CREATING A FLOW CHART FOR SEARCH AND SEIZURE
Concepts Related to Searches

- Not a search unless conducted by state actor
- Justified at inception
- Individualized suspicion where highly intrusive
- Risk to safety or discipline for highly intrusive search
- Reasonably related to objectives of the search
- Reasonably related in scope to circumstances that justified search
- Not a search unless legitimate expectation of privacy
- Reasonable grounds for suspicion of violation of law or school rules
- Not excessively intrusive, given age and sex of student and nature of infraction
- Special needs justifying random search
Two Examples
Linear Flow Chart
Graphic Flow Chart
Creating a Linear Flow Chart

- Not a search unless by state actor
- Justified at inception
- Special needs justifying random search
- Reasonable grounds for suspicion of violation of law or school rules
- Not excessively intrusive, given age and sex of student and nature of infraction
- Individualized suspicion where highly intrusive
- Risk to safety or discipline
- Reasonably related to objectives of the search
- Appropriate safeguards for privacy
- Not a search unless legitimate expectation of privacy
- Reasonably related in scope to circumstances that justified search

Search?
- State actor
- Legitimate expectation of privacy

Justified at inception?
- Reasonable grounds for suspicion
  - violation of law
  - violation of school rules

Reasonably related in scope to circumstances that justified search?
- Reasonably related to objectives of the search
- Not excessively intrusive
  - Age of student
  - Sex of student
- Highly intrusive
  - Individualized suspicion
  - Sufficient risk to safety or discipline
- Random search
  - Special needs
  - Appropriate safeguards for privacy
Creating a Graphic Flow Chart
Key Principles

- Make it yourself
- Focus on problem-solving steps (analytical steps)
- Use a format that best suits your learning style and memory
- Memorize the steps