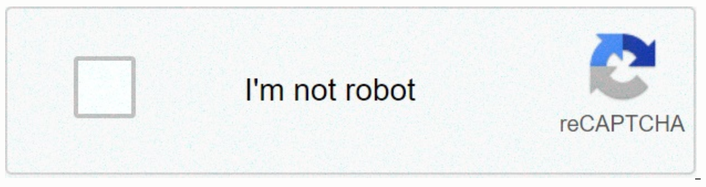

Continue

Vernonia school district v. acton impact

Vernonia School District 47J responder Wayne Acton, et al. petition allequid that the school's policy mandating random drug testing for participants in inter-scoelastic sports programs does not violate the Fourth Amendment's prohibition against illegal search and seizures. Senior petition attorney Timothy R. Volpert, John E. Medazo, Davis Wright-Termine senior answering attorney Thomas M. Crist, John E. Whitmeier, Steven R. Shapiro justice for the trial of Stephen Breyer, Ruth Bader Ginsburg, Anthony M. Kennedy, William H. Rehnquist, Antonin Scalia (writing for the Court), Clarence Thomas Justices dissenting Sandra Day O'Connor, David H. Souter, John Paul Stevens Place Washington, D.C. Date of Decision 26 June 1995 Decision Uphel School District Claims, Empty judgment by appeals court and remanding the case for further proceedings in an appeals court consistent with the finding that Vernonia student athlete drug testing policy does not violate the Fourth Amendment ban against unreasonable search and seizures. Delaware against. Prouse, 440 U.S. 648 (1979). New Jersey v. T.L.O., 469 U.S. 325 (1985). Skinner v. Railway Executives' Association, 489 U.S. 602 (1989). Bureau of Justice Statistics Sourcebook of Criminal Justice Statistics--1996. Washington, DC: U.S. Government, 1997. Further Readings Biskupic, Joan, and Elder Witt, eds. U.S. Supreme Court Guide, 3. Washington DC: Congressional Quarterly Inc., 1990. Hermes Legal Information and Project Institute. . Below is a brief case for Vernonia School District 47J V. Acton, 515 U.S. 646 (1995) Case Summary of Vernonia School District 47J v. Acton: Finding that the drug problem in the school district was getting alarmingly worse, and that school athletes were leaders in the drug culture at school, the Vernonia School District 47J created a student-athlete drug policy. The drug policy allowed random urine screening for all students who participate in school sports programs. Akon's respondent refused consent to the student and athlete's drug policy, and therefore was not allowed to participate in school athletics. Acton and his parents filed a lawsuit in federal district court seeking a declaration that the drug policy violated the Fourth and Fourteenth Amendments and the Oregon Constitution. The District Court denied the suit, but the 9th Circuit Court of Appeals reversed. The U.S. Supreme Court reversed the 9th Circuit and held that drug policy does not violate the Fourth Amendment's prohibition against unreasonable searches and seizures. Statement of Facts: The Vernonia School District in Oregon noted an increase in rainfall on drug and alcohol abuse at school. After a number of intelligence and disciplinary efforts to contain the student's drug problem, the school district finally created athletes drug policy . The incoming school district invited the district's parents to formulate a policy. The drug policy allowed random urine screening for all district students who participated, or wished to participate, in school sports programs. Seventh-grader James Ekoen signed up to play football in the area. However, he and his parents refused to sign a consent agreement allowing Acton to be tested under drug policy. As a result, Acton was not allowed to play football. Acton and his parents filed a lawsuit in federal district court, allelicating that drug policy was an unreasonable search and seizure in violation of the Fourth Amendment, the 19th Amendment and the Oregon Constitution. They sought declared relief, and sentencing, putting a moratorium on drug policy. Procedural history: The Federal District Court denied Acton's claims. The 9th Circuit Court of Appeals reversed and found that drug policy violated both the federal and state constitutions. The U.S. Supreme Court granted a headline. Issue and Holdings: Does a school policy that allows random drug screening of student athletes constitute an unreasonable search and seizure under the Fourth Amendment? no. Judgment: The decision of the 9th Circuit Court of Appeals remains reversed and remains. Rule of law or applied legal principle: Public school policy does not constitute random drug testing athletes against a school-level drug problem as unreasonable searches and seizures in violation of the Fourth Amendment. Reasoning: The government's mandatory collection and testing of a person's urine sample is a search for Fourth Amendment purposes. The important issue here is whether the search in question - drug policy - is reasonable. The reasonableness of a search is determined by balancing the influence on a person's Fourth Amendment interests against the state interests that the search is promoting. In that case, the drug policy is reasonable when balancing those benefits. Taking into consideration the privacy interests of the Fourth Amendment student: Students are now reducing the expectation of privacy compared to adults because of the school's regulatory authority. School children must also submit regularly to physical exams and vaccinations. Student athletes expect even less privacy because they are subject to pre-season exams and typically share shared locker rooms. In addition, collecting urine samples is by no means intrusive given that homosexual monitors are observed only to prevent sample manipulation. The gleaned information from sample testing is limited to audiences. Given the government's interest in the issue: there is no doubt about the need to deter drug use by school children. Drug policy on issue is limited only to student athletes. Due to the extent of the drug The district court's determination that immediate school district concerns were clearly not wrong. Finally, the Fourth Amendment does not require the search for minimal intrusion in all cases, and thus it is not necessary to search on the basis of suspicion of drug use. When balancing competing interests, reducing expectations of privacy, the relative bluntness of search and the serious need to address the drug problem at school, it leads to the conclusion that drug policy is based on reasonable fourth and sixteenth amendments and the Constitution. Same-time and opposing comments: The same opinion (Ginsberg): Drug policy only applies to athletes and the most severe lifting embargo is the removal of play sports for school. The court's opinion seems, appropriately, avoiding the question of whether it can impose drug policy on all students, rather than just athletes. Dissenting opinion (O'Connor): The court's decision allows the intrusive search of millions of student athletes across the country who have offered no reason for school officials to suspect they are using drugs. The court's decision here is wrong because it allows for a blanket search of students. For most of the country's history, mass searches and suspicion based on the Fourth Amendment have been deemed unreasonable. There is no evidence to suggest that a suspicion-based policy would be ineffective, and therefore a blanket search policy should be deemed unconstitutional. Importance: Vernonia School District 47J v. Ecoen sparked some controversy. Some proponents of the war on drugs hailed the decision as a victory for children, while others found it put children in a state of second-class citizens. This case illustrates the challenges of balancing benefits under the Fourth Amendment. Student sources: Read the full court opinion listening to Vernonia School District 47J V oral argument. Acton et ux., Guardians ad Litem for Acton (No. 94-590) 515 U.S. 646, is a case that was argued before the U.S. Supreme Court on March 28, 1995, and decided on June 26, 1995. It ruled on the constitutionality of random drug testing of student athletes. Located in the small log town of Vernonia, Oregon, Vernonia School District 47J was made up of a high school and three class schools. During the 1980s, school athletics played a prominent role in the city's life, and students-athletes served as role models. However, in the mid to late 1980s, teachers and administrators observed students and athletes boasting of drug use, which they believe promotes a drug culture. Simultaneously disciplinary referrals doubled compared to the early 1980s. In addition, some athletes were harmed because of their drug use, as well as the use of others. First The district invited, offered guest speakers, and created special classes to educate students about the dangers of drug use. When the problem persisted, they brought in trained dogs to sniff drugs on campus, but to no avail. To address the drug problem among athletes, district officials granted a proposal of student athlete drug policy to parents, who provide input in politics and unanimous approval for it. The school board adopted the policy, which aimed to prevent students and athletes from using drugs, protect their health and safety, and provide programming to help drug users. Under this policy, athletes were tested by urine at the beginning of the season, and then randomly selected for one-week testing during the season. The students' urine samples were sent to an independent laboratory and tested for amphetamines, cocaine, and marijuana. Only managers, managers, deputies, and sports managers had access to test results that were kept for only one year. If a sample was tested positive, the second test was performed to confirm the result. If the second test was negative, no action was taken. If the second test was positive, then the athlete's parents would be notified and the athlete could choose one of two options: (1) Participating in an outdress program that included weekly urine or (2) remains out of the sports season and the next option is suspended. The second time violators were automatically given option 2. Third-time violators were suspended for the remainder of the season and the next two seasons. The policy required all students and athletes participating in interscolastic sports and their parents to sign a drug testing consent form as a condition of participation in sports. The policy was in place for two full years when James Acton, who was a seventh grader at the time, was banned from playing football because his parents refused to sign test consent forms. In 1991, actons filed suit, alleating that the district policy violated Article I, §9, of the Oregon Constitution, as well as the Fourth Amendment to the U.S. Constitution, which argues for the right of people to be safe in individuals, homes, papers, and their effects, against unreasonable searches and seizures, and the 14th Amendment to the U.S. Constitution, which guarantees the Constitution for search and seizures by government officers including public school officials. Slow. After Couch's trial, the Vernonia District Court denied the Actons' claims and rejected the suit. However, the U.S. Court of Appeals for the Ninth Circuit reversed the district court's ruling, and this policy actually violated both the Fourth and 14th Amendments to the U.S. Constitution and Article I, §9 of the Oregon Constitution. In a 6-3 U.S. Supreme Court vote That mandatory drug testing does not violate fourth amendment students and athletes and, therefore, is constitutional. The court argued that children in schools had less privacy than free adults. As previously argued in Jersey v. The T.L.O. case allowed warranty-free searches on school grounds because schools have what the court deemed special needs to maintain and enforce disciplinary procedures. Teachers, educators, and principals stand on loco parents over children; so they have custody obligations and training to protect children's health and health. In addition, the majority decision argued that student volunteers and athletes choose to participate in activities that are closely regulated and are informed of regular influence over the rights and privileges of other students, including privacy. For example, they willingly expose themselves to an even higher degree of regulation, as they must be provided to pre-season physical examination, demonstrate proof of insurance, maintain a minimum grade average, and comply with the rules of conduct as determined by the sport. Browse school violence research topics or other criminal justice research topics. References: Andresen, S. A. (2008). Call for drug testing of high school students and athletes. Marquette Sports Law Review, 19(2), 325–335. Arnold, T. L. (1996). The constitutionality of random drug testing of students and athletes makes the cut.. But will athletes be? Journal of Law & Education, 25(1), 190–198. Donaldson, J. F. (2006). Life, freedom, and follow-up of urine: The Probation of Random Drug Testing without suspicion in public schools. Valparaiso University Law Review, 41(1), 815–854. Penrose, M. (2003). Shedding rights, crushing rights: critical review of student privacy rights and the doctrine of special needs after Earl. Nevada Law Journal, 3(2), 411–451. Shutler, S. E. (1996). Random testing without drug suspicion of high school athletes. Journal of Criminal Law and Criminology, 86(4), 1265–1303. Vernonia School District 47J v. Acton et ux., Guardians ad Litem for Acton (No. 94-590) 515 U.S. 646. (n.d.). Yamaguchi, R., & Hinkle-DeGroot, R. (2002). Legal and educational issues behind drug testing at school. Ann Arbor, MI: Institute for Social Research. Research.