



STUDENTS: Services to Students

Searches

I. Policy Statement

- A. The Board of Education of Baltimore County (Board) is committed to providing a safe and secure learning environment free from dangerous or illegal items and those items that constitute a violation of Board policy. In order to further this commitment, and pursuant to its statutory authority, the Board authorizes Baltimore County Public Schools' (BCPS) administrators to conduct a reasonable search of a student and of the student's personal belongings on school property or during any school-sponsored activity in accordance with Maryland law and this policy.
- B. This policy provides guidelines to conduct searches of students and their possessions and provides a uniform process for the administration of such searches.

II. Definitions

As used in this policy, the following definitions shall apply:

- A. *Administrator* means the principal or assistant principal of a Baltimore County Public School (BCPS).
- B. *School Property* means any BCPS-owned, controlled, or leased property or vehicle regardless of whether students are present.

III. Guidelines

A. Notice

Each school principal shall inform parents and students about the right to conduct searches on school property or during school-sponsored activities through the distribution of the *Student Handbook* at the beginning of each school year. Additional announcements may be made at the discretion of the principal.

B. Searches of Students

POLICY 5460

1. An administrator may make a reasonable search of a student on school property or during a school-sponsored activity if the administrator has a reasonable belief that the student has in his/her possession an item, the possession of which is a criminal offense under the laws of the state of Maryland or a violation of any other state law or policy or rule of BCPS.
2. Strip searches are prohibited.
3. Searches must be conducted in the presence of an adult third party of the same gender as the student being searched.
  - a. The adult third party shall be a BCPS employee.

C. Searches at Schools

1. Desks, lockers, and storage spaces, which are provided to students, are the property of BCPS. An administrator may make a search of the physical plant of the school and its appurtenances, including student desks, lockers, and storage spaces at any time. The right of administrators to search the locker shall be announced or published previously in the school.

D. Searches of Students on School-sponsored Trips

1. An administrator or designated teacher may make a reasonable search of a student on a school-sponsored trip if the searcher or designated teacher has a reasonable belief that the student has in his/her possession an item, the possession of which is a criminal offense under the laws of the state of Maryland or a violation of any other State law or policy or rule of BCPS. The search shall be made in the presence of an adult third party of the same gender as the student being searched.
  - a. The adult third party shall be a BCPS employee.
2. A teacher designated to conduct a search under this section shall be designated in writing by the school principal and shall receive training to conduct a search commensurate with the training received by a principal prior to a school-sponsored event.

IV. Seizure

- A. All items found during any search will be seized by the administrator or authorized teacher when the possession of such items violates any state law or school system policy or rule.

- B. All items seized must be retained by the administrator; turned over to the police or other appropriate agency; or, when appropriate, returned to the student's parent. In all cases a picture or photocopy of the item(s) seized shall be maintained by the administrator.

V. Parent Notification of Search

- A. At the conclusion of the student search, a reasonable attempt will be made to contact a parent of the student searched to provide information related to the reason for the search and its outcome.

VI. Refusal to Allow Search

- A. If a student refuses to permit a search of his/her person or his/her belongings, the administrator or authorized teacher should advise the student that the student's parent or the police may be contacted.
- B. A student's refusal to permit a lawful search may result in disciplinary action in accordance with Policy 5550, *Disruptive Behavior*.

VII. Implementation

- A. The Board directs the Superintendent to implement this policy.

Legal References: *Annotated Code of Maryland, Education Article §7-308, Searches of Students and Schools*  
COMAR 13A.08.01.14, *Searches*  
COMAR 13A.08.01.15, *Reporting Delinquent Acts*

Related Policies: Board of Education Policy 5330, *Social Events*  
Board of Education Policy 5500, *Disruptive Behavior*  
Board of Education Policy 5540, *Alcoholic Beverages, Controlled Dangerous Substances, Intoxicants, Prescription and Nonprescription Drugs*  
Board of Education Policy 5600, *Students' Rights and Responsibilities*  
Board of Education Policy 6800, *Field Trips and Foreign Travel*

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Board of Education of Baltimore County