

Alloway Township Board of Education District Policy Manual

Students

Series 5000

Student Storage Areas

Policy 5114.6

Date Adopted: October 22, 2002

Date Revised

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The Board of Education recognizes that the 4th Amendment Right to Privacy applies to students and that they are therefore entitled to be free from unreasonable searches and seizures by school officials. The Board furthermore recognizes that the Legislature has specifically charged school officials with the duty of maintaining order, safety and discipline.

School officials shall have reasonable grounds to believe that a student possesses evidence of illegal activity or of an activity that would interfere with school discipline and order before a reasonable search shall be conducted.

Desks and other storage areas assigned to students are school property and these shall be subject to regular and periodic inspection by the administration in order to insure proper health and safety standards. Areas may be inspected at any other time when reasonable grounds of such an inspection exist.

Whenever reasonable grounds to conduct a specific area search exists, the administration shall consider the source of the information, the reliability of the source, the actions of the student, the age and history of the student, the seriousness of the problem to the school, the need for immediacy as compared to parental knowledge or notification and the relationship of the search to the alleged wrong doing.

After due consideration of these items, the administration shall decide if a search is warranted. If so there shall be present at all times following whenever possible;

The administrator

The student

The parent or legal guardian

A witness in place of the parent if the parent/guardian is not available

School Security if available

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If criminal activity is involved or suspected, law enforcement officers shall be contacted for their assistance. The Superintendent or his/her designee shall protect the student's individual rights at all times.

The administration shall be responsible for the custody, control and disposition of any object seized (unless superseded by a law enforcement officer) and shall be responsible for the prompt recording in writing of all reasons for the search, persons present, items found and seized and disposition of them.

Legal References

NJSA 18A:36-19.2 Inspection of student lockers
18A:25-2 Authority over pupils