STUDENTS: Conduct 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) school administrators to conduct a reasonable search of a student and of the student’s personal belongings on school property and at a school-sponsored activity and on the physical plant of the school and its appurtenances in accordance with Maryland law and this policy.

B. This policy provides guidelines for conducting searches of students and their possessions and the physical plant of the school and provides a uniform process for the administration of such searches.

II. Definitions

A. Parent – The biological or adoptive parent, legal guardian or person acting in the absence of the parent or guardian.

B. School Property – Any Board-owned, controlled or leased property or vehicle, regardless of whether students are present.

D. School-Sponsored Activity – An activity that is sponsored, approved, conducted, planned and/or supervised by school personnel regardless of whether the activity takes on or off school property or occurs during regular instructional hours.

E. School Administrator – School principal or in the absence of the principal, the administrator designed by the principal.

III. Standards

A. Notice
Each school administrator shall provide notice to students at the beginning of each school year that school administrators have the authority to conduct searches of students on school property, during a school-sponsored activity or on a school-sponsored trip and of the physical plant of the school, including lockers. This notice may also be made 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**
1. A school administrator may make a reasonable search of a student on school property, during a school-sponsored activity or on a school-sponsored trip if the school administrator has a reasonable belief that the student has in the student’s possession an item, the possession of which is:
   a. A criminal offense under the laws of the state of Maryland; or
   b. A violation of any other State law, Board policy, or Superintendent’s rule.
2. Strip searches are prohibited.
3. The search shall be made in the presence of an adult third party who is the opposite sex of the person conducting the search, unless a person of the opposite sex is not available. The adult third party shall be a BCPS employee.
4. Nothing in this paragraph shall preclude a school administrator from seeking assistance from law enforcement if the administrator has a reasonable belief that the student has a weapon in the student’s possession or if deemed necessary for safety reasons.

**C. Searches of School Property**
A school administrator may make a search of the physical plant of the school and its appurtenances and of property assigned to a student for school use at any time. Examples include, but are not limited to, student desks, lockers, storage spaces, cubbies and BCPS-issued devices.

**D. Searches of Student on School-Sponsored Trip by Teacher**
1. A school administrator may authorize a BCPS teacher to make a reasonable search of a student on a school-sponsored trip if the 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 the State of Maryland or a violation of any other State law, Board policy or Superintendent’s rule.
2. The search shall be made in the presence of an adult third party who is the opposite sex of the person conducting the search, unless a person of the opposite sex is not available. The adult third party shall be a BCPS employee.

3. To qualify to conduct a search under this paragraph, the teacher shall be designed in writing by the school administrator and receive training to conduct a search commensurate with the training received by a school administrator prior to a school-sponsored activity.

IV. Seizure

A. All items found during any search conducted under this policy will be seized by the school administrator or authorized teacher when the possession of such items violates any State law, Board policy or Superintendent’s rule.

B. All items seized must be retained by the school administrator and/or authorized teacher; 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 school administrator and/or authorized teacher.

V. Parent Notification of Search

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 the student’s person or belongings, the school 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 Board Policy 5550, *Student Behavior Code*.

VII. Implementation

The Board directs the Superintendent to implement this policy.
POLICY 5570

Legal References:  
Annotated Code of Maryland, Education Article §7-308, Authority of School to Search Student  
COMAR 13A.08.01.14, Searches  
COMAR 13A.08.01.15, Reporting Delinquent Acts

Related Policies:  
Board of Education Policy 5500, Code of Student Conduct  
Board of Education Policy 5540, Alcoholic Beverages, Controlled Substances, Inhalants and Prescription and Nonprescription Drugs  
Board of Education Policy 5550, Student Behavior Code  
Board of Education Policy 5560, Suspensions and Expulsions  
Board of Education Policy 5600, Students’ Responsibilities and Rights  
Board of Education Policy 6202, Technology Acceptable Use Policy (TAUP) for Students  
Board of Education Policy 6800, Field Trips and Foreign Travel Study Programs

Related Rule:  
Superintendent’s Rule 6801, Cultural Exchange

Policy:  
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Board of Education of Baltimore County