

# KNOW YOUR RIGHTS WHEN FACED WITH METAL DETECTORS AT SCHOOL

## NYCLU

### WHAT ARE THE POLICIES ABOUT METAL DETECTORS IN SCHOOLS?

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There are at least two places where policies on scanning are found.

- Chancellor's regulations, A-432 from 2005.
- State Department of Education and NYPD's joint policy from 2016.
- See if your individual school has a policy on scanning.

### WHY METAL DETECTORS?

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- The Chancellor's regulations state that "The purpose of the metal detector scan is to prevent weapons and/or contraband from entering the schools," (A-432(II)(A)(1)).
- Mayor de Blasio increased scanning at the end of 2021 as a result of the discovery of five guns in schools in a 24-hour period back in October.
  - » One of the guns was discovered at a school that has permanent metal detectors. One was found during an announced screening. One was found during a fight between two students. The remaining two *were not found* at metal detectors but were reported by classmates or parents.
- The DOE says this is the "easiest" way for the city to stop weapons from getting into a school. We have serious doubts about how effective metal detectors are for keeping students safe.

### WHY KNOW YOUR RIGHTS?

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- Students should have a say in the policies around school climate. We believe in school safety that is built on relationships and does not rely on force or invasive technology.
- Students should have a say in the presence of metal detectors on campus.
- Knowing your rights can help you individually decline scanning without repercussions to your school attendance or your disciplinary record.
- Knowing your rights will help you navigate scanning and maintain dignity if you are scanned/ searched.

### YOUR RIGHTS

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- There are ways principals can help stop scanning. For example, if a student declines scanning, the principal can allow the student to go directly into school. Under no circumstances should a student who declines to be scanned be denied admission to school (according to the DOE regulation A-432(II)(A)(3)). It is at the principal's discretion how the student should be admitted to school.
- Principals must also be present at scanning or they can designate someone else (A-432(II)(A)(2)). If a principal or designee is not present at scanning, students might have to wait for a principal or assistant principal. If your principal/assistant principal is not there, you can ask to wait.
- You have a right to decline scanning. Declining scanning requires the school safety agent to refer the students to the principal (A-432(II)(A)(3)).
- School Safety Agents are not supposed to confiscate everyday items, such as keychains, deodorant, eating utensils, school supplies, phones, and more. Anything they take from you that is not illegal or prohibited in school should be returned to you, according to the regulations.

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