

Adopted: Orig. 2/28/2023

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

I. PURPOSE

The purpose of this policy is to provide guidelines for the use and parking of motor vehicles by students in charter school 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 this charter school permits the limited use and parking of motor vehicles by students on charter school premises. The charter school's position is that a fair and equitable school-wide student motor vehicle policy will contribute to the quality of the students' educational experience, maintain order and discipline in the schools, and protect the health, safety, and welfare of students and school personnel. This policy applies to all students in the charter school.

III. DEFINITIONS

- A. "Charter school location" means property that is owned, rented, leased, or borrowed by the charter school 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 charter school 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 charter school.
- B. "Contraband" means any unauthorized item possession of which is prohibited by charter school 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 charter school, and stolen property.
- 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. “Reasonable suspicion” means that a school official has grounds to believe that the search will result in evidence of a violation of charter school 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.

IV. STUDENT USE OF MOTOR VEHICLES IN SCHOOL DISTRICT LOCATIONS

Students are generally not permitted to use motor vehicles during the school day at any charter school location. Students may use motor vehicles on the high school campus[es] during the school day only if there is an emergency and permission has been granted to the student by a parent/guardian and a staff member to use a motor vehicle.

V. STUDENT PARKING OF MOTOR VEHICLES IN SCHOOL DISTRICT LOCATIONS

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

VI. PATROLS, INSPECTIONS, AND SEARCHES

School officials may conduct routine patrols of charter school locations and perform routine inspections of the exteriors of students' motor vehicles. In addition, the interiors of motor vehicles of students in charter school locations may be searched when school officials have a reasonable suspicion that the search will uncover a violation of law, school policy, or rule.

A. Patrols and Inspections

School officials may conduct routine patrols of student parking lots and other charter school locations, as well as routine inspections of the exteriors of students' motor vehicles. Such patrols and inspections may

be conducted without notice, without student consent, and without a search warrant.

B. Search of the Interior of the Student's Motor Vehicle

The interiors of motor vehicles used by students in charter school locations, including glove compartments and trunks, may be searched when school officials have a reasonable suspicion that the search will uncover a violation of law, school policy, or rule. The search will be reasonable in its scope and level of intrusion. Such searches may be conducted without notice, without consent, and without a search warrant. A student will be subject to the withdrawal of parking privileges and discipline if the student refuses to open a locked motor vehicle under their 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 on charter school property or interfere with patrols, inspections, searches, and/or seizures as provided in 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 that school officials deem appropriate.

VII. DIRECTIVES AND GUIDELINES

The charter school is granted authority to develop and present to the charter school board for review and approval reasonable directives and guidelines that address the specific needs of the charter school related to student use and parking of motor vehicles in charter school 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 charter school's Student Discipline Policy, which may include suspension, exclusion, or expulsion. Additionally, the student may be referred to legal authorities when appropriate.

Legal References: U. S. Const., amend. IV
Minn. Const., art. I, §10
Minn. Stat. § 123B.38 (Hearing)
Minn. Stat. § 124E.03 (Applicable Law)
Minn. Stat. § 124E.07 (Board of Directors)
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 Students' Person)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 712 (Video Surveillance Other Than on Buses)