
By: **Delegates King, Barkley, Boschert, Cryor, Dumais, Feldman, Heller,
Kaiser, Montgomery, Murray, Simmons, Stern, and Taylor**

Introduced and read first time: February 7, 2003

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Searches of Students - School-Sponsored Trips - Principal's Designee**

3 FOR the purpose of authorizing a principal's designee to make a certain search of
4 certain students on a school-sponsored trip; making certain stylistic changes;
5 and generally relating to authorizing a principal's designee to make searches of
6 students on school-sponsored trips.

7 BY repealing and reenacting, with amendments,
8 Article - Education
9 Section 7-308
10 Annotated Code of Maryland
11 (2001 Replacement Volume and 2002 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - Education**

15 7-308.

16 (a) (1) A principal, assistant principal, or school security guard of a public
17 school may make a reasonable search of a student on the school premises [or on a
18 school-sponsored trip] if [he] THE SEARCHER has a reasonable belief that the
19 student has in [his] THE STUDENT'S possession an item, the possession of which is a
20 criminal offense under the laws of this State or a violation of any other State law or a
21 rule or regulation of the county board.

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

23 (b) (1) A PRINCIPAL, PRINCIPAL'S DESIGNEE, ASSISTANT PRINCIPAL, OR
24 SCHOOL SECURITY GUARD OF A PUBLIC SCHOOL MAY MAKE A REASONABLE SEARCH
25 OF A STUDENT ON A SCHOOL-SPONSORED TRIP IF THE SEARCHER HAS A
26 REASONABLE BELIEF THAT THE STUDENT HAS IN THE STUDENT'S POSSESSION AN
27 ITEM, THE POSSESSION OF WHICH IS A CRIMINAL OFFENSE UNDER THE LAWS OF

1 THIS STATE OR A VIOLATION OF ANY OTHER STATE LAW OR A RULE OR REGULATION
2 OF THE COUNTY BOARD.

3 (2) THE SEARCH SHALL BE MADE IN THE PRESENCE OF A THIRD PARTY.

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

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

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

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 July 1, 2003.