

# Procedure: 6.4.2p. (V.Q.1.)

## Residence Hall Room Entry and Search

**Revised:** October 1, 2019; and November 7, 2012.

**Last Reviewed:** October 3, 2022; and October 1, 2019.

**Adopted:** June 1, 2006.



### I. PURPOSE:

It is the policy of the Technical College System of Georgia that colleges with residence halls provide a planned and organized housing program that supports the Technical College's formal instruction and educational programs. To this end, specific regulations are necessary to protect the rights of individuals participating in these housing programs and ensure all students' health and safety.

Staff and students are expected to follow the procedures established below when entering, granting permission to enter, or searching student residences under the Technical College's control during occupancy periods.

### II. RELATED AUTHORITY:

O.C.G.A. § 20-4-11 – Powers of Board.

O.C.G.A. § 20-4-14 – TCSG Established; Powers and Duties.

TCSG State Board Policy 2.1.1. – Statement of Equal Opportunity.

TCSG State Board Policy 3.3.12. – Real Property Acquisitions and Leases.

TCSG Procedure 6.4.3p. – Residence Hall Room Entry and Search.

TCSG State Board Policy 6.4.3. – Student Housing.

### III. APPLICABILITY:

All work units and Technical Colleges are associated with the Technical College System of Georgia.

### IV. DEFINITIONS:

- A. **Student Residence:** The residence hall room occupied by a student or students and owned or operated by the Technical College.
- B. **Period of Occupancy:** The period during which a student has been permitted to reside in a student residence by written agreement with the Technical College, specifically excluding designated Technical College holidays or between semester breaks during which the residence hall is officially closed and not available for residency by students.

### V. ATTACHMENTS: N/A

### VI. PROCEDURE:

#### A. Entry and Search by Consent of the Student

1. Any authorized Technical College employee may enter a student residence if a student who is a resident gives voluntary consent. The student's consent must be freely given, not based on coercion or threats by the Technical College and must not be occasioned by a student's fear of reprisal for failure to give consent.
2. The intrusion by the employee must be limited to the scope of the consent given by the student; for example, if the student consents to entry by the employee, the employee is not entitled to search the student's belongings without obtaining further consent to do so.
3. Any student who is a room resident may consent to entry by the authorized Technical College employee and to the search of that student's personal belongings. However, no student may consent to the search of another student's closets, lockers, suitcases, or other areas under the primary control of another student. Whenever a student's area or belongings are searched by consent, a consent to search form is to be completed by the staff member searching and signed by the student(s) whose belongings are to be searched.

#### B. Entry without Consent in a Health or Safety Emergency

1. The Head Resident, Student Housing Officer, Vice President of Student support services, or anyone specifically designated by the President may enter a student's room without consent when that person has a reason to believe that such entry is necessary on an emergency basis to protect the health or safety of persons or to make emergency repairs to Technical College facilities to avoid damage to Technical College or student property.

#### C. Entry for Routine Inspections

1. The Student Housing Officer or designee may enter student rooms without student consent to conduct general and routine inspections for health, safety, and building maintenance purposes.
2. Such inspections may be conducted only after the Technical College has posted a notice indicating the purpose of inspection and stating the inspection will take place no sooner than 24 and no later than 72 hours after the notice is posted.
  - a. During the indicated period, the employee authorized to conduct the inspection may not enter the room without first knocking on the door and announcing the purpose for entry.

#### D. Entry without Consent on Suspicion of Violation of Technical College Regulations or Federal or State Law

1. Where federal, state, or local law enforcement officers, including campus security, are involved in an investigation of a possible violation of state or federal law, any search of a student residence shall be conducted only by such law enforcement officers and only in accord with legal standards applicable to police searches of private residences. No Technical College employee or agent other than a Technical College security officer is authorized to search a student residence in connection with such an investigation. Technical College officials may, however, cooperate with law enforcement officers executing a search authorized by an appropriate federal or state officer.
2. If no federal or state law enforcement officer (including campus security) is involved in an investigation of a possible violation of Technical College policy, and if a

Technical College employee (other than a Technical College campus security officer) or student has reason to believe that a search of a particular room will yield evidence of a violation of a Technical College regulation by a particular student, that employee or student should contact the Head Resident or Student Housing Officer.

3. If the Head Resident or Student Housing Officer, after hearing the employee's or student's statements, believes that a search of a particular student residence may produce evidence of a violation of Technical College regulations or evidence of the identity of a person committing such a violation, the Head Resident or Student Housing Officer may apply to an appropriate Vice President for an administrative search warrant.
4. The Vice President shall sign the student residence search warrant only if there is a reason to believe that the item(s) described in the application and related to the commission of a violation is located as described in the application and that it is in the best interest of the Technical College and its students to conduct an administrative search.
5. Evidence from the administrative search indicates a violation of Technical College policy may be used for internal Technical College proceedings.

**VII. RECORD RETENTION:**

Any documentation regarding a search of a student's room should be maintained for three years or until settlement of all claims relating to such search.