

Yukon Education

Policy Subject: School Locker Use and Locker Searches

Date Passed: *November 30, 2004.*

Policy No. 1005

Legislation:

*Youth Criminal Justice Act,
Controlled Drugs & Substances Act,
Education Act*

Cross Reference:

1007 Police Investigations in Schools/Drug Free Protocol
1006 Substance Abuse

Principles and Purposes:

The Department of Education supports:

1. Assigning school lockers to students for their use while attending school.
2. The use and development of clear guidelines to guide the use of the lockers by the students during the school year, pursuant to the RCMP Protocol between the Department of Education and the Whitehorse RCMP.
3. School staff in their need to respond quickly to problems that arise in schools.
4. Administrators, in conjunction with School Councils, Boards and Committees in establishing how the school will carry out lockers searches.

Guidelines and Procedures

1. Administrators and school staff shall advise students and their

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parents of the rules and conditions of locker use and searches at the time that the lockers are assigned, and throughout the year either by school newsletters or by posting a sign.

2. Notices shall include that lockers are subject to searches as provided for in Policy 1007 Police Investigations in Schools/Drug Free Protocol.
3. The locker is assigned to a student for use during the school year based on the following rules and conditions of use:
 - a) Students are responsible for assigned lockers. The locker is not to be used by any unauthorized person.
 - b) The school and the Department of Education are not responsible for loss or theft or damage of material stored in student lockers.
 - c) Only approved locks may be used on student lockers and the combination of the lock must be registered at the school office.
 - d) No illegal substances, weapons or other prohibited or offensive materials are to be placed in school lockers.
 - e) Permission to use the locker may be terminated where a student does not comply with the conditions of use or school policies or rules.
4. Every school will develop and circulate a school based policy on how locker searches will be conducted. This policy will be distributed and posted throughout the school during the school year to advise the community on how schools will conduct searches.

Student Locker Searches

1. A student locker search may be undertaken under provisions of the 1007 Police Investigations in Schools/Drug Free Protocol if there are reasonable grounds to believe that a school rule has been or is being violated and that evidence of the violation will be found in the student's locker.

2. The following criteria (*per reasonable grounds criteria in Ontario Court ruling R. vs. A.M. June 2004*) must be considered by a school administrator in the determination that reasonable grounds exist to conduct a search:
 - i. Information received from one student that is considered to be credible;
 - ii. Credible information received from more than one student;
 - iii. A teacher's or principal's own observation;
 - iv. Any combination of these pieces of information which the relevant authorities consider to be credible.
3. School officials may search a student locker in those instances where there exists reasonable grounds to do so and without prior notice in order to ensure compliance with the conditions of use and other school policies and rules. Every effort will be made to ensure that the student and an additional staff member will be present when a locker is searched, except in an emergency situation.
4. All requests or questions regarding student locker searches will be referred to the school administrator or designate.
5. The administrator or designate may invite the R.C.M.P. to assist in a search where there is reasonable cause to believe illegal or dangerous materials or weapons may be in a student locker. In these instances the R.C.M.P. will determine how to proceed with the search and how they will be involved.
6. If a student has reason to believe that any locker contains material that may threaten the safety of other persons, that student is expected to immediately report the information to a teacher or the school administration. The name of the student making the report will be kept confidential.