

This model policy for locker searches was developed by the Michigan Department of Education, in collaboration with other state and local agencies, pursuant to the *Revised School Code*, 380.1306(5), 2000 PA 87.* It may be adopted by Michigan school districts and public school academies for the purposes of this legislation, and may be modified to adequately reflect local school district policy and procedure.

MODEL POLICY ON SEARCHES OF PUPILS' LOCKERS AND LOCKER CONTENTS

LOCKERS ARE SCHOOL PROPERTY:

All lockers assigned to pupils are the property of the school district. At no time does the school relinquish its exclusive control of its lockers. The public school principal or his/her designee shall have custody of all combinations to all lockers or locks. Pupils are prohibited from placing locks on any locker without the advance approval of the public school principal or his/her designee.

LEGITIMATE USE OF SCHOOL LOCKERS:

The school assigns lockers to its pupils for the pupils' convenience and temporary use. Pupils are to use lockers exclusively to store school-related materials and authorized personal items such as outer garments, footwear, grooming aids, or lunch. Pupils shall not use the lockers for any other purpose, unless specifically authorized by school board policy or the public school principal or his/her designee, in advance of pupils bringing the items to school. Pupils are solely responsible for the contents of their lockers and should not share their lockers with other pupils, nor divulge locker combinations to other pupils, unless authorized by the public school principal or his/her designee.

SEARCH OF LOCKER CONTENTS:

Random searches of school lockers and their contents have a positive impact on deterring violations of school rules and regulations, ensure proper maintenance of school property, and provide greater safety and security for pupils and personnel. Accordingly, the board authorizes the public school principal or his/her designee to search lockers and locker contents at any time, without notice, and without parental/guardianship or pupil consent.

The public school principal or his/her designee shall not be obligated, but may request the assistance of a law enforcement officer in conducting a locker search. The public school principal or his/her designee shall supervise the search. In the course of a locker search, the public school principal or his/her designee shall respect the privacy rights of the pupil regarding any items discovered that are not illegal or against school policy and rules.

SEIZURE:

When conducting locker searches, the public school principal or his/her designee may seize any illegal or unauthorized items, items in violation of board policy or rules, or any other items reasonably determined by the public school principal or his/her designee to be a potential threat to the safety or security of others. Such items include, but are not limited to the following: firearms, explosives, dangerous weapons, flammable material, illegal controlled substances or controlled substance analogues or other intoxicants, contraband, poisons, and stolen property. Law enforcement officials shall be notified immediately upon seizure of such dangerous items, or seizure of items that schools are required to report to law enforcement agencies under the Statewide School Safety Information Policy. Any items seized by the public school principal or his/her designee shall be removed from the locker and held by school officials for evidence in disciplinary proceedings and/or turned over to law enforcement officials. The parent/guardian of a minor pupil, or a pupil eighteen (18) years of age or older, shall be notified by the public school principal or his/her designee of items removed from the locker.

NOTICE OF POLICY:

A copy of the local school board policy regarding locker searches shall be provided annually to each pupil and parent/guardian of the pupil assigned a school locker.

REFERENCES:

The Revised School Code, 380.1306, 2000 PA 87 (Locker Searches)
New Jersey v. T.L.O., 469 U.S. 325 (1985)
U.S. Constitution, Amendment IV

*If the board of a school district, local act school district, or intermediate school district or board of directors of a public school academy operates a school that has pupil lockers, . . . the board or board of directors shall adopt a policy on searches of pupils' lockers and locker contents. The board or board of directors shall provide a copy of this policy to each pupil at a school that has lockers and to the parent or legal guardian of each of those pupils. The board . . . shall also provide a copy of the policy to the department upon request by the department. [380.1306(2)]