Policies of the University of North Texas

Chapter 7

Student Affairs

07.030 Procedures for Determining Whether a Student’s Room Should Be Searched

Policy Statement. The University has established a policy for room searches by Resident Hall Staff. This policy is found in the rules and regulations handbook entitled The ABC’s of Residence Hall Living. Specific procedures in determining whether a room should be searched for illegal drugs, paraphernalia, or any legal drug or other legal substance being illegally used are provided herein.

Application of Policy. Students.

Definitions: None.

Procedures and Responsibilities.

The University has established a policy for room searches by Resident Hall Staff. This policy is found in the rules and regulations handbook entitled The ABC’s of Residence Hall Living. Specific procedures in determining whether a room should be searched for illegal drugs, paraphernalia, or any legal drug, or other legal substance being illegally used are provided herein.

Ordinarily, a hall director is made aware of information regarding the illegal use, possession, or sale of drugs, drug paraphernalia or the misuse of any legal drug or other legal substance in a residence hall room by the following means:

1. Actually observing the contraband or smelling the odor of what he/she believes is a drug. (Note: The use of incense or clove cigarettes is also a violation of University policy in residence halls. Residence hall staff assume, for purposes of these procedures, that incense or clove cigarettes are being used to conceal the use of drugs and may enter a room under the same procedures as set out herein.)

2. A roommate informs a member of the residence hall staff that he or she has observed or knows of the use, possession, or sale of illegal drugs, paraphernalia or misuse of any legal drug or other legal substance; and invites the residence hall staff members to search the room. In such case, the roommate shall be thoroughly questioned and a judgment shall be made regarding his/her credibility. If the roommate appears to be credible and invites the residence hall staff members to enter his/her room for purposes of a search, the search shall take place. The roommate shall be warned that knowingly providing false information is a violation of the UNT Code of Student Conduct.
3. An informant (student or otherwise) informs a residence hall staff member that a specific resident or residents are using, in possession of, or selling drugs or paraphernalia or are misusing legal drugs/substances. In such case, the informant shall be thoroughly questioned and a judgment shall be made regarding his/her credibility; if possible, other sources should be used to confirm the information. If other sources are not available, the informant’s reputation for veracity and credibility as a witness shall be considered in making the decision as to whether or not to search. The informant shall be warned that knowingly providing false information is a violation of the UNT Code of Student Conduct. If the informant is not a student, he/she may be trespassed from the University for knowingly providing false information.

4. Any other behavior that tends to create reasonable suspicion that drug activity is occurring.

5. All reports and information received must be fully documented. Informants should be requested (but not required) to give a written statement. Roommate informants should be requested (but not required) to sign a release to search the room. In any of the above circumstances which would justify a search, the following procedures will be used in searching a room:

1. Every search shall be based on timely information and conducted as soon as possible after the information or report is received.

2. There will always be present at least two staff members, one of whom will be either a Special Assistant, Assistant Hall Director, Hall Director, Residence Life Coordinator, Assistant Director of Housing, Associate Director of Housing, or Director of Housing.

3. The campus police shall be notified and may become involved in the event of concern for safety, to receive contraband, when weapons or a large quantity of drugs are discovered.

4. Residence hall staff members shall go to the room with a master key, a room entry form, a staff incident report, and a clipboard to record the information. Residence hall staff members shall knock once on the door, identify themselves, and open the door. Before any search is begun, room occupants will be notified of the reason for the search and will be afforded an opportunity to voluntarily produce the items or materials sought. The room shall be searched in an orderly manner and all information shall be recorded. (At no time is a person’s body to be searched.)* The student may be present during the search provided he/she does not attempt to inhibit the search. If the student is not present, a determination will be made as to whether there is an immediate need to search the room. In the event it is deemed necessary to search in the student’s absence, a room entry slip outlining the reason
and time of the search shall be left in the room. The room shall be left in
the same condition as it was when entered.

*During the search process, failure to comply with any reasonable
request by a University Official could result in suspension. Reasonable
requests shall include emptying of pockets, clothing, purses, etc.

5. All information shall be turned over to Central Housing and, if necessary,
to the Center for Student Rights and Responsibilities office for
appropriate action. The student will be provided an opportunity for due
process in accordance with the Code of Student Conduct.

6. Any resident staff members who violate these procedures are subject to
sanctions including termination of employment.

7. Residents shall not be required to take a drug test. However, a resident
may voluntarily submit to a drug test should he/she so desire at his/her
cost.

8. All confiscated contraband shall be turned over to the campus police. An
independent decision shall be made by the Center for Student Rights and
Responsibilities on a case by case basis as to whether to provide the
campus police with the name of the resident accused of possessing,
using, or selling contraband, or misusing any legal drug or other legal
substance, and as to whether the Center for Student Rights and
Responsibilities will request the campus police to criminally prosecute
the resident. The purpose of the drug search is to maintain an
evironment in which learning can take place by providing a drug free
living environment for UNT students. Its purpose is not to serve as an
intermediary for police action.

9. These procedures do not preclude the campus police from investigating
and searching students and residence halls where authorized by law. UNT
students can also report suspected drug activity directly to the police by
calling the Crime Stoppers Hotline, 369-8477.

**Responsible Party:** Director of Housing; Center for Student Rights and
Responsibilities

**References and Cross-references.** None.

Approved: 1/1/1989
Effective:
Revised: 8/97; 7/01; 11/05
*5/11 format only