

A009-0102

10 AN ACT CONCERNING

20 **Searches and Seizures Performed on Public School Property**

30 FOR the purpose of allowing public school officials to perform searches of student property
40 on school grounds.

50 BY adding to
60 Article - Education
70 Section 7-308
80 Annotated Code of Maryland
90 (1996 Replacement Volume and 1998 Supplement)

100 SECTION 1. BE IT ENACTED BY THE MARYLAND STUDENT LEGISLATURE, that
110 the laws of Maryland read as follows:

120 **Article - Education**

130 §7-308

140 (a) (1) A principal, assistant principal, or school security guard of a public school
150 may make a reasonable search of a student on the premises or on school-sponsored trip if
160 he has a reasonable belief that the student has in his possession an item, the possession of
170 which is a criminal offense under the laws of the State or violation of any other State law
180 or a rule or regulation of the county board.

190 (2) The search shall be made in the presence of a third party.

200 (b) (1) A principal, assistant principal, or school security guard of a public school may
210 make a search of the physical plant of the school and its appurtenances including the
220 lockers of students, STUDENT VEHICLES, BOOKBAGS, OR OTHER POSSESSIONS
230 BELONGING TO STUDENTS.

240 (2) The right of the school official to search the locker, STUDENT VEHICLE,
250 BOOKBAGS, OR OTHER POSSESSIONS BELONGING TO STUDENTS, shall be
260 announced or published previously in the school.

270 (c) The Department shall adopt rules and regulations relating to the searches permitted under
280 this section.

290 SECTION 2. AND BE IT FURTHER ENACTED, that this act shall take effect on August 1,
300 2002.

310 MANDATES: Governor Parris N. Glendening
320 Lt. Governor Kathleen Kennedy Townsend
330 Speaker of the House of Delegates Casper R. Taylor
340 President of the Senate Thomas V. Miller
350 President of Western Maryland College Dr. Joan Coley
360 Honorable Roderick R. Paige, Secretary, U.S. Department of Education

Sponsor:
Brad Widner
Western Maryland College
2 College Hill
Westminster, MD 21157
(410) 751- 8026
bmwwmc@hotmail.com