

FLORIDA LAW

9/23/25  
Meeting Handout  
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Citizen - Pink

**232.256 Search of student locker or storage area; authority.--**

(1) The Legislature finds that the case law of this state provides that relaxed standards of search and seizure apply under the State Constitution to searches of students' effects by school officials, owing to the special relationship between students and school officials and, to a limited degree, the school officials' standing in loco parentis to students. Accordingly, it is the purpose of this section to provide procedures by which school officials may search students' effects within the bounds of the case law established by the courts of this state.

(2) A principal of a public school or a school employee designated by the principal, if she or he has **reasonable suspicion** that a prohibited or illegally possessed substance or object is contained within a student's locker or other storage area, may search the locker or storage area.

(3) The school board shall cause to be posted in each public school, in a place readily seen by students, a notice stating that a student's locker or other storage area is subject to search, upon **reasonable suspicion**, for prohibited or illegally possessed substances or objects.

(4) This section shall not be construed to prohibit the use of metal detectors or specially trained animals in the course of a search authorized by subsection (2) or subsection (3).

## SUPREME COURT PRECEDENCE

### New Jersey v. T.L.O.

1985

Is a landmark case that addresses the balance between students' rights and the authority of school officials to conduct searches. The case arose when a school official searched a student's purse after discovering her smoking in the restroom. The subsequent search revealed illegal items, leading to delinquency charges against the student, T.L.O. She contested the search's legality under the Fourth Amendment, which protects against unreasonable searches and seizures. The U.S. Supreme Court ultimately ruled that school officials could conduct searches under a standard of "reasonable suspicion" rather than the stricter "probable cause" required for police officers. This ruling acknowledged that while students have a legitimate expectation of privacy, school authorities must ensure a safe and conducive learning environment. The decision set important precedents for how school officials can handle searches and emphasized the unique context of educational settings. This case remains significant in discussions about student rights and school authority in the context of legal standards.

Although police officers are usually required to show they have probable cause to believe that a person has violated the law, the Supreme Court allowed that school officials may need to show only that they have a reasonable suspicion that a search would produce evidence that a student has violated a school code. The court justified this relaxed standard for school officials by citing the major social problems evident in schools nationwide and a school's need to maintain an educational environment.

## LEGAL DEFINITION

Reasonable suspicion is a legal standard allowing police to temporarily detain and briefly search a person if they have specific, articulable facts suggesting that criminal activity is occurring, has occurred, or will occur. This standard is more than a "hunch" or gut feeling but requires less evidence than the probable cause needed for an arrest. For example, an officer might have reasonable suspicion to stop and question someone observed exchanging small packages for cash in a high-crime area, or to conduct a limited pat-down for weapons if they believe the individual is armed and dangerous.

### Key Characteristics:

- Specific, Articulable Facts: The suspicion must be based on concrete details, not just a vague feeling.
- Totality of the Circumstances: Officers must consider all the relevant factors, including the context, behavior, and prior knowledge.
- Objective Standard: An objectively reasonable police officer in the same situation would also suspect criminal activity.
- Lower than Probable Cause: It is an intermediate legal standard, less stringent than probable cause, which is required for an arrest or search warrant