

SEARCH AND SEIZURE

In applying the policies of Search and Seizure, it is the intent of the Lyndhurst Board of Education to maintain schools that pose no threat to students or staff and are otherwise safe, and not the intent to find criminal evidence.

School lockers remain the property of the district 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 when lockers are assigned.

A pupil's person and possessions may be searched by a school official provided that the official has reasonable grounds 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. Before instituting such a search, except in cases of emergency, the principal shall try to inform the parents/guardians and request their presence.

School personnel shall not conduct strip searches or body cavity searches of any pupils under any circumstances.

Date: January 10, 1984

Revised: March 13, 1995

Revised: November 17, 1998

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

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.

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1. The school does not accept responsibility for valuables or money being taken from a locker. Valuables and money can be held in the safe in the main office.
2. Food of any kind is not to be kept in the locker.
3. School locks, which are issued by the school, are the only locks permitted on lockers. The locks are to be returned at the end of the school year. If they are not returned, the student will be charged the current price for a lock.
4. The locker must be kept neat and tidy.
5. Hall and gym lockers are the property of the Lyndhurst Board of Education and are subject to inspection by school authorities at any time.

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Revised: January 23, 1996

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