

### Your Question:

You asked generally about state policies related to ensuring school safety.

### Our Response:

School safety is a complex and nuanced topic that has been addressed in a range of ways by state policymakers. Below we have provided examples of policies in three common areas of state education-specific policy: 1) allowing school staff or others to carry weapons on school grounds, 2) the use of school safety officers, and 3) emergency plans and drills. However, it should be noted that these policies often interact with the broader state criminal code in ways that Education Commission of the States' expertise cannot fully address.

For a historical record of state policy that has either been enacted or vetoed on school safety, which includes past legislation relating to guns on school grounds, please visit Education Commission of the States' [policy archives](#).

### State policy allowing teachers to carry firearms

The landscape of policies permitting teachers or other individuals to carry weapons on school grounds is complex and subject to a wide variety of nuances and exceptions. While not exhaustive, the policies below provide a general sense of this landscape.

It is important to note that Education Commission of the States did not identify a state with a blanket provision allowing teachers to carry weapons in any school statewide, regardless of district policy or other state laws. Additionally, these policies often interact with the state's conceal carry laws and other criminal codes.

Our research revealed a considerable amount of legislative activity around 2013; however, states as recently as 2017 have taken action that allows school personnel to carry guns in schools. The policies below do not include policies allowing for a school resource or safety officer to carry a weapon on school grounds.

Additional information on the topic can be found in a Council of State Governments Justice Center report from 2013 on [arming teachers](#).

### **Local board may permit public school personnel to carry weapons**

- **Kansas:** In 2013 Kansas passed [HB 2052](#), allowing employees licensed to do so to carry concealed handguns. The legislature has made small changes to the statute since that time. Current law, [Kan. Stat. Ann. § 75-7c10](#), allows, but does not require, local school boards to permit employees, who are legally qualified, to carry a concealed handgun in any district building if the employee meets the district's policy requirements even if the building has posted signage indicating guns are not allowed.
- **South Dakota:** In 2013 South Dakota passed [HB 1087](#), establishing [S.D. Codified Laws § 13-64-1 through 13-64-16](#), allowing school boards to permit and supervise the arming of employees, hired security personnel, or volunteers as "school sentinels." The board must develop policies and receive approval from local law enforcement. In addition to local law enforcement approval the sentinels must complete

board approved training. According to S.D. Codified Laws § 13-64.7, the decision of the school board to implement a school sentinel program may be referred to a vote of qualified voters of the school district.

- **Tennessee:** Current law permits school employees to carry firearms on public school grounds in certain rural communities ([Tenn. Code Ann. § 49-6-816](#)).

#### Permission granted to specific school personnel

- **Wyoming – Application Process:** In 2017 Wyoming passed [HB 194](#), establishing [Wyo. Stat. Ann. § 21-3-132](#) allowing school boards to create provisions granting permission to employees with proper credentialing to possess firearms on school property. The school board must create an application process, require employees to follow storage procedures, and require employees to undergo initial and annual training. School boards in rural districts may waive all or part of the training requirements. The district must notify parents of the ability of employees to carry firearms on a school campus.
- **Texas – School Marshals:** A provision to allow school marshals was established in [HB 1009](#) in 2013. School marshals are defined as a person who is designated by the governing authority of the school and must be licensed to carry a firearm, giving them the power to make arrests ([Tex. Occ. Code Ann. § 1701.001](#)). The school marshals must complete 80 hours of instruction on a range of topics including strategies to prevent school shootings and the legal duties of a peace officer ([Tex. Occ. Code Ann. § 1701.260](#)). The governing body can establish one school marshal per 200 students in average daily antennae or designate a school marshal per building on the campus ([Tex. Educ. Code Ann. § 37.0811](#)). Schools may appoint current employees, who are licensed and meet the school’s criteria, to carry a handgun on school grounds ([Tex. Educ. Code Ann. § 37.0811](#)).
- **Georgia:** Georgia code ([Ga. Code Ann. § 16-11-127.1](#) & § 16-11-130.1) permits local boards of education to adopt a policy to allow certain personnel to possess or carry weapons in schools when given express permission, provided the policy meets certain requirements, including training and safety procedures.

#### Permission granted to specific individuals who may or may not be school personnel

- **Arizona:** One of the duties of local school governing boards is to prescribe and enforce policies and procedures that prohibit a person from carrying or possessing a weapon on school grounds unless the person is a peace officer or *has obtained specific authorization from the school administrator* ([A.R.S. § 15-341](#)).
- **Idaho:** Idaho law (Idaho Code Ann. § [18-3302C](#) and [18-3302D](#)) permits a person authorized by a governing board of the school to carry a concealed weapon in the school.
- **Ohio:** Ohio’s law ([Ohio Rev. Code Ann. § 2923.122](#)) permits any person who has written authorization from the board of education or governing body of a school to possess or convey deadly weapons or dangerous ordnance into a school safety zone.
- **Utah:** Restrictions on weapons in schools do not apply to persons with concealed carry permits when approved by the responsible school administrator ([Utah Code Ann. § 76-10-505.5](#)).

#### Vehicles

- **Georgia:** Georgia code ([Ga. Code Ann. § 16-11-127.1](#)) allows teachers and schools personnel, who are authorized to have a firearm, to have a weapon in a locked compartment or on the locked firearm rack of a car.
- **Idaho:** Idaho law (Idaho Code Ann. § [18-3302C](#) and [18-3302D](#)) permits carrying a weapon onto school property when, among other exceptions, the weapon is lawfully possessed and secured and locked in a private vehicle.

## Private schools

- **Arkansas:** In 2013 Arkansas passed [HB 896](#) permitting individuals to carry concealed weapons at church-run private K-12 schools. The carrier must hold a concealed carry permit and be in compliance with other state laws relating to the possession of a concealed weapon.
- **Oklahoma:** Private schools may authorize the possession of a firearm on school property so long as the school's governing body has adopted a policy to govern the process ([Okla. Stat. Ann. 21 § 1280.1](#)).
- **Tennessee:** Current law permits school employees to carry firearms on school grounds of private schools ([Tenn. Code Ann. § 49-50-803](#)).

## Proposed state policy relating to weapons on school grounds

A scan of legislation proposed thus far in 2018 revealed that at least seven states have introduced legislation that would impact the carrying of a firearm on school grounds.

- **Alabama [HB 435](#) (Pending):** This bill would authorize persons employed as administrative personnel or teachers to carry a pistol on school property. The authorized personnel and teachers would be required to possess a valid pistol permit, complete a 40-hour course in basic school policing, and annually pass firearm requalification requirements. A list of those who are authorized to carry a pistol on school grounds must be provided to local law enforcement.
- **Florida [SB 1236](#) (Pending):** This bill addresses numerous school safety issues including the possession of firearms on school grounds. The bill proposes an exemption to a prohibition of firearms or other specified devices on school property by school employees or volunteers who have been designated by the principal of their school. Under the proposal the governing body must adopt a policy governing the process of allowing concealed firearms on school grounds. The employee must provide proof of at least forty hours of training and complete specified annual training. The employee must also undergo a level 2 background screening and is subject to similar background checks every 5 years.
- **Kentucky [SB 103](#) (Pending):** This bill would allow local boards of education and private school governing bodies to appoint school marshals who could carry firearms on school grounds. Establishes school marshal appointment criteria and duties. Additionally, any district that authorizes school marshals must work with local law enforcement to develop an action plan for an active shooter situation, solicit input on the location of the locked firearms on the school grounds, and implement additional protocol as deemed necessary under the safety plan.
- **Maryland [HB 760](#) (Pending):** This bill would allow the county board to authorize school employees in the school system to carry handguns on school property. The employee would be required to hold a valid permit from the Secretary of State Police.
- **Mississippi [HB 135](#) (Failed):** This bill would have allowed a local board to authorize a policy permitting certain school employees to carry firearms on school grounds. It also called for the employee to hold a valid license to carry a concealed firearm and to complete a safety course on handling a firearm.
- **Missouri [HB 1936](#) (Pending):** This bill lays out provisions for where it is unlawful to carry a firearm or weapon as well as exceptions. One of the proposed exceptions would allow teachers and administrators of elementary and secondary schools, who are designated by the district, to carry firearms.
- **Oklahoma [SB 991](#) (Pending):** Oklahoma allows certain school personnel to carry handguns onto school property if the person holds a valid armed security guard or peace officer certification or license. This bill would remove those provisions from law, prohibiting school boards from allowing handguns.

## State policy relating to school safety officers

Schools have long allowed security and resource officers on school grounds. Frequently, the safety or security officer is a central part of school security plans. State policy related to officers in schools ranges from training requirements to funding. Below is a sample of existing and proposed state policy relating to officers in schools.

### **Existing state policy on school safety officers**

- **Alabama:** Under [Ala. Code 1975 16-1-44.1](#), school resource officers are permitted to carry a firearm so long as they are certified by the Alabama Peace Officer's Standards and Training Commission as a law enforcement officer and pass annual firearms training. The officer must also carry and be trained to use a nonlethal weapon.
- **Colorado:** The school resource officer, who is a peace officer with specialized training, is required to work with school staff and students to create a safe learning environment and respond to all threats that may impact the school ([Colo. Rev. Stat. § 22-32-109.1](#)). School resource officers may carry weapons when authorized to do so under the written firearms policy of the employing agency ([Colo. Rev. Stat. Ann. § 18-12-105.5](#)).
- **Oklahoma:** In accordance with [Okla. Stat. Ann tit. 21, § 1277](#) the board of education of a school district may adopt a policy to authorize the carrying of a handgun on to school property by designated school personnel. The board of education of a school district may vote to have personnel attend designated training courses ([Okla. Stat. Ann. tit. 70, § 5-149.2](#)).
- **Vermont:** State law encourages school boards and law enforcement agencies to enter into memoranda of understanding related to the possession of weapons on school property ([Vt. Stat. Ann. tit. 16, § 1167](#)).

### **Proposed state policy on school safety officers**

- **Illinois [SB 2856](#) (Pending):** The proposed policy would require school resource officers to be certified as a juvenile officer by the Illinois Law Enforcement Training Standards Board and receive a national certification relating to school policing.
- **Florida [SB 1700](#) (Pending):** The proposed legislation encourages schools to place resource officers in school and would establish funding requirements for school resource officers. The proposal would allow part-time law enforcement officer to serve as school resource officers.
- **Ohio [HB 318](#) (Pending):** The proposed legislation specifies that school resource officers' duties include carrying a firearm.

A 2013 [report](#) from the Council of State Governments provides state policies relating to officers in schools.

## State policy relating to emergency drills and safety plans in schools

While Education Commission of the States has not completed a 50-state scan of state fire drill policies, it is our sense that all 50 states require schools to perform periodic fire drills, though the required frequency may vary.

### **Comprehensive safety or emergency plans**

According to Education Commission of the States' findings, at least 34 states<sup>i</sup> currently have statutes that require schools or school districts to implement a comprehensive safety or emergency plan. Of the 16 states

that do not require plans, four states incentivize the creation of safety or emergency plans by providing grants or technical assistance to schools or school districts. Massachusetts requires school safety components in turnaround plans for certain schools. Additionally, those states without statutory language may address safety or emergency plans through state regulations.

### Other emergency response drills

At least 25 states<sup>ii</sup> require schools to carry out periodic emergency response drills other than fire, tornado or shelter-in-place drills. These often include lockdown or active shooter drills. According to a [report from the National Center for Education Statistics](#), nearly 95% of schools currently perform periodic lockdown drills.

### Active shooter training

Per Education Commission of the States' research, at least six states (AR, IL, MO, NJ, OK, TN) specifically require active shooter training in schools. In the current legislative session, at least five more states introduced legislation to require active shooter training. Additionally, Wisconsin ([AB 931 – Pending](#)) would not require active shooter training in schools, but would allow schools the option to apply to receive training from the Division of Emergency Management.

### Proposed state policy on active shooter training

- **California** [AB 1747 \(Pending\)](#): would provide that drills to prepare for active shooter situations are based on the specific needs and context of each school, among other changes.
- **Florida** [SB 1236 / HB 621 \(Pending\)](#)— this bill addresses a number of issues related to school safety, among them requiring district school boards to create policies and procedures for active shooter and hostage situations. Details minimum requirements for school safety programs and active shooter trainings.
- **New York** [SB 6272 / AB 8887 \(Pending\)](#): would require school emergency response drills to include drills to respond to active shooters and other types of attacks.
- **Pennsylvania** [SB 35 \(Pending\)](#): would require active shooter drills in schools.
- **South Carolina** [HB 4966 \(Pending\)](#): would require monthly active shooter training drills, separate from mandatory monthly fire drills.

### Additional Resources

- [District Audit Report Findings on Safety and Security in Texas School District](#) (Texas School Safety Center)
- [Arming Teachers and K-12 School Staff](#) (Council of State Governments)
- [Officers in Schools](#) (Council of State Governments)
- [School Safety Plans](#) (Council of State Governments)
- [Guns on Postsecondary Campuses: The Architecture and Momentum of State Policy Action](#) (Education Commission of the States)

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<sup>i</sup> Required Safety or Emergency Plans: Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Kentucky, Louisiana, Maine, Maryland, Minnesota, Mississippi, Montana, Nevada, New Hampshire, North Carolina, New York, Ohio, Oklahoma, Rhode Island, South Carolina, Tennessee, Texas, Utah, Virginia, Vermont, Washington, Wisconsin, West Virginia.

<sup>ii</sup> Required Drills: Alabama, Alaska, Arkansas, Connecticut, Delaware, Florida, Illinois, Indiana, Kentucky, Michigan, Minnesota, Montana, Nevada, New Hampshire, New Jersey, New Mexico, North Carolina, North Dakota, Oklahoma, Pennsylvania, Rhode Island, Texas, Vermont, Washington, Wyoming.