

Policies of the University of North Texas at Dallas	Chapter 7
7.026 Inspection and Administrative Search of Residence Halls	Student Affairs, Education, and Funding

Policy Statement. The University of North Texas at Dallas respects its resident students' reasonable expectation of privacy in their rooms and makes every effort to ensure privacy in university residences. However, in order to protect and maintain the property of the university and the health and safety of the university's students, the university reserves the right to enter and search student residence hall rooms in the interest of preserving a safe and orderly living and learning environment.

Definitions

1. **Administrative Search.** "Administrative search" means a search conducted of a resident room for the purposes of maintaining university property and resident health and safety.
2. **Inspection.** "Inspection" means the entry and observation of a resident room for the purposes of monitoring compliance to health and safety standards.
3. **Probable Cause Search.** "Probable cause search" means the entry and search of a resident room by a university official to enforce university policy pertaining to health and safety standards.
4. **Residence Hall Staff.** "Residence Hall Staff" means a student or professional staff member that works in a capacity affiliated with the Office of Housing and Residence Life.
5. **Resident Student.** "Resident student" means a student who resides in a university housing facility.

Application of Policy. All students who reside in university housing.

Procedures and Responsibilities.

1. Administrative room inspections
 - a. University officials are authorized to enter a residence hall room unaccompanied by a resident student to conduct room inspections under the following conditions:
 - i. To perform custodial, maintenance, and repair services.
 - ii. To conduct health and safety checks.
 - iii. To recover university property.
 - iv. To inspect for damage to university property.

- v. In case of emergency.
- b. Residence hall staff may conduct an inspection of the room and may engage in a search if items in plain sight provide reasonable suspicion that the room is being used for purposes in violation of university policy or which may threaten the health or safety of the university community. Items discovered during a room inspection or search that may violate university policy or present a threat to the health and safety of the university community may be confiscated and disposed of in accordance with housing procedures.

Responsible Party: Residence hall staff

2. Room searches based on reasonable suspicion.

- a. A designated university official may enter and search residence hall rooms with or without the consent of a resident student, if the official has a reasonable suspicion that the premises are being used for a purpose that violates university policy including the Student Code of Conduct or Housing handbook.
- b. Searches must be based on timely information and conducted as soon as possible after reasonable suspicion is established.
- c. Searches must be limited to areas and items related to the objective of the search, although other items discovered during the search that also provide evidence of violation of university policy and/or a threat to the health and/or safety may be noted and/or seized.
- d. Residents present at the time of the search may be asked to empty pockets, backpacks, handbags, and other similar items or containers to the extent that any of these items or containers may contain items that could reasonably be related to the objective of the search.
- e. If a search provides reasonable suspicion that evidence of a violation of university policy may be concealed in a closed or locked container or area, the Residence Life staff may conduct a search of such areas with the resident's consent to access the areas or items to be searched. If the resident is not present at the time of the search and there is reasonable suspicion that a locked item may contain evidence of a violation of university policy, the locked item may be removed from the resident's room with notice requesting access to the container provided to the resident.
- f. Evidence of a violation of the Student Code of Conduct will be reported to the Dean of Students office for possible disciplinary action.
- g. Item(s) that violate university policy collected during a search will be confiscated and turned over to the Dean of Students office. Illegal contraband or evidence of illegal activity collected during a search will be turned over to campus police.

Responsible Party: Residence Hall Staff

4. Searches by Residence hall staff will not be conducted under the direction of university police or on behalf of university police; however, law enforcement officials may enter, search, and seize evidence in accordance with applicable law.
5. The Dean of Students or designee will develop procedures for conducting residence hall searches which will be distributed annually to the residence hall staff and incorporated into all training materials.

Responsible Party: Dean of Students or designee

References and Cross-references.

UNTD Policy 07.001, Code of Student's Rights, Responsibilities, and Conduct

Forms and Tools. None.

Approved: 1/25/2019

Effective: 1/25/2019

Revised: