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SCHOOL LOCKER SEARCHES

House Bill 5233
Sponsor: Rep. Lauren Hager
Committee: Education

Complete to 1-26-00

A SUMMARY OF HOUSE BILL 5233 AS INTRODUCED 1-25-00

House Bill 5233 would amend the Revised School Code to specify that a student's locker is the property of a school district, and under the bill a student would be presumed to have no expectation of privacy with regard to the locker or its contents.

The bill further specifies that if the board of a school district (to include the boards of a local act school district, and of an intermediate school district, and also the board of directors of a public school academy) operates a school that has pupil lockers, then no later than 180 days after the effective date of this legislation, the board (or board of directors) would be required to adopt a policy on searches of students' lockers and locker contents, and to distribute that policy to each student having a locker, and also to the parent or legal guardian of each student.

Under House Bill 5233, a public school principal or a principal's designee could search a student's locker and the locker's contents at any time in accordance with the school district search policy, and a law enforcement agency having jurisdiction over the school could assist school personnel in conducting a search, at the request of the school principal.

Finally, House Bill 5233 specifies that not later than 90 days after the effective date of the legislation, the state superintendent of public instruction would be required to develop and make available a model policy on searches that could be adopted by local school districts.

MCL 380.1306

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.