
Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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House Bill 5233 (as reported by the Committee of the Whole)
Sponsor: Representative Lauren Hager
House Committee: Education
Senate Committee: Education

CONTENT

The bill would amend the Revised School Code to specify that a pupil who used a locker that was the property of a school district, local act school district, intermediate school district (ISD), or public school academy would be presumed to have no expectation of privacy in that locker or its contents. The bill also would require a school board to adopt a policy on school locker searches; require a policy to provide that during a search, a pupil's privacy rights would be respected regarding items that were not illegal or against school policy; and require the State Superintendent to develop and make available a policy on locker searches that could be adopted by a school board. In addition, the bill would permit a principal to search a pupil's locker and its contents, and would permit a law enforcement agency to assist in the search upon a principal's request.

The bill specifies that any evidence obtained as a result of a search of a pupil's locker or its contents would not be inadmissible in any court or administrative proceeding because the search violated the bill or a school policy adopted under the bill, or because no policy had been adopted.

Proposed MCL 380.1306

Legislative Analyst: L. Arasim

FISCAL IMPACT

There could be minimal costs to the Department of Education incurred during the development and dissemination of a model locker search policy by the State Superintendent.

There could be minimal costs to districts in the formulation of locker search policies, and the subsequent act of providing copies of these policies to students and parents.

Date Completed: 3-24-00

Fiscal Analyst: K. Summers-Coty