

MINNETONKA PUBLIC SCHOOLS

Policy #527: Student Use and Parking of Motor Vehicles; Patrols, Inspections and Searches

I. PURPOSE

The purpose of this policy is to provide guidelines for use and parking of motor vehicles by students on School District properties, 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

It is the policy of this School District to allow the limited use and parking of motor vehicles by students on School District properties. It is the position of the School District 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 School District.

III. DEFINITIONS

- A. "Contraband" means any unauthorized item possession of which is prohibited by School District 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 School District, and stolen property.
- B. "Reasonable suspicion" means that a school official has grounds to believe that the search will result in evidence of a violation of School 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.
- 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. “School District property” means property that is owned, rented, leased, or borrowed by the School District for school purposes, as well as property immediately adjacent to such property that may be used for parking or gaining access to such property. This may also include incidents 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

Since the District provides transportation for most students and since parking space is limited, students are encouraged to ride District buses to and from school.

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 of right. Students driving a motor vehicle to a high school campus may park the motor vehicle in the parking lot 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. Areas for student parking shall be designated, and student parking shall be restricted to those areas. Students using the parking area will be assessed a parking fee. The amount of the fee will be re-evaluated by the School Board periodically.
- C. Normally, motor vehicles driven by students shall not be entered or moved during the school day unless the student is dismissed early or is a participant in a school-approved activity (e.g., Cooperative Education Program, Mini-School, Mentorship Program, Work Experience Program, etc.) which takes the student away from the building before the end of the school day.
1. The parents or guardians of students leaving the school premises during the school day in their own motor vehicle or a motor vehicle driven by another student for purposes of participating in a school-approved activity shall complete and have on file with the building administration the appropriate District-approved permission form prior to their departure.
- D. 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 School District property.
 3. Use “boots” to secure the placement of the vehicle until further action can be taken by school administrators.
- E. The building administration may revoke parking privileges for any student who fails to observe the provisions of this policy or the rules and regulations established by the building administration to implement this policy.
- F. The building administration shall be responsible for establishing rules and regulations for the implementation of this policy, including penalties for failure to comply, and for informing student drivers about such rules and regulations.

VI. PATROLS, INSPECTIONS AND SEARCHES

School officials may conduct routine patrols of School District properties 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 properties 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 properties, 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.

It shall be a violation of this policy for students to store or carry contraband in motor vehicles on a School District property or to 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.

A copy of this policy will be printed 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 the School District related to student use and parking of motor vehicles on School District properties, 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 School District's 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: Policy 417 (Chemical Use/Abuse)
 MSBA/MASA Model Policy 418 Drug-Free Workplace/Drug-Free School
 Policy 501 School Weapons
 MSBA/MASA Model Policy 502 (Search of Student Lockers, Desks, Personal Possessions and Student's Person)
 Policy 506: Student Discipline

Adopted 3/2/2006