

## Teacher Notes



# The Fourth Amendment: The Issue of Search and Seizure

## Activity 2 Investigating Search and Seizure Issues in Your School

### ***Activity Overview***

In this activity, students will read the United States Supreme Court Case, *New Jersey v. T.L.O.*, 469 U.S. 325. Students will form groups of three and then independently research an assigned issue. Students will share their findings with the group and then the group will create a timeline of what is needed for a school search to be valid. Once this has been completed, all students will

## Activity at a Glance

- ◆ **Subject:** Social Studies
- ◆ **Subject Area:** Civics/Government
- ◆ **Category:** Due Process Rights
- ◆ **Topic:** Search and Seizures in Schools
- ◆ **Grade Level:** 10 - 12
- ◆ **Prerequisites:** Students should be familiar with the broad search and seizure laws discussed in Activity 1. Students should be able to discuss what a legal search and seizure is and some of the exceptions. Students should also have a working grasp of the term "reasonableness."
- ◆ **Total Teaching Time:** 120 minutes

## Materials

- ◆ TI-83 Plus
- ◆ TI External Keyboard
- ◆ NoteFolio™ and TlmeSpan™ applications installed on each student's TI-83 Plus
- ◆ TlmeSpan™ Creator software installed on the classroom computers
- ◆ TI Connectivity Cable and TI Connect™ software or TI-Navigator™ Classroom Network
- ◆ Unit-to-unit cables
- ◆ Student Work Sheet: **Searches and Seizures in Our Public Schools – Sheets 1, 2, and 3**

participate in a Socratic Seminar where the issue of school searches will be further explored.

**Tip**

- ◆ This activity requires that students use a TI-83 Plus that has the NoteFolio™ and TlmeSpan™ applications installed.
- ◆ The class is divided into groups of three students. In the event that groups are uneven, either have one student answer more than one of the issues on the flow sheet or have two students research one issue if the group is larger than five.
- ◆ Students should be given the case, *New Jersey v. T.L.O.*, one or two nights earlier so they can spend some time taking notes on the case.

**Directions****Before the Activity Begins**

Make sure each student has a TI-83 Plus loaded with the NoteFolio™ and TlmeSpan™ applications. Also ensure that the classroom computers have the TlmeSpan™ Creator software installed. Make enough copies of the three Student Work Sheets in this activity so that each student can receive a copy of each one.

Divide the class into groups of three students. Assign each student a number from one to three within his or her group. The numbers correspond to the issues contained on the Student Work Sheet, **Searches and Seizures in Our Public Schools – Sheet 2**.

**During the Activity**

Distribute the Student Work Sheets, **Searches and Seizures in Our Public Schools – Sheet 1** and **Sheet 2**, to the students. Read and review the directions contained on **Sheet 1** with the class. This work sheet explains their assignment with regard to both individual efforts and collaborative group work. Explain that they will each be researching, in-depth, one area of questioning about the *New Jersey v. T.L.O.* case.

Monitor student/group progress. Assist the students as they work through the case and guide their discussions, if necessary. Make sure that the students are discussing the project with regard to their issue, and that they are not simply debating whether the Supreme Court made the right decision.

During Step 3, help the students to connect their TI-83 Plus handhelds together, if necessary. Make sure that all students download their newly created timeline from the TlmeSpan™ Creator software to their TI-83 Plus handhelds. Inform students that the timeline will be used as a study aid for the upcoming examination. The timeline is a way for the students to take what they have learned in their group discussions and develop it further into a study aid.

Distribute the Student Work Sheet, **Searches and Seizures in Our Public Schools – Sheet 3**, when timelines are completed. Read and review the directions with the

class. The students answer these questions on their own because their answers will be used as a starting point for a Socratic Seminar during the next class.

***After the Activity***

Collect the second Student Work Sheet.

Open the TimeSpan™ Creator software on the teacher's PC. Ensure that a projector is connected to the PC so that the timelines can be displayed for the class to view. Have students volunteer to present the timelines they have created. Also develop a timeline from the presentations that can be sent back to the students to use as a study aid.

Debrief the students at the conclusion of this activity concerning *New Jersey v. TLO*, but be careful to only discuss what the Court decided. Ask students to think about the case and to finish answering the questions on Student Work Sheet, **Searches and Seizures in Our Public Schools – Sheet 3**.

## ***Student Work Sheet***

Name: \_\_\_\_\_

### ***Searches and Seizures in Our Public Schools – Sheet 1***

Date: \_\_\_\_\_

#### ***Step 1***

Each member of your group will independently research one of the three main issues outlined in Student Work Sheet 2. The issue you research corresponds to the number you were given in class. For example, if you were assigned number one, then you research #1 on the handout.

Review the case, *New Jersey v. T.L.O.*, at the Web site [www.oyez.org/oyez/resource/case/275](http://www.oyez.org/oyez/resource/case/275) to determine what the Supreme Court decided about your assigned research issue. Once you have collected this information, record it on Student Work Sheet 2.

Enter the information that you recorded on Student Work Sheet 2 into a new NoteFolio™ file. When the data entry is complete, save the file and title it with your last name and the number that you were given in the group. For example, if your last name is Howard and you were given issue #3 to research, the name of your NoteFolio™ file would be Howard3.

When your group reconvenes to share results, share your file with the other group members using the unit-to-unit cable to exchange the files on your TI-83 Plus handhelds. In this manner, everyone in the group should have his or her own copy of the entire group's work to use in designing a timeline.

#### ***Step 2***

After every member has completed the tasks in Step 1, the group will reconvene and share what they have learned about the issues of the case.

As each group member discusses what he or she has learned about his or her issue, try to determine if you agree with the speaker. Although your task may have been to research a different issue, you have read the same case and should be able to understand it as a whole. This critical thinking acts as a check for your group to help determine whether you have all found the correct information.

Once you have thoroughly discussed the issues and discovered what the court held, your group's next task is to create a group timeline using the TimeSpan™ Creator software installed on a classroom PC. You will use this timeline as a study tool for future examinations, and creating it helps ensure that you know how to examine a similar case with corresponding issues.

#### ***Step 3***

When you have completed your timeline, ask your teacher to review your work to ensure that you have correctly developed the order. This is important because you will use this timeline in the next activity.

***Step 4***

Individually answer the questions on Student Work Sheet 3. These questions will be used as the starting point for the class' Socratic Seminar in the next class period. Also, review *New Jersey v. T.L.O.* in its entirety to develop questions for the Socratic Seminar.

***Student Work Sheet***

Name: \_\_\_\_\_

***Searches and Seizures in Our Public Schools – Sheet 2***

Date: \_\_\_\_\_

***ISSUES TO RESOLVE***

***Issue #1 Conditions Necessary to Conduct a Search***

Using the information from the case that you read answer the following questions:

- ◆ What are the conditions necessary to conduct a school search?
- ◆ Do these conditions apply to all students or only to certain students?
- ◆ Who can conduct the search at the school?
- ◆ What is the requirement to have a search at a school?

***Issue #2 Scope of an Authorized Search***

For a case like this, in what type of setting can a lawful search take place? What can be searched besides the student?

***Issue #3 Possibility of Random Searches***

Did the Supreme Court leave open the option for random searches without individualized suspicion? If a principal thought there was a gun in a student's locker, could he or she search everyone's locker? If random searches were imposed, what limits would there be on school officials?



- ◆ Should minors have equal rights to adults? If so, why do you think they should? If not, why not?