

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

Adopted: June 22, 2010

Policy Committee Review: February 2, 2022

I. PURPOSE

The purpose of this policy is to provide guidelines for use and parking of motor vehicles by students in Fairmont Area Schools 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 Fairmont Area Schools is to allow the limited use and parking of motor vehicles by students in school district locations. The position of the Fairmont Area Schools 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 Fairmont Area School District.

III. DEFINITIONS

- A. "Reasonable suspicion" means that a school official has grounds to believe that the search will result in evidence of a violation of Fairmont Area Schools 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, 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.
- B. "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.

- C. "Contraband" means any unauthorized item possession of which is prohibited by Fairmont Area Schools district policy and/or law. It includes but is not limited to weapons and "look-alikes," alcoholic beverages, controlled substances and "look-alikes," paraphernalia, tobacco, overdue books and other materials belonging to the school district, and stolen property.
- D. "School district location" means property that is owned, rented, leased, or borrowed by Fairmont Area Schools 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 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 during the school day only if ~~there is an emergency and~~ permission has been granted to the student by the designated high school official to use a motor vehicle.

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 right. Students driving a motor vehicle to a high school campus may park the motor vehicle in the parking lot designated for student parking. Students will not park vehicles in driveways, on private property, on grass areas, in the Horseshoe, or in 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 Fairmont Area Schools 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 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
This policy will be referenced 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 Fairmont Area Schools 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

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 Fairmont Area Schools' 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: ISD No. 2752 Policy 417 (Chemical Use and Abuse)
ISD No. 2752 Policy 418 (Drug-Free Workplace/Drug-Free School)
ISD No. 2752 Policy 501 (School Weapons Policy)
ISD No. 2752 Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)
ISD No. 2752 Policy 506 (Student Discipline)