

SEARCHES OF LOCKERS

Provision for temporary storage and safety of students' personal possessions ordinarily used in their day-to-day school activities will be made in certain school buildings by such devices as lockers. These lockers may not be used to conceal weapons and/or illegal substances. The general term lockers shall include but not be limited to, coat racks, spaces for backpacks and desks.

Ownership and control of all lockers is retained by the School District. Access to all lockers under certain conditions is a legal right of school officials whose responsibility it is to protect the health, safety and welfare of all students enrolled.

When the school principal has a reasonable suspicion that one or more lockers may contain objects or substances in violation of school rules or which may be detrimental to the health, safety, or welfare of all students enrolled, the principal may initiate a search of those lockers. The principal should make a reasonable effort to contact the student and ask the student to open the locker. The principal should then inspect the locker in the presence of the student.

If the student cannot be located, if the student refuses to open the locker, or if an emergency is deemed to exist, the principal may open and inspect the student's locker. In such a case, the principal should be accompanied by at least one other adult person.

Illegal substances may be turned over to the proper authorities.

In the event a police officer or other law enforcement officer is to conduct a search of a student's locker, person, or possessions, a search warrant is necessary.

Dogs may be used in the search of a student's locker. When the dog handler is a police officer, the officer shall be accompanied by a school official and shall not take part in the search once the dog has alerted unless a search warrant has been obtained.

The School Board President should be notified whenever a search has been conducted.

Cross Reference: Policy FHCF Alcohol and Other Drug Use/Abuse

Legal Reference: U.S. Constitution, Amendment IV
Civil Rights Act of 1871, 42U.S.C. § 1983 (1981)
State v. Engerud, 94 N.J. 331, 463 A.2d 934 (1983)
Zamora v. Pomeroy, 639 F.2d 662 (10th Cir. 1981)
Picha v. Wielgos, 410 F. Supp. 1214 (N.D. Ill. 1976)
Jones v. Latexo ISD, 499 F. Supp. 223 (E.D. Tex. 1980)
Cormier v. Hardin-Jefferson ISD, Comm. Of Ed. Dec. (1981)

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