

18A:36-19.2

LEGISLATIVE HISTORY CHECKLIST

NJSA: 18A:36-19.2

(Student lockers--  
searches--boards of  
education may establish  
procedures)

LAWS OF: 1985

CHAPTER: 198

Bill No: A422

Sponsor(s): Pelly, Deverin and Paterniti

Date Introduced: Pre-filed

Committee: Assembly: Education

Senate: Education

Amended during passage: Yes

Date of Passage: Assembly: February 14, 1985

Senate: May 13, 1985

Date of Approval: June 26, 1985

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: ~~No~~ yes

Following were printed:

Reports: No

Hearings: No

See newspaper clipping file in New Jersey Reference Section under "N.J. --Search and seizure--1984--."

ASSEMBLY, No. 422

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1984 SESSION

By Assemblymen PELLY, DEVERIN and PATERNITI

AN ACT concerning education and supplementing Title 18A of the New Jersey Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State*  
2 *of New Jersey:*

1 1. The principal or other official designated by the local board  
2 of education may inspect lockers or other storage facilities pro-  
3 vided for use by students so long as students are informed in  
4 writing at the beginning of each school year that inspections may  
5 occur.

1 2. This act shall take effect immediately.

STATEMENT

This bill establishes the right of certain school officials to inspect student lockers and similar facilities so long as students are annually notified that inspections may occur.

In a recent decision, the New Jersey Supreme Court held a search of a high school student's locker by school officials improper because "in the context of this case the student had an expectation of privacy in the contents of his locker." Later in the opinion the court stated, "Had the school carried out a policy of regularly inspecting students' lockers, an expectation of privacy might not have arisen."

The bill clarifies the situation and permits boards of education to provide for inspection of student lockers in a manner consistent with the New Jersey Supreme Court's ruling in *State of New Jersey v. Jeffrey Engerud* 94 N. J. 331 (1983), decided August 8, 1983.

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ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 422

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STATE OF NEW JERSEY

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DATED: NOVEMBER 19, 1984

PROVISIONS:

This bill establishes the right of certain school officials to inspect student lockers and similar facilities so long as students are annually notified that inspections may occur.

BACKGROUND:

In a recent decision, the New Jersey Supreme Court held that a search of a high school student's locker by school officials was improper because "in the context of this case the student had an expectation of privacy in the contents of his locker." Later in the opinion the court stated, "Had the school carried out a policy of regularly inspecting students' lockers, an expectation of privacy might not have arisen."

This bill clarifies the situation and permits boards of education to provide for inspection of student lockers in a manner consistent with the New Jersey Supreme Court's ruling in *State of New Jersey v. Jeffrey Engerud* 94 N. J. 331 (1983), decided August 8, 1983.

The committee favorably reports this bill without amendment.

SENATE EDUCATION COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 422**

**STATE OF NEW JERSEY**

DATED: FEBRUARY 25, 1985

**PROVISIONS:**

This bill establishes the right of certain school officials to inspect student lockers and similar facilities so long as students are annually notified that inspections may occur.

**BACKGROUND:**

In a recent decision, the New Jersey Supreme Court held that a search of a high school student's locker by school officials was improper because "in the context of this case the student had an expectation of privacy in the contents of his locker." Later in the opinion the court stated, "Had the school carried out a policy of regularly inspecting students' lockers, an expectation of privacy might not have arisen."

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# OFFICE OF THE GOVERNOR NEWS RELEASE

CN-001

Contact: PAUL WOLCOTT  
609-292-8956

TRENTON, N.J. 08625

Release: THURSDAY, JUNE 27, 1985

Governor Thomas H. Kean has signed the following bills:

S-1781, sponsored by State Senator Wayne Dumont, Jr., R-Warren, which establishes a Fund for the Improvement of Collegiate Education. The bill appropriates \$2 million to the Department of Higher Education from the reserves of the Higher Education Assistance Authority.

The Department will use the fund to provide competitive grants to collegiate institutions. The grants are intended to be used to improve collegiate programs, including faculty instruction, the improvement of academic quality of educational programs, the improvement of access by students to higher education and the improvement of student retention levels.

A-837, sponsored by Assemblyman Thomas H. Paterniti, D-Middlesex, which permits a person qualified for a veteran's property tax deduction and a senior or disabled deduction to receive both. The bill is the enabling legislation for a Constitutional amendment approved by the voters last November.

A-422, sponsored by Assemblyman Frank M. Pelly, D-Middlesex, which gives designated school officials the right to inspect lockers and other storage facilities provided by the school for student use, so long as students are notified in writing at the beginning of each school year that such inspections may occur.

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