

STUDENT INTERROGATIONS/SEARCHES/ARRESTS

FILE: JIH

PURPOSE

To authorize a reasonable search of a student and seizure of unlawful items.

DEFINITIONS

Authorized Searcher – A principal and/or assistant principal.

Designated Teacher/Coordinating Teacher – A trained teacher designated in writing by the principal to make a reasonable search of a student on a school-sponsored trip. To qualify as a designated teacher, a teacher must first receive training to conduct a search commensurate with the training received by the principal designating the teacher.

Unlawful Items – Items of which possession is a criminal offense under Maryland law, other state law or a policy or regulation of Allegany County Public Schools.

Reasonable Belief – a search that is justified at its inception by a reasonable suspicion.

Reasonable Search – The scope and conduct of the search must be reasonably related to the circumstances that gave rise to the search, taking into account the student's age, gender, and the nature of the offense.

POLICY STATEMENT

Searches of Students on School Premises – A principal and/or assistant principal may make a reasonable search of a student on school premises if the searcher 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 or a violation of any other state law or a rule or regulation of the Board. Searches shall be made in the presence of a third party.

Searches at Schools – A principal and/or assistant principal may make a search of the physical plant of the school and its appurtenances including, but not limited to the lockers of students. The right of the school official to search the locker shall be announced or published at least annually.

Searches of Students on School-Sponsored Trips – A principal, assistant principal/coordinating teacher 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 this State or a violation of any other state law or a rule or regulation of the Board. The search shall be made in the presence of a third party.

Seizure of Unlawful Items – All items that are the object of a search and unlawful items found during the search will be seized by the authorized school official. As required by law or school regulations, items will be turned over to the police.

Legal Reference	<i>Annotated Code of Maryland</i> COMAR 13A.08.01.14	Education Article	Section §7-308
Policy History	Adopted February 8, 2005	Reviewed	Revised Jan. 11, 2005, 1 st Reading Feb. 8, 2005, 2 nd Reading Oct. 11, 2016, 1 st Reading Nov. 9, 2016, 2 nd Reading