LENAPE TECHNICAL SCHOOL

SECTION: PUPILS

TITLE: LOCKER SEARCHES

ADOPTED: August 19, 2004

REVISED: March 19, 2015

226. LOCKER SEARCHES

1. Purpose

The Joint Operating Committee acknowledges the need for safe storage of books, clothing, school materials and personal property and may provide lockers, **cabinets or other storage facilities** for storage purposes.

2. Authority
SC 1850.1

It shall be the policy of the Joint Operating Committee that all lockers are and shall remain the property of the school. **Students are merely being permitted by the school to utilize the lockers.**

Students shall have no expectation of privacy in their lockers. Any locker assigned to a student is subject to being searched at any time. Any locker assigned to a student is subject to being targeted for a physical search as a result of an unannounced, random detection of school lockers for dangerous devices or illegal drugs by mechanical means or the use of trained dogs.

Students are permitted to keep their assigned lockers secured with a lock against incursion by other students, subject to the school having a duplicate key and/or combination. The fact that students are allowed to maintain locks on their lockers is not to be interpreted in any manner as giving the students any expectations of privacy in their lockers.

No student may use a locker as a depository for a substance or object that is prohibited by law, Joint Operating Committee policy or school rules, or constitutes a threat to the health, safety or welfare of the occupants of the school building or the building itself.

Title 22
Sec. 12.14

The Joint Operating Committee reserves the right to authorize its employees to inspect a student's locker at any time, based on reasonable suspicion, for the purpose of determining whether the locker is being used improperly for the storage of contraband, a substance or object the possession of which is illegal, or any material that poses a hazard to the safety and order of the school.

Any such materials may be used as evidence against the student in disciplinary proceedings, and may also be turned over to law enforcement agencies.

3. Guidelines	**<u>Search Procedure</u>** **The Joint Operating Committee hereby authorizes the appropriate school authorities to inspect a student's locker any time for the purpose of determining whether the locker is being improperly used for the storage of contraband, a substance or object of which possession is illegal, or any material that poses a hazard to the safety and good order of the school.** **Prior to a locker search, the student shall be notified and shall be given an opportunity to be present. The school official, in the presence of the student and another member of the school staff, may search the student's locker.** **In the case of an emergency, such as a bomb threat, the locker may be searched without the student being present. When the school official has a reasonable suspicion that the locker contains materials which pose an immediate threat to the health, welfare and safety of the school community, the student's locker may be searched without prior warning and without the student being present.** **The Administrative Director or appropriate personnel designated by the Administrative Director shall be responsible for the safekeeping and proper disposal of any substance, object or material found to be improperly stored in a student's locker, unless the contents have been confiscated by a law enforcement officer. The Administrative Director or appropriate personnel designated by the Administrative Director shall be responsible for the prompt recording, in writing, of each locker inspection which shall include the reasons for the search, persons present, objects found and their disposition. After a search has taken place, the parent or guardian of the student shall be so notified.** **Absent the existence of a search warrant, the school official may open a student's locker upon request of a law enforcement officer, provided the Administrative Director or appropriate personnel designated by the Administrative Director receives information from the officer that the locker contains illegal or hazardous materials, contraband, or any object or substance the possession of which is illegal. In such event, the search shall be conducted without the law enforcement officer and pursuant to the above procedures.** **The Administrative Director or appropriate personnel designated by the Administrative Director shall open a student's locker for inspection on the request of a law enforcement officer on presentation of a duly authorized search warrant or on the intelligently and voluntarily given consent of the student. In such event, the Administrative Director or appropriate personnel designated by the Administrative Director shall not act as the student's informed adult for purposes of any Miranda warnings; rather, the**

	Administrative Director or appropriate personnel designated by the Administrative Director shall attempt to contact the student's parent or guardian. **<u>Insurance</u>** **The Joint Operating Committee is not obligated to insure the contents of lockers. Therefore, students should be advised that such contents are not insured by the school against loss by theft, vandalism, fire or other casualty.** **<u>Student Notification</u>** **Students shall be notified at least annually, or more often if deemed appropriate by the administration, concerning the contents of this policy. Students shall also be required to sign a waiver in order to have the use of a school locker which shall advise them that there is no expectation of privacy.** **<u>Police Investigation</u>** **If local police are summoned, the parent or guardian of the student shall likewise be notified. School officials shall cooperate with any police investigation.**
School Code 1850.1 Pa. Code Title 22 Sec. 12.14 Joint Operating Committee Policy 225	