

SEARCH AND SEIZURE

School lockers remain the property of the Holmdel Township Board of Education even when used by pupils. Lockers are subject to administrative search in the interests of school safety, sanitation, discipline, enforcement of school regulations and to search by law enforcement officials on presentation of a proper warrant. Pupils and their parents/guardians shall be informed of this policy.

A pupil's person and possessions may be searched by a school official provided that the official has reasonable suspicion to suspect that the search will turn up evidence that the pupil has violated or is violating either the law or the rules of the school. Under no circumstances shall a search be conducted based solely upon an anonymous tip and/or a rumor that contraband is present. The extent or scope of the search shall be reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the pupil and the nature of the infraction. A physical search may only be conducted by a staff member of the same sex as the pupil. A second staff member of the same sex may be present as an observer. Before instituting such a search, except in cases of emergency, or unless time is of the essence the principal shall try to inform the parents/guardians and request their presence.

Substance Abuse Searches

Searches conducted by staff when there is suspicion that substance abuse laws and policies are being violated shall be based on the reasonable suspicion required by this policy. When law enforcement officials conduct the search, the more stringent grounds required by law must be applied.

Source: Regular Board Meeting

Date: August 20, 1986

Revised: March 11, 1998

Legal References:	<u>N.J.S.A.</u>	2A:4-A-60 <u>et al.</u>	Disclosure of juvenile information; penalties for disclosure
	<u>N.J.S.A.</u>	18A:11-1	General mandatory powers and duties
	<u>N.J.S.A.</u>	18A:36-19.2	Student lockers or other storage facility; inspection; notice to students

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File Code: 5145.12

N.J.S.A. 18A:54-20 Powers of board (county vocational schools)
N.J.A.C. 6:29-10.1 et seq. Safe and drug free schools

State in interest of T.L.O., 94 NJ 33 (1983); New Jersey v. T.L.O., _____ U.S. _____, 53 USLW 4083

Vernonia School District 47J v. Action et seq., Guardians ad litem for Action, _____ U.S. _____, 115S. CT 2386 (1995)

Possible

Cross References:

*1410 Local units
*5114 Suspension and expulsion
*5131 Conduct/discipline
*5131.6 Drugs, alcohol, tobacco (substance abuse)
*5131.7 Weapons and dangerous instruments
*5145.11 Questioning and apprehension

*Indicates policy is included in the Critical Policy Reference Manual.

