



HOUSE BILL No. 5233

January 25, 2000, Introduced by Reps. Hager, Jelinek, Woronchak, Byl, Shackleton, Kowall, Hart, Julian, Garcia, Patterson, Voorhees, Mortimer, Allen, Stamas, Jansen, Gosselin, Ehardt, Van Woerkom, Howell, Caul, Bisbee and Birkholz and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
(MCL 380.1 to 380.1852) by adding section 1306.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 1306. (1) A PUPIL WHO USES A LOCKER THAT IS THE PROP-
2 ERTY OF A SCHOOL DISTRICT, LOCAL ACT SCHOOL DISTRICT, INTERMEDI-
3 ATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY IS PRESUMED TO HAVE
4 NO EXPECTATION OF PRIVACY IN THAT LOCKER OR THAT LOCKER'S
5 CONTENTS.

6 (2) IF THE BOARD OF A SCHOOL DISTRICT, LOCAL ACT SCHOOL DIS-
7 TRICT, OR INTERMEDIATE SCHOOL DISTRICT OR BOARD OF DIRECTORS OF A
8 PUBLIC SCHOOL ACADEMY OPERATES A SCHOOL THAT HAS PUPIL LOCKERS,
9 THEN NOT LATER THAN 180 DAYS AFTER THE EFFECTIVE DATE OF THIS
10 SECTION THE BOARD OR BOARD OF DIRECTORS SHALL ADOPT A POLICY ON
11 SEARCHES OF PUPILS' LOCKERS AND LOCKER CONTENTS. THE BOARD OR

1 BOARD OF DIRECTORS SHALL PROVIDE A COPY OF THIS POLICY TO EACH
2 PUPIL AT A SCHOOL THAT HAS LOCKERS AND TO THE PARENT OR LEGAL
3 GUARDIAN OF EACH OF THOSE PUPILS.

4 (3) A PUBLIC SCHOOL PRINCIPAL OR HIS OR HER DESIGNEE MAY
5 SEARCH A PUPIL'S LOCKER AND THE LOCKER'S CONTENTS AT ANY TIME IN
6 ACCORDANCE WITH THE POLICY UNDER SUBSECTION (2).

7 (4) A LAW ENFORCEMENT AGENCY HAVING JURISDICTION OVER THE
8 SCHOOL MAY ASSIST SCHOOL PERSONNEL IN CONDUCTING A SEARCH OF A
9 PUPIL'S LOCKER AND THE LOCKER'S CONTENTS IF THAT ASSISTANCE IS AT
10 THE REQUEST OF THE SCHOOL PRINCIPAL OR HIS OR HER DESIGNEE AND
11 THE SEARCH IS CONDUCTED IN ACCORDANCE WITH THE POLICY UNDER SUB-
12 SECTION (2).

13 (5) NOT LATER THAN 90 DAYS AFTER THE EFFECTIVE DATE OF THIS
14 SECTION, THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL DEVELOP
15 AND MAKE AVAILABLE A MODEL POLICY ON SEARCHES OF PUPILS' LOCKERS
16 AND LOCKER CONTENTS THAT MAY BE ADOPTED FOR THE PURPOSES OF THIS
17 SECTION.