

TS Support for TLO maintains student privacy rights. **A** New Jersey claims that school officials have the right of *in loco parentis* and are acting in place of the parents. **A** This is an extreme contention. **A** Schools are not acting in place of the parents; students do not give up their constitutionally protected privacy rights when they leave their homes and attend schools. **B** The framers clearly defined a legal search in the Fourth Amendment: the government must provide probable cause. **B** Government officials, who include school employees and police officers, have successfully followed this constitutional guidance for generations. **C** Those in the court who advocate for New Jersey cite the clause in the Fourth^h Amendment that protects the "right of the people...against unreasonable searches...." **C** They maintain that the search of TLO was reasonable. **C** New Jersey dangerously ignores that the Fourth Amendment clearly defines an unreasonable search as a search lacking probable cause. **D** New Jersey further suggests that the courts must determine whether the requirement of probable cause in a school setting is a reasonable expectation. **D** Once again, New Jersey advocates tread on dangerous ground here. **D** The courts must protect a student's legitimate right to privacy outside the home. **CS** Only support for TLO will uphold the fundamental constitutional guarantee of student privacy.

IT New Jersey maintains that because a school setting is fundamentally different than other settings outside the home such as the mall or skating rink, the courts must strike a balance between the special needs of the school setting and a student's reasonable right to privacy. **TS** Such reasoning is flawed, both establishing a dangerous precedent and fundamentally weakening student privacy rights.