

POSITIONS AND POLICIES ON EDUCATION

Search and Seizure

FILE CODE

5145.12

Search and Seizure

The NJSBA believes that public school students have the constitutional right to be free from unreasonable searches and seizures by any person acting in an official capacity on behalf of a local school district. A search of a student by a school official should only be conducted when the official has a reasonable suspicion that a school rule or a law is being violated or when the district has demonstrated a special need for conducting random drug-testing of students. *[Authority: BD 9/82, DA 11/97 ER-A, DA 5/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR]*

Cross References:

5114	Suspension and expulsion
5131	Conduct/discipline
5131.5	Vandalism/violence
5131.6	Drugs, alcohol, tobacco (substance abuse)
5131.7	Weapons and dangerous instruments

Key Words: search and seizure, drug-testing