

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

(B) (1) ~~A PRINCIPAL, ASSISTANT PRINCIPAL, SCHOOL SECURITY GUARD OF A PUBLIC SCHOOL, OR A TEACHER OF A PUBLIC SCHOOL, WHO IS DESIGNATED IN WRITING BY THE PRINCIPAL AND WHO HAS RECEIVED TRAINING TO CONDUCT SEARCHES COMMENSURATE WITH THE TRAINING RECEIVED BY PRINCIPALS, MAY SUBJECT TO THE PROVISIONS OF PARAGRAPH (2) OF THIS SUBSECTION, A COUNTY BOARD MAY AUTHORIZE A TEACHER OF A PUBLIC SCHOOL TO MAKE A REASONABLE SEARCH OF A STUDENT ON A SCHOOL-SPONSORED TRIP IF THE SEARCHER TEACHER HAS A REASONABLE BELIEF THAT THE STUDENT HAS IN THE STUDENT'S POSSESSION AN ITEM, THE POSSESSION OF WHICH IS A CRIMINAL OFFENSE UNDER THE LAWS OF THIS STATE OR A VIOLATION OF ANY OTHER STATE LAW OR A RULE OR REGULATION OF THE COUNTY BOARD.~~

(2) TO QUALIFY TO CONDUCT A SEARCH UNDER THIS SUBSECTION, A TEACHER SHALL BE DESIGNATED IN WRITING BY A PRINCIPAL AND RECEIVE TRAINING TO CONDUCT A SEARCH COMMENSURATE WITH THE TRAINING RECEIVED BY A PRINCIPAL.

~~(2) THE (C) A SEARCH UNDER SUBSECTION (A) OR (B) OF THIS SECTION SHALL BE MADE IN THE PRESENCE OF A THIRD PARTY.~~

[(b)] ~~(C)~~ (D) (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.

(2) The right of the school official to search the locker shall be announced or published previously in the school.

[(c)] ~~(D)~~ (E) The Department shall adopt rules and regulations relating to the searches permitted under this section.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2004.

Approved May 11, 2004.

CHAPTER 325

(House Bill 172)

AN ACT concerning

Higher Education - Resident Tuition Charges - United States Military Personnel, Spouses, and Dependents

FOR the purpose of establishing that certain military personnel, spouses, and dependents of military personnel, and certain veterans are exempt from paying nonresident tuition at certain public institutions of higher education under certain circumstances; requiring the Maryland Higher Education Commission to