

CHAPTER 724

(House Bill 1514)

AN ACT concerning

Public Schools - Student Search

FOR the purpose of permitting a principal, assistant principal, or school security guard of a public school to make a reasonable search of a student on the school premises ~~under certain conditions, including the reasonable suspicion that the student has certain substances or weapons in his possession~~ if he has a reasonable belief that the student has certain items in the student's possession.

BY repealing and reenacting, with amendments,

Article - Education
Section 7-307
Annotated Code of Maryland
(1978 Volume and 1981 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland read(s) as follows:

Article - Education

7-307.

(a) (1) A principal, assistant principal, or school security guard of a public school may make a reasonable search of a student on the school premises if he:

~~(i) HAS A REASONABLE SUSPICION THAT THE STUDENT HAS IN HIS POSSESSION A CONTROLLED DANGEROUS SUBSTANCE, ALCOHOLIC BEVERAGE, WEAPON, OR OTHER SUBSTANCE OR ITEM POTENTIALLY INJURIOUS TO THE HEALTH OR SAFETY OF ANY STUDENT, OR~~

(ii) [has] HAS [probable cause to believe] A REASONABLE BELIEF that the student has in his possession an item, the possession of which is a criminal offense under the laws of this State.

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

(b) (1) A principal, assistant principal, or school security guard of a public school may make a search of the physical plant of the school and its appurtenances including the lockers of students.