

STUDENT VEHICLES AND PARKING LOT SEARCHES

The school district has a duty to maintain a climate in the school and on the school premises which is conducive to learning and protective of the safety and welfare of students and staff. The privilege of bringing a student-operated vehicle on to school premises is conditioned on consent by the student driver to allow search of the vehicle when there is reasonable grounds to suspect that the search will yield evidence of any illegal, unauthorized, unsafe or contraband materials.

Reasonable Suspicion, Reasonable Grounds to Suspect

Reasonable suspicion does not mean probable cause but rather is based upon facts provided by a reliable informant to school personnel and/or on personal observation which causes school personnel to believe that a search would lead to the discovery of evidence of a violation of district policy, a municipal, state or federal law, and unauthorized, unsafe or contraband materials.

Searches Conducted by School Personnel

If the school district determines it is necessary to inspect or search a student(s) vehicle:

- the student shall accompany the person(s) conducting the search to the vehicle and shall grant access to any part of the vehicle to which access is requested.
- whenever possible, the student shall be informed of the reason(s) for conducting the search and the student's permission to perform the search shall be requested.
- school personnel shall request the student to voluntarily disclose the contents in the vehicle to be searched.
- if the student cannot or will not provide access to his/her vehicle, school personnel may still conduct a search of the vehicle.
- the person(s) conducting the search may remove illegal, unauthorized and/or contraband materials from the vehicle.
- the student shall have the opportunity to explain the presence of the removed materials found in the vehicle.
- a student's failure to cooperate with school officials conducting the search shall be considered grounds for disciplinary action.
- the school district may take whatever disciplinary steps it deems appropriate under school district policies.

An administrative report shall be prepared by the school official conducting the search explaining the reason(s) for the search, the results and the names of any witnesses to the search.

Search of Student Vehicle

Searches of a student's vehicle may be conducted without the prior consent of the student's parent/guardian. However, the parent/guardian of any student searched shall be notified of the search as soon as reasonably possible.

Refusal by a student, parent/guardian or owner of the vehicle to allow access to a vehicle on school premises at the time of a request to search the vehicle shall be cause for termination without further hearing of the privilege of bringing the vehicle on to school premises. Refusal to submit to search may also result in disciplinary action and notification of law enforcement officials.

Routine patrolling of student parking lots and inspection of the outside of student vehicles shall be permitted at all times.

Originally adopted: May 11, 1998

Revised: June 11, 1999

Latest revision: March 4, 2011

Legal Ref.: C.R.S. 22-32-109.1 (2)(a)(VIII)