

PUPIL RIGHT OF PRIVACY

The Board of Education believes that the rights of pupils are not absolute. Accompanying every right is a corresponding duty. Thus, the right to an education carries with it the obligations and duties to respect the rights of others, to adhere to all reasonable rules and regulations established for the government of the schools, and to refrain from interfering with the orderly operations of the school, the damaging of the school or the property thereof, and the rights and possessions of others.

The Board acknowledges the need for the in-school storage of pupils' possessions and shall provide storage places, including desks and lockers, for that purpose. Where locks are provided for such places, pupils may lock them against incursion by other pupils, but in no places shall pupils have such an expectation of privacy as to prevent examination by a school official.

School authorities are charged with the responsibility of safeguarding the safety and well-being of the pupils in their care. In the discharge of that responsibility, they shall investigate the presence of a substance or object the possession of which is illegal, in violation of the policies of this Board of Education, or poses a hazard to the safety and good order of the schools, whenever there is cause to suspect the presence of such substance or object. A search prompted by the reasonable suspicion that health and safety are immediately threatened will be conducted with as much speed and dispatch as may be required to protect persons and property.

A request for the search of a pupil or a pupils' possessions will be directed to the building principal. Wherever possible, a search will be conducted in the presence of the pupil, his or her parent, and a teaching staff member in addition to the principal.

The principal shall conduct a pupil search on the request of a law enforcement officer only on presentation of a duly authorized search warrant or on the voluntary and knowing consent of the pupil or when the principal has independent grounds to suspect the presence of an illegal or dangerous substance or object.

The principal shall be responsible for the prompt recording in writing of each pupil search, including the reasons for the search, the persons present, objects found, and the disposition made of them. The principal shall be responsible for the custody, control, and disposition of any illegal or dangerous substance or object taken from a pupil search or otherwise.

N.J.S.A. 2A:4-60, 2C:58-6.1; 2C:64-1, 24:22-7

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