

STUDENT SEARCH AND SEIZURE, ARREST, AND QUESTIONING ON SCHOOL PROPERTY

FILE: JIH

I. Purpose

To authorize searches of school premises, student lockers, and students on school premises or on school-sponsored trips and the arrest and questioning of students, in limited circumstances, on school premises.

II. Background

The Board of Education believes that a positive, orderly, and safe school environment must be maintained for all students and staff and is essential for teaching and learning. Maryland law and regulations permit school systems to conduct searches of students and school premises and allow for arrests and questioning of students on school premises in order to maintain a positive, orderly, and safe school environment.

III. Definitions

Within the context of this policy, the following definition applies:

School Premises: Any school or other facility including grounds owned, leased, or operated by the Board of Education, Board-owned buses and contractor-owned buses and other Board vehicles, and the facility and/or grounds of any Board-sponsored activity involving students.

IV. Policy Statement/Procedures

A. Authority to Conduct Searches

1. Searches of Students on School Premises: A principal, assistant principal, or teacher in charge make a reasonable search of a student on the school premises if the searcher 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 policy, rule, or regulation of the Board of Education.
2. School Security Employees: School security employees are empowered to make a reasonable search of a student on the school premises in the event that the school security employee believes that a crime is occurring or about to occur.
3. Searches of Students on School-Sponsored Trips: A teacher, if designated in writing by the principal and trained to conduct a search, may make a reasonable search of a student on a school-sponsored trip if the searcher 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 policy, rule, or regulation of the Board of Education.
4. All searches of students must be conducted in the presence of other staff members.
5. Searches of School or Lockers of Students: A principal, assistant principal, or school security employee is empowered to make a search of the physical plant of the school and its appurtenances including the lockers of students. The right of the school official to search the locker shall be announced or published previously in the school or published in the parent and student handbook.
6. Police K-9 Drug Scans: Allegany County Public Schools with local, county, and state law enforcement agencies may conduct police K-9 scans in and around schools. Police policies and procedures will determine the parameters of the search, including the vehicle or vehicles and any other action taken in the event the police K-9 scan results in an alert.

B. Arrest on School Premises

An arrest by police should be made during non-school hours and away from school premises when possible and appropriate. The Board of Education understands that certain circumstances necessitate the arrest of a student on school premises during the school day.

C. Questioning on School Premises

1. Police investigations involving the questioning of students may not be permitted on school premises unless in connection with a crime committed on the premises or in connection with an investigation which, if not immediately permitted, would compromise the success of that investigation or endanger the lives or safety of the students or other persons.
2. Schools shall permit personnel from the Department of Social Services or a police officer to question a student on school premises during the school day in an investigation involving suspected child neglect or suspected child abuse.

- D.** The Superintendent is authorized to promulgate an administrative regulation that sets forth procedures for conducting searches and procedures for staff to follow when a student is arrested on school premises or questioned by law enforcement or personnel from the Department of Social Services on school premises.

This policy shall be effective July 1, 2026.

Legal Reference	Policy History	Adopted	Reviewed	Revised
COMAR 13A.08.01.12, 13A.08.01.14 Annotated Code of Maryland Education Article Section §7-308				March 10, 2026, 1 st Reading April 14, 2026, 2 nd Reading