

Administrative Search Policy

When safety, compliance with the law, and the well-being of the community are not thought to be at risk, the University will make every reasonable effort to respect students' privacy and give prior notice, if possible, of entry into a student's residence for purposes of inspection or verification of occupancy. The University reserves the right to conduct a reasonable search of a student's room or areas under a student's control without notice or in cases of emergency situations for spot inspections, in cases of suspected or alleged violations of University policy, or for such other purposes as are reasonably necessary to ensure the comfort, safety, and protection of members of the Niagara University community.

Barring an emergency, entry in to a student's room is left to the discretion of the Dean of Students or his/her designee. Local and State police agencies will not have authority to access the residence halls to conduct an investigation or room search without a valid search warrant or probable cause.

Administrative Search Procedures

When there is obvious evidence of possible policy violations occurring in a student's room (i.e., strong odor of marijuana, signs of use) or when information is ascertained that suggests there may be an emergency or a possible health or safety concern, the Dean or designee will consult with Residence Life, Campus Safety and/or the Vice President for Student Affairs to determine whether there is credible evidence to reasonably justify conducting an administrative search.

If an administrative search is authorized, the Dean will notify the Resident Director on-call. The Residence Director will contact Campus Safety and both will respond to the location in question.

The following procedures are in place:

- The RD should approach the room by knocking on the door, identifying themselves, and asking for entry. If students refuse entry or if the room is unoccupied, the RD can key into the student's room.
- Upon entry to the room, the RD should take control of the situation by introducing themselves to the student(s) and explain why they are there. The student should be asked what prohibited items may be in the room and ask for all items to be turned over without incident.
- The RD will then inform the student that they have been authorized to conduct a full administrative search of the room/apartment. Students should be instructed to hand over their cell phones while the search is being conducted.
- The RD will conduct the administrative search of a student's room or belongings. Campus Safety will not assist in the search however they will photograph policy violations and confiscate items.

- If during the search a weapon or drugs beyond marijuana or in amounts that exceed personal use are found, the RD should stop what they are doing and call the Dean or designee. The Dean or designee will consult with the Director of Campus Safety and/or the Vice President for Student Affairs to determine whether law enforcement should be notified.
- Upon completion of the search, the student(s) will be informed of what was found and will be asked to notify their parents. Their parents may speak with the RD on scene or contact the Assistant/Dean of Students.
- In cases where a search is conducted without students being present, the RD should notify each resident via email that entry was made to their room and they are required to contact the Assistant/Dean of Students for more information.
- The RD should write a report documenting what occurred and the findings of the search, and send it to the Assistant/Dean of Students.
- Campus Safety should document their report and include all photos.