Central Greene School District

Section PUPILS

Title MOTOR VEHICLE SEARCHES

CENTRAL GREENE SCHOOL DISTRICT

Date Adopted July 15, 1986

Guide		Reference

226B. MOTOR VEHICLE SEARCHES

Purpose

The Board has authorized the use of motor vehicles by certain high school students on school premises, subject to rules, regulations, and policies established by the School District Administration. The Board also recognizes that motor vehicles may be utilized by students in the possession, sale, and/or transportation of illegal substances, devices and objects, or may be used as depositories of objects, substances or evidence of activities in violation of the law or rules, regulations or policies of the Central Greene School District, or which constitute a threat to the health, safety or welfare of the students of the Central Greene School District. The Board's obligation to maintain a safe, healthy and productive educational environment may at times require the search of motor vehicles driven by students on to school premises, under the terms and conditions set forth herein.

Definitions

A "plain view inspection" will mean a visual inspection of the exterior and/or interior of a motor vehicle, effectuated without the opening of any doors, windows, hoods, or trunk lids.

A "physical inspection" will mean a thorough search of the interior compartments, trunk and/or engine of a motor vehicle, effectuated by the opening of windows, doors, hoods, or trunk lids, and may involve a physical entry into the vehicle.

A "student motor vehicle" will mean any motor vehicle driven by a Central Greene student on to school premises, regardless of the actual legal ownership of the vehicle.

Delegation of Responsibility

The Superintendent shall prescribe a consent form consistent with the requirements set forth in Paragraph 1 below.

The Superintendent shall develop such additional procedures as are necessary to the implementation of this policy.

Guidelines

The following guidelines are set forth with respect to student motor vehicle searches:

1. No student of the Central Greene School District shall operate a motor vehicle upon school premises without a valid driver's license, and prior written permission from the School District Administration. A prerequisite shall be the execution by the student and his/her parent or legal guardian of a written consent form, authorizing the search of a vehicle by the Building Administrator or a designate in accordance with the terms of this policy.

2. The School District Administration may routinely conduct plain view inspections of any student motor vehicles while said motor vehicles are on school premises.

3. The School District Administration may conduct a physical inspection of a student motor vehicle while the vehicle is on school premises, when there exist reasonable grounds to suspect that the student in question has violated the law or the rules, regulations or policies of the Central Greene School District, and that the vehicle is being used for the storage of objects, substances or other evidence of such activities or contains items which constitute a threat to the health, safety or welfare of the student or other students of the School District.

4. Prior to the physical inspection of a student motor vehicle, the student shall, where possible, be notified of the possibility of the physical inspection. The student shall also be notified of the law or rule, regulation or policy of the District which the student is suspected of violating, and the basis for said suspicion.

5. In those cases where the student receives prior notice, the student shall be given an opportunity to address the grounds used by the Administration to search the vehicle and/or to voluntarily open or unlock the vehicle.

The student shall also be informed that:

A. Failure to voluntarily unlock any part of the vehicle as requested will result in notification of his/her parent or legal guardian;

B. Failure to voluntarily unlock any part of the vehicle as requested may result in notification of law enforcement officials; and

C. Failure to voluntarily unlock any part of the vehicle may result in revocation of permission to operate a motor vehicle on school premises.

6. If, following the student's explanation and or the failure to voluntarily open or unlock the motor vehicle in the presence of the School District Administrator, a physical inspection of the motor vehicle remains advisable, the Building Administrator or designate shall conduct a physical inspection of the vehicle, as defined herein. The student involved shall be informed of the right to be present during the physical inspection of the motor vehicle.

7. Notwithstanding any other provision of this policy to the contrary, a Building Administrator or designate who reasonably suspects that the contents of a student motor vehicle create an emergency situation in which the health or safety of the student in question, other students, school personnel or facilities may be endangered by the delay inherent in compliance with the notification procedures set forth herein, may open and physically inspect the motor vehicle in question as expeditiously as deemed necessary to preservation of the health and welfare of the school population.

8. The Building Administrator or designate shall be responsible for the safekeeping and/or proper disposal of any substance, object or material found to be unlawfully or improperly placed in a student motor vehicle.

9. Evidence of a violation of the law or the rules, regulations or policies of the Central Greene School District which has been seized during a physical inspection of a student motor vehicle, may be used as evidence against the student in any subsequent disciplinary proceedings, in accordance with the Central Greene School District Student Discipline Policy.

10. Following the physical inspection of a student motor vehicle, the Building Administrator shall submit a written report to the Superintendent, indicating:

1. The date, time, and place of the physical inspection
2. The name of the student and the school official involved
3. The name of the student's parent or legal guardian
4. A statement concerning the information which provided reasonable suspicion for the physical inspection
5. A statement of the student's explanation, if any, when confronted with the suspicions
6. A statement concerning whether or not the student elected to voluntarily unlock any locked part of the vehicle as requested
7. A statement concerning whether or not the student chose to be present during the physical inspection
8. The result of the physical inspection.

11. The student's parent or legal guardian shall timely be provided with a written statement indicating the information set forth within Item 10 above.

12. All school officials involved in any manner with a physical inspection of a student motor vehicle shall respect and maintain the privacy and confidentiality of the student. Except as otherwise required by law or this policy, no school official in any way involved shall reveal or discuss any information regarding any physical inspection of a student motor vehicle.