the local law enforcement agency.

When NWSISD holds programs or activities in a building owned or controlled by one of its member school districts, that member school district shall be responsible for conducting searches when NWSISD staff believe there is reason a search is warranted. NWSISD staff may accompany the member school district staff on the search.

NWSISD member school district staff may conduct routine patrols or interior searches of the motor vehicles of students participating in NWSISD programs or activities when those programs or activities occur on member school district property. Any such inspections or searches shall be done according to the member school district's policies.

A. Patrols and Inspections.

School officials from NWSISD member school districts 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 in accordance with their own school district policies. Such patrols and inspections may be conducted without notice, without student consent, and without a search warrant. The motor vehicles of NWSISD students may be subject to such searches when they are parked in the NWSISD member school district's parking lot while participating in a NWSISD program or activity.

B. Search of Interior of Student Motor Vehicle.

The interiors, including glove or trunk compartments, of the motor vehicles of students at NWSISD program or activity sites, may be searched when NWSISD staff have a reasonable suspicion that the search will uncover a violation of law and/or district policy or rule. The interior of the motor vehicles of NWSISD students may be subject to such searches when they are parked in the member district's parking lot while the student is participating in a NWSISD program or activity. 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 NWSISD staff or the staff from a NWSISD member school district when the student's motor vehicle is parked on that member school district's property.

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 at a district program or activity site, or to interfere with patrols, inspections, searches and/or seizures as provided by this policy.

D. Seizure of Contraband.

If a search yields contraband, NWSISD staff or its member school district 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 district staff 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 NWSISD related to student use and parking of motor vehicles. 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 NWSISD's and/or their home school district's Student Discipline Policy. 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 Subs 1 and 5 (Specific Powers and 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 Reference: NWSISD Policy 417 (Chemical Use and Abuse)
NWSISD Policy 418 (Drug-Free Workplace/Drug-Free Learning Environment)
NWSISD Policy 501 (School Weapons Policy)
NWSISD Policy 502 (Search of Student Lockers, Desks, Personal Possessions and Student's Person)
NWSISD Policy 506 (Student Discipline)

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