

POLICY GUIDE

BAYONNE BOARD OF EDUCATION

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The Board of Education recognizes that a **student**'s right of privacy may not be violated by unreasonable search and seizure and directs that no **student** be searched without reason or in an unreasonable manner.

Teaching staff members are charged with the responsibility of maintaining order and discipline in the schools and of safeguarding the safety and well-being of the **students** in their care. In the discharge of that responsibility, a teaching staff member may search or request the search of the person or property of a **student** as authorized by this policy, with or without the **student**'s consent, whenever he/she has reasonable grounds to suspect that the search is required to discover evidence of a violation of law or of school rules. The extent of the search will be governed by the seriousness of the alleged infraction, the **student**'s age, and the **student**'s disciplinary history. Except in exigent circumstances, an intrusive search of a **student**'s person or intimate personal belongings shall be conducted by a person of the **student**'s gender.

The Board acknowledges the need for the in-school storage of **students**' possessions and shall provide storage places, including desks and lockers, for that purpose. Where locks are provided for such storage places, **students** may lock them against incursion by other **students**. In no storage place provided by the Board shall **students** have such an expectation of privacy as to prevent examination by a school official. **Students** shall be notified in writing at the beginning of each school year that inspections of their lockers, desks, and other storage facilities on school district property may be conducted. The school Principal or designee is directed to conduct, without further notice, the regular inspection of such facilities provided to **students** for the storage of property.

Except as required by exigent circumstances, a request for the search of a **student** or a **student**'s private possessions will be directed to the Building Principal or designee who shall, whenever feasible, first request the freely offered consent of the **student** to the inspection.

The Superintendent shall be notified of the proposed search of a **student**'s person or intimate personal belongings.



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Whenever possible, a search will be conducted by the Principal in the presence of the **student**, the **student's** parent(s) or legal guardian(s) or a representative of the parent(s) or legal guardian(s), and a teaching staff member other than the Principal. Under no circumstances shall any **student** be subjected to a strip search or a body cavity search.

A search prompted by the reasonable belief that the circumstances are exigent and pose an immediate threat, will be conducted by any teaching staff member with as much speed and dispatch as may be required to protect persons and property.

The Principal shall conduct a **student** 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 **student** or when the Principal has independent grounds to suspect the presence of an incriminating object.

The Principal shall be responsible for the prompt recording in writing of each **student** search, including the reasons for the search; information received that established the need for the search and the name of the informant, if any; the persons present when the search was conducted; any substances or 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 **student**.

N.J.S.A. 18A:36-19.2; 18A:37-6

Adopted: 28 July 1997

REVISED: April 30th, 2019

