



# POLICY

Category	Approval		
Series 1000: Students	Effective	Administration	Board
	2/22/10	12/4/09	2/22/10
	Revised		For Review
	6/25/18		2022

## **STUDENT INTERROGATIONS, SEARCHES AND ARRESTS**

**MTC 1042**

Mitchell Technical College administrators are authorized to make searches of persons, personal effects, lockers, and automobiles under the conditions outlined below.

### **Personal Searches**

A student's person and/or personal effects (e.g. purse, back pack, book bag, etc.) may be searched when an administrator has reasonable suspicion to believe that the student is in possession of illegal, unauthorized, or contraband items. If a pat down search or a search of a student's garments (such as jackets, socks, pockets, etc.) is conducted, it will be conducted in private by a school administrator or designee of the same gender with another adult of the same gender present as witness.

A more intrusive search of the student's person is permissible in emergency situations when the health and safety of the students, employees or visitors on the school premises are threatened. Such a search may only be conducted in private by a school administrator or designee of the same gender, with an adult of the same gender present, unless the health or safety of students will be endangered by the delay caused by following these procedures.

If a personal search of a minor has been conducted, the administration will inform the parent/guardian by the end of the day. If circumstances do not allow that, a certified letter will be sent.

### **Locker Searches**

Although school lockers are temporarily assigned to individual students, they remain the property of MTC at all times. However, students are expected to assume full responsibility for the security of their lockers. Students are not to share lockers unless thus assigned by the administration, nor should they share their locker combinations or keys with other students.

A student's locker and its contents may be searched when an administrator has a reasonable suspicion that the locker contains illegal, unauthorized, or contraband items. Such searches should be conducted in the presence of another adult witness. Emergency situations may necessitate a search with or without the student's knowledge or consent. Two adults should be present in all cases. Whenever possible the student should be aware of and be involved in a search of such property.

Any contraband discovered during such searches will be confiscated by the administration. The administration may refer a student to outside agencies for assistance depending upon the severity of the situation.

### **Vehicle Searches**

Students are permitted to park on MTC premises as a matter of privilege, not a right. The College retains

authority to conduct routine patrols of the student parking lots and inspections of the exterior of vehicles. The interior of a student's vehicle on the school premises may be searched by an administrator if the administration has reasonable suspicion to believe that illegal, unauthorized or contraband items are contained inside. Such searches must always involve two adults. Whenever possible the student should be aware of and be involved in a search of the vehicle.

**Law Enforcement Involvement**

Any search and/or seizure by law enforcement officials will occur only when law enforcement officials properly advise school personnel that they have lawful authority to conduct the search and/or seizure.

LEGAL REF.: United States v. Jones (2012)

6/25/18 – Removed section on maintenance searches of lockers. Removed statement that MTI will inform students and parents of this policy. Added a legal reference (United States v. Jones (2012)) to support the policy.