

FORT LA BOSSE SCHOOL DIVISION

TITLE - **LOCKER SEARCHES**

POLICY - **JJHA**

Approval Date - 11/02/02

Cross Reference -

Resolution # - 51/02

Implementation - 11/02/02

Legal Reference - Charter of Rights and Freedoms Section 8 Last Reviewed - 25/04/12

All lockers in the schools are the property of the Division. No rental fee is to be charged for the use of a locker. In those schools where lockers are made available to students the right of ownership remains with the Division. Therefore, in those schools in which lockers are made available for student use, the Board will authorise the searching of any assigned student locker if the Principal or designate has reason to believe that the locker contains articles or substances which may be banned by school or Board policy, or deemed to be potentially dangerous to others and/ or to the facility.

If lockers are made available to students, the access to, and use of, the locker will be subject to the following terms and conditions:

1. Each year there is a clear written statement of acknowledgement (Form [JJHA-E](#)) signed by the student and his parent(s)/guardian(s) returned to the school office indicating that they have read this policy and understand that:
 - a) The locker is made available only for the use and convenience of the student and only for a limited period of time,
 - b) Ownership of the locker remains with the Division and that the locker is NOT to be considered as part of the student's private property,
 - c) School personnel are authorised to enter and search a student's locker at any time there may be reasonable cause for them to make such a decision, and
 - d) Should the Principal and Superintendent at any time decide that there is justification to contact the RCMP and request a police dog search for narcotics any locker that the dog may indicate as suspicious may be entered and searched by school and/or RCMP personnel.
2. The use of a locker by a student is a privilege. This privilege may be withdrawn by the school administrator and a student denied "locker privileges" whenever the student either misuses or abuses any locker.
3. If the student chooses to use a lock on their locker they will use only those locks which are made available by the school. The school may charge a fee for the use of the lock.
4. School personnel do not require a warrant before searching a student's locker. In those cases where a student's locker is opened by school and/or other authorised individuals, any inappropriate material, item or substance found in the subsequent search may be seized and retained pending school disciplinary procedures and/or further criminal investigation.
5. If possible, the student, the Principal, or designate, and at least one staff member should be present for any locker search. At least one of the staff members present should be of the same gender as the student.

6. Lockers that are not assigned to a specific student should remain unused. If a student or other individual places anything in a vacant locker they do so understanding that the locker may be opened at any time and any object(s) removed without prior notification. The Principal may dispose of the items and material found in unassigned lockers in a prudent manner. If the contents of an unassigned locker should be found to include material, items and/or substances that are either forbidden by policy and/or illegal, they may be retained for appropriate follow-up.
7. Unless otherwise arranged, students must remove all their personal items from their locker no later than the last day of instruction/ exams of each school year. Any material, item and/or substance left in any locker after that date may be removed without contacting the student to whom the locker was assigned. Anything removed from student lockers after this date may be disposed of by school personnel in a prudent manner. If any of the contents of a student's locker should be determined to be inappropriate, the school administration will take possession of the item(s) subject to further action(s).
This regulation will also apply to students whose names are removed from the school registry and will be effective one day after the day following their departure.
8. From time to time the Principal or designate may request a student(s) to open and clean his/her locker(s). This request may be made on either an individual basis or as part of a general locker clean up. Unauthorised material, items and/or substances observed by staff under these circumstances will be seized and delivered to the school administration as soon as possible. If a student refuses to clean the locker as directed, the privilege to access and use a school locker may be forfeited.
9. Should any search or other access to a student's locker result in the discovery of an item forbidden by policy or a controlled substance, a firearm or other dangerous weapon, that item will be taken directly to the Principal or designate. The school administrator will place the item under secure storage with the understanding that he is responsible for its safe keeping. When warranted, the incident will be reported as soon as possible to the student's parent(s)/guardian(s) and/or the RCMP. Any item received by the Principal will either be returned to the student or a parent of the student from whom it was seized, forwarded to the RCMP or disposed of in a prudent manner. A signed/witnessed statement as to the surrender/disposition of the item should be retained in the Principal's files.

Item 1(a), (b), (c), (d) should be posted in the school and referenced at different times during the school year.

