

CANON-MCMILLAN SCHOOL DISTRICT

SECTION: PUPILS

TITLE: SEARCH OF MOTOR
VEHICLES

ADOPTED: April 23, 2007

REVISED:

226.2. SEARCH OF MOTOR VEHICLES	
1. Authority	<p>The Board authorizes the use of motor vehicles by certain high school students on school premises, subject to rules, regulations, and Board policies.</p> <p>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 district rules, regulations or Board policies, or which constitute a threat to the health, safety or welfare of the students of the Canon-McMillan School District.</p> <p>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 established terms and conditions.</p>
2. Definitions	<p>A student motor vehicle shall mean any motor vehicle or automobile driven by a student on to school premises, regardless of the actual legal ownership of the vehicle.</p> <p>A plain view inspection shall mean a visual inspection of the exterior and/or interior of a student motor vehicle, effectuated without the opening of any doors, windows, hoods or trunk lids.</p> <p>A physical inspection shall 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.</p>
3. Guidelines	<p>No student of the Canon-McMillan School District shall operate a motor vehicle upon school premises without a valid driver's license, and prior written permission from the district administration. A prerequisite shall be the execution by the student and his/her parent/guardian of a written consent form, authorizing the search of a vehicle by the building principal or designee in accordance with the terms of this policy.</p>

The building principal or designee may routinely conduct plain view inspections of any student motor vehicles while said motor vehicles are on school premises.

The building principal or designee may conduct a physical inspection of a student motor vehicle while the vehicle is on school premises, when there exists reasonable suspicion that the student in question has violated the law or the rules, regulations or policies of the 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 district.

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.

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

The student shall also be informed that:

1. Failure to voluntarily unlock any part of the vehicle as requested will result in notification of his/her parent/guardian.
2. Failure to voluntarily unlock any part of the vehicle, as requested, may result in notification of law enforcement officials.
3. Failure to voluntarily unlock any part of the vehicle may result in revocation of permission to operate a motor vehicle on school premises.
4. Failure to voluntarily unlock any part of the vehicle as requested will be considered grounds for disciplinary action.

If, following the student's explanation and/or the failure to voluntarily open or unlock the motor vehicle in the presence of the building principal or designee, a physical inspection of the motor vehicle remains advisable, based upon reasonable suspicion, the building administrator or designee shall conduct a physical inspection of the vehicle. The student involved shall be informed of the right to be present during the physical inspection of the motor vehicle.

Notwithstanding any other provision of this policy to the contrary, a building principal or designee 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

<p>Pol. 218</p>	<p>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 for preservation of the health and welfare of the school population.</p> <p>The building principal or designee 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.</p> <p>Evidence of a violation of the law or the rules, regulations or policies of the 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 student discipline policy.</p> <p>Following the physical inspection of a student motor vehicle, the building principal or designee shall submit a written report to the Superintendent, indicating:</p> <ol style="list-style-type: none">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. <p>The student's parent/guardian shall be provided in a timely manner with a written statement indicating the information set forth above.</p>
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	<p>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.</p>
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