3.7 Policy Regarding Entry into and Search of Residence Hall Rooms and University Apartments

**Purpose**
The University respects and preserves the individual student's right of privacy. The University is also charged with maintaining rules and regulations in the residence halls and university apartments which promote a living environment conducive to academic pursuits.

**Applicability**
All residence hall students and university apartment tenants.

**Description**
Any entry of student residence hall rooms or on-campus apartments by persons acting on behalf of the University, including designees of either the Director of Housing and Residence Life or the Dean of Students, relating to the observance or enforcement of University regulations must conform to the requirements of either a Warrant Entry or a Health and Safety Entry as described in this Policy. An entry of student residence hall rooms or on-campus apartments by persons acting on behalf of the University for maintenance purposes must conform to the requirements of a Maintenance Entry.

### 3.7.1 Warrant Entry

A Warrant Entry is an entry of a student room or apartment by a designated staff member of the Director of Housing and Residence Life or the Dean of Students upon a warrant signed by the Vice President for Enrollment Management and Student Services or designee, authorizing the designated staff member to search that room or apartment for a specified article or articles which, if found, may be removed and used as evidence against a student. Such a warrant shall only be signed in response to a written application made and signed by a representative of the Director of Housing and Residence Life or the Dean of Students affirming facts which constitute probable cause to believe that the room or apartment contains evidence of a violation of University regulations. A copy of the warrant must be left in the room or apartment at the time of entry.

### 3.7.2 Health and Safety Entry

A Health and Safety Entry is an entry of a student room or apartment by a designated staff member of the Director of Housing and Residence Life or the Dean of Students having reasonable grounds to believe that it is necessary in order for the University to maintain an orderly academic atmosphere or living environment, to enter that room or apartment for the purpose of (a) counseling with the occupant(s) concerning the observance of University regulations, (b) checking on the well-being of the student when evidence exists which indicates a threat to self or others, (c) removing articles, the presence of which is a violation of University regulations or which are reasonably likely to be used or consumed in conjunction with a violation of University regulations, or (d) verification of evacuation for fire or other emergency drills. The student occupant(s) in possession of an article or articles in plain sight and removed in the course of a Health and Safety Entry, may be held responsible for violation(s) of the Student Code of Conduct. Student occupant(s) will be given a receipt for items, other than alcoholic beverages and/or other drugs and containers or articles which cannot lawfully be returned to the student, which can be presented for return at the end of the academic year or earlier expiration or termination of the housing contract.

### 3.7.3 Maintenance Entry

A Maintenance Entry is an entry of residence hall rooms or apartments for maintenance purposes, including routine facility inspections, improvements and repairs, and securing the room when the residence halls close. Reasonable prior notice will be given to the occupant(s) unless immediate entry is needed due to critical maintenance need or at the
request of the student. The student occupant(s) in possession of an article or articles in plain sight and removed in the course of a Maintenance Entry, may be held responsible for violation(s) of the Student Code of Conduct. Student occupant(s) will be given a receipt for items, other than alcoholic beverages and/or other drugs and containers or articles which cannot lawfully be returned to the student, which can be presented for return at the end of the academic year or earlier expiration or termination of the housing contract.

3.7.4 Removal of Articles

A staff member of either the Director of Housing and Residence Life or the Dean of Students making either a Warrant Entry or a Health and Safety Entry shall make reasonable efforts to secure the consent of room occupant(s) at the time of such entry. Incidents of entry or search which are carried out in violation of the intent of this Policy may be reported by the student in accordance with the procedures established in the Student Handbook.

3.7.5 Civil Authority

Nothing in this Policy shall be construed as preventing an independent search by a law enforcement officer (including a deputized officer from Public Safety and Police Services) acting on behalf of civil authority incident to a search warrant as provided by law.