**Arguments Worksheet – To Be Filled Out and Discussed by Students**

*New Jersey v. T.L.O.* Applied to E-Cigarettes Seized During a Backpack Search at School

**Directions:** Put **SS** next to arguments for Student Sandy and **SO** for arguments for the School Officials.

1. Students do not shed their constitutional rights at the schoolhouse gate.

2. Due to the extensive supervision of students in school, students do not have a reasonable expectation of privacy when they bring personal property to school.

3. Students may have legitimate reasons for bringing personal property to school. Some of these items may contain personal information that students do not want shared.

4. Students do not give up their expectation of privacy when they bring personal property to school.

5. In a school environment, the legality of searching students should depend -- in all circumstances – on concerns about maintaining a safe and orderly learning space.

6. Order is what gives students freedom. They lose the freedom to even learn about their rights if the school doesn’t maintain an orderly environment.

7. School authorities must have probable cause to believe that a student is violating the law or school rules before conducting a search of the student and/or the student’s property.

8. Based on the unique nature of the educational environment, in which school officials take the place of the parents, the school does not need a warrant or probable cause before searching a student under their authority.

9. If school officials conduct an unlawful search, any evidence they obtain in that search should not be admissible in court.

10. Evidence found during a search can only be used in court if it is what school authorities say they are looking for when they start the search. If they find something else, it can’t be used in court against the student.