

The Legal Literacy Gap

What New Jersey high school students know, and don't know, about their own rights

By Naomie · 130 student responses

42%

average share of students who answered six everyday rights scenarios correctly

45%

believe a school needs a warrant to search a student's phone. It doesn't.

66%

say students do not get enough education about their legal rights in school

82%

say it is important for high schools to teach students their legal rights

Why I ran this survey

Most of us will never read a court opinion, but almost all of us will run into the law before we graduate. A principal asks to see your phone. A police officer asks to look in your bag. Something you posted from your bedroom ends up in the main office. In those moments, what you know, or think you know, decides what you do next.

I wanted to find out how much students my age actually know about their rights in those exact situations, not in the abstract. So I wrote a short survey built around realistic scenarios and shared it with students across New Jersey through social media and friends at other schools. 130 high school students responded. This report is what they told me.

The short version is that students know the civics-class material and miss the real-life material. They can tell you the Constitution is hard to amend. They can't tell you what happens when a principal asks for their phone. And they know it. Fewer than three in ten feel confident they understand their rights, and two in three say school isn't teaching them.

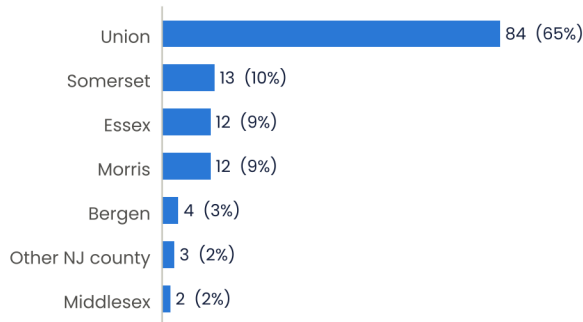
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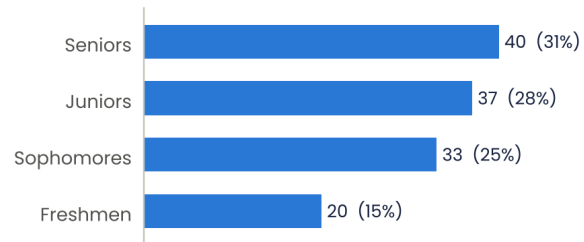
Who took the survey

130 students from at least seven New Jersey counties responded. About two-thirds came from Union County, which reflects where the survey spread first, with smaller groups from Somerset, Essex, Morris, Bergen and Middlesex. All four grades are represented, with juniors and seniors making up about six in ten.

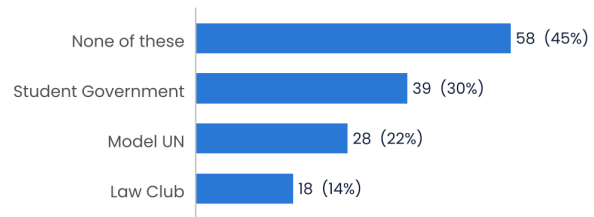
County of high school



Grade



In a law-related activity?



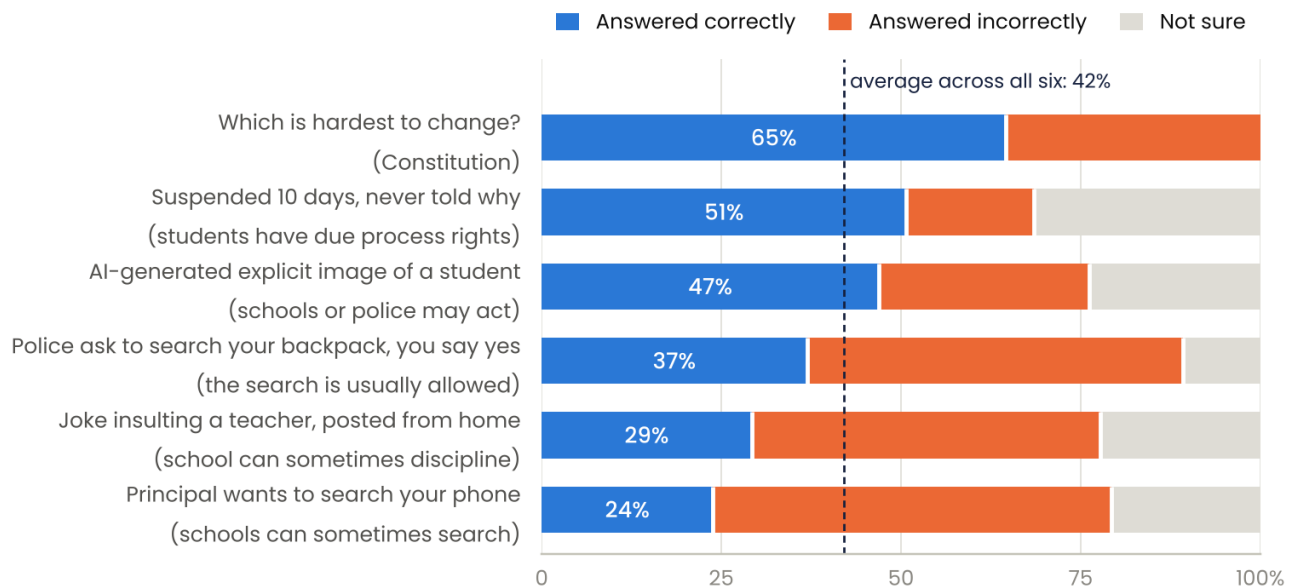
One thing to keep in mind while reading: more than half of the respondents (55%) are in Law Club, Model UN or Student Government. These are students you would expect to know more about the law than average. If anything, the gaps in this report are understated for the general student population.

How the survey worked

I built the survey in Google Forms with 13 questions. Three asked about the respondent (county, grade, activities). Six described a realistic situation and asked which statement was most accurate, with “not sure” offered on five of them so no one had to guess. The last four asked about confidence, where students would go for help, and whether schools teach this well enough. It was anonymous and took about three minutes. I shared it on social media and asked friends at other schools to pass it along, so this is a convenience sample rather than a random one. It leans toward Union County, toward upperclassmen and toward students in law-related activities. The results describe the students who responded, not every teenager in New Jersey, but the gaps they reveal are large and consistent enough to take seriously. Percentages are rounded, so a few groups add up to 99% or 101%.

Students got fewer than half of the scenarios right

The six scenario questions covered searches, speech, discipline, online harm and the basic structure of law. Across all six, an average of 42% of students chose the correct answer. The chart below shows each question, sorted from the best result to the worst, with the correct answer in parentheses.



The pattern inside the number

The question students did best on, which kind of law is hardest to change, is the kind of thing that appears on a civics test. The questions they did worst on are the ones that actually happen to teenagers. Fewer than one in four knew that a school can sometimes search a phone without a warrant, and fewer than three in ten knew that a school can sometimes discipline a student for a post made at home.

On the two search scenarios, uncertainty was not the problem. Only 21% and 11% of students said they were not sure. Most students picked a specific wrong answer with some confidence. That is the more worrying kind of gap, because a student who is unsure might ask someone; a student who is wrong but confident will act on it.

Students know the civics-class material and miss the real-life material. The two worst results were the two situations most likely to happen in an actual school hallway.

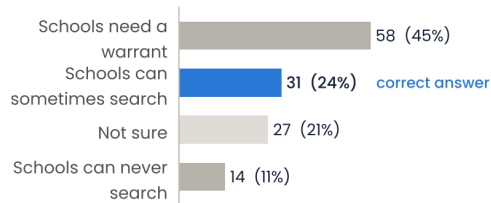
The six scenarios, one at a time

For each question, the chart shows how students answered, and the text explains what the law actually says. The answer key is based on U.S. Supreme Court decisions and New Jersey law.

SCENARIO 1

A principal wants to search your phone

“A principal suspects you cheated on a test and wants to search your phone. Which is most accurate?”



WHAT STUDENTS SAID

Nearly half of the students (45%) believe the school needs a warrant. Only 24% chose the correct answer, the lowest score of any question.

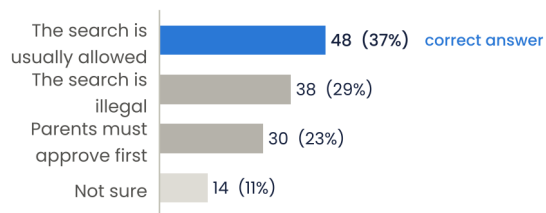
WHAT THE LAW ACTUALLY SAYS

School officials do not need a warrant or probable cause. Under *New Jersey v. T.L.O.*, a 1985 Supreme Court case that started at a high school in Piscataway, a school search is legal if it is reasonable: there must be a reasonable suspicion that the search will turn up evidence of a rule or law being broken, and the search can't be more intrusive than the situation justifies. The warrant rule students have heard of applies to the police, who generally do need a warrant to search a phone (*Riley v. California*, 2014). Schools have more leeway, though a suspicion about one test doesn't automatically justify reading everything on the phone.

SCENARIO 2

A police officer asks to look through your backpack

“A police officer asks: ‘Mind if I look through your backpack?’ You say yes. Which is most accurate?”



WHAT STUDENTS SAID

37% got it right. 29% think the search is illegal, and 23% think a parent has to approve first. Both groups would be surprised by what happens next.

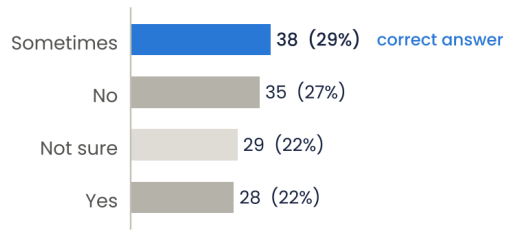
WHAT THE LAW ACTUALLY SAYS

If you voluntarily say yes, the search is generally legal and anything found can be used. Consent is one of the main exceptions to the warrant requirement, and nobody needs a parent's permission for your consent to count. The part most students missed is that you are allowed to say no. In New Jersey, consent only counts if it is given voluntarily and knowingly, and state courts have added extra protection in some situations, such as requiring reasonable suspicion before police can even ask to search a car during a traffic stop. Politely declining is a right, not an admission.

SCENARIO 3

A joke about a teacher, posted from home

“A student posts a joke insulting a teacher from home. Can the school discipline the student?”



WHAT STUDENTS SAID

Answers split almost evenly four ways.

“Sometimes,” the correct answer, was the most common choice but still only 29%. 27% said no, 22% said yes, and 22% were not sure.

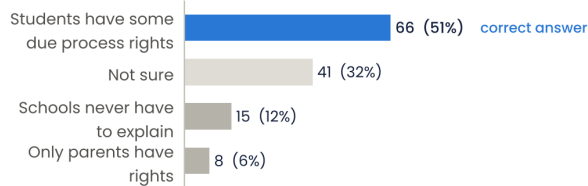
WHAT THE LAW ACTUALLY SAYS

Students don’t lose their free speech rights at school (*Tinker v. Des Moines*, 1969), but schools can act when speech substantially disrupts school or targets other people. In 2021 the Supreme Court ruled in *Mahanoy Area School District v. B.L.* that off-campus speech gets extra protection. That case was about a profane Snapchat post, and the student won. But the Court also said schools keep some authority off campus, for example over serious bullying or threats. A joke that insults a teacher is usually protected. It can cross the line if it becomes harassment, a threat, or causes real disruption at school, and New Jersey’s anti-bullying law lets schools address off-campus conduct that does. So the honest answer is “sometimes.”

SCENARIO 4

Suspended for 10 days and never told why

“A student is suspended for 10 days and is never told why. Which is most accurate?”



WHAT STUDENTS SAID

The best result among the school scenarios: 51% knew students have due process rights. But nearly a third were not sure, the highest “not sure” share on any question.

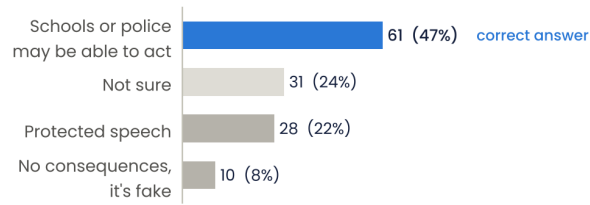
WHAT THE LAW ACTUALLY SAYS

Under *Goss v. Lopez* (1975), a student facing a suspension of up to 10 days is entitled to notice of what they are accused of and a chance to tell their side, normally before the suspension starts. Longer suspensions and expulsions require more formal procedures, and New Jersey rules add written notice to parents. A school that suspends a student for 10 days and never explains why is not following the law. Students who don’t know this have no reason to push back.

SCENARIO 5

An AI-generated explicit image of a classmate

“A classmate creates an AI-generated explicit image of another student. Which is most accurate?”



WHAT STUDENTS SAID

47% correctly said schools or police may be able to act. More than one in five believe it is protected speech, and 8% think there are no consequences because the image is fake.

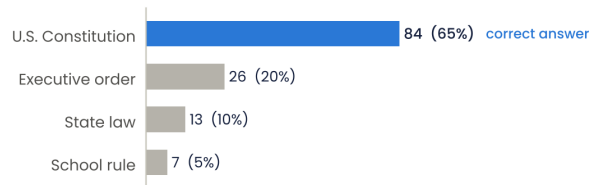
WHAT THE LAW ACTUALLY SAYS

It is not protected speech, and “it’s fake” is not a defense. Sexually explicit images of minors are illegal to create or share, and lawmakers have extended this to AI-generated and edited images. In 2025 New Jersey made it a crime to create or share deceptive deepfakes, with both criminal and civil penalties, and a federal law passed the same year targets nonconsensual intimate images, including AI-generated ones, and requires platforms to take them down. Schools can also act under the state’s anti-bullying law. This is the newest area of law in the survey, and the one where a wrong belief can do the most damage.

SCENARIO 6

Which would be hardest to change?

“Which would be hardest to change: a school rule, a state law, the U.S. Constitution, or an executive order?”



WHAT STUDENTS SAID

The best result in the survey. 65% chose the Constitution. 20% chose executive order, which is actually the easiest of the four to undo.

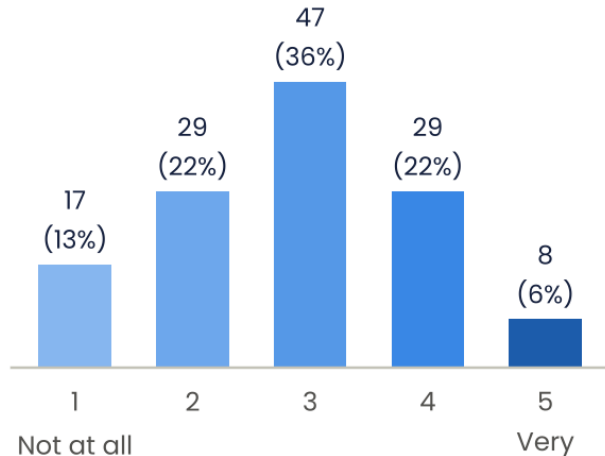
WHAT THE LAW ACTUALLY SAYS

Amending the Constitution requires two-thirds of both houses of Congress and ratification by three-fourths of the states. It has happened only 27 times in more than two centuries. An executive order can be reversed by the next president with a signature, a state law can be changed by the legislature, and a school rule can be changed by a school board. This is the one question that looks like a civics test, and it is the one students did best on.

Students know they don't know

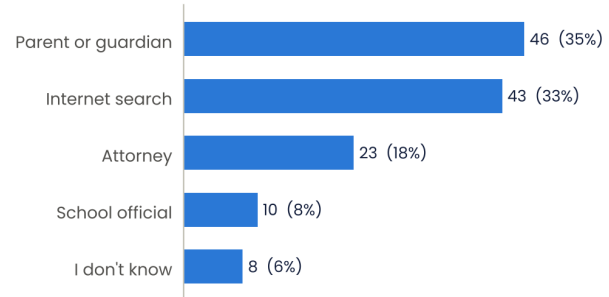
I asked students to rate how confident they are that they understand their legal rights, on a scale from 1 to 5. The average was 2.9. More than a third rated themselves a 1 or 2, and only 6% chose 5.

How confident are you that you understand your legal rights?



1 = not at all confident, 5 = very confident. Average 2.9.

If you had a legal problem, where would you go first?



The low confidence is honest, and in one way it is reassuring. But the scenario results show that the gaps students don't know they have are the bigger problem. On the phone and backpack questions, most students didn't say "not sure." They chose a wrong answer, and nothing in their general sense of uncertainty would have stopped them from acting on it.

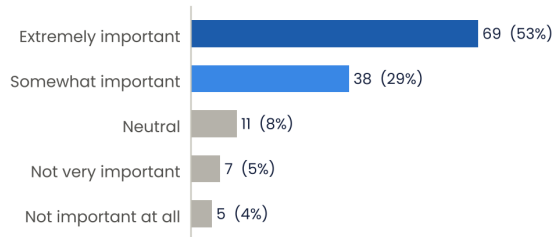
Where students would turn for help matters too. Parents come first for 35% of students, which makes sense. But almost as many (33%) would start with an internet search, and only 8% would go to a school official, even though school is where most of these situations happen. Whatever a search engine returns first will shape what a lot of teenagers believe about their rights.

Feeling unsure about your rights in general doesn't help much if you feel sure about the specific thing you've got wrong.

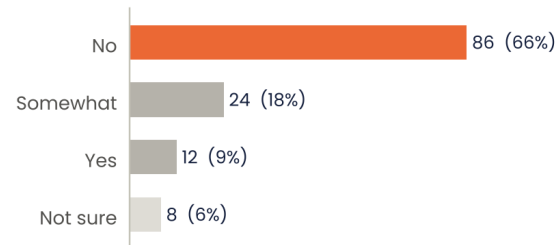
What students want

There is almost no disagreement on this part. 82% of students say it is important for high schools to teach students their legal rights, and 53% say it is extremely important. Fewer than one in ten say it is not very important or not important at all. At the same time, 66% say students do not currently receive enough education about their rights, and only 9% say they do.

How important is it for high schools to teach legal rights?



Do students get enough education about their rights?



What should change

This was a small survey of students in my own network, so it doesn't settle anything. But the results point clearly in a few directions.

- 1 Teach rights in the situations where they actually come up.**

Civics class explains how a bill becomes a law. Students also need to know what happens when a principal asks for their phone, when an officer asks to look in their bag, and when a post from home gets screenshotted. One class period on searches, speech and discipline would cover the three biggest gaps in this survey.
- 2 Correct the warrant myth directly.**

Nearly half of students think a school needs a warrant to search a phone. Every school already has a search policy. It should be explained in plain language in the student handbook, and actually discussed at the start of the year rather than handed out and forgotten.
- 3 Keep up with the law, because it has changed recently.**

The off-campus speech rule was reshaped in 2021 and the rules on AI-generated images were written in 2025. Many textbooks and handouts predate both. Students are living in the newest parts of the law, so those are the parts schools most need to update.
- 4 Put accurate answers where students look for them.**

A third of students would start with an internet search. Short, accurate, teen-friendly explanations of student rights need to exist online and be easy to find, because the alternative is whatever happens to rank first.

The answer key reflects U.S. Supreme Court decisions and New Jersey law as I understand them in October 2026. This report is meant for education and discussion, not legal advice. Anyone facing a real situation should talk to a parent, a trusted adult or an attorney.