

Arming Teachers and K–12 School Staff: A Snapshot of Legislative Action

One policy that states have considered to prevent school violence and improve school safety is arming teachers and other school staff. Prior to 2013 state legislative sessions, the National Conference of State Legislatures (NCSL) was not aware of any state laws that specifically authorized teachers or other school staff to carry firearms on K–12 school campuses. In 2013, however, at least 33 states introduced more than 80 bills related to arming teachers and school staff. These bills varied widely from state to state and include the following measures

- Authorizing school districts and schools to create and implement policies to allow arming of teacher and staff at their discretion;
- Allowing districts to designate a certain number of teachers and staff to carry concealed firearms in K-12 schools, such as the principal in each school or one teacher per school;
- Allowing teachers who already have concealed carry permits or endorsements to carry weapons on private or public school grounds; and
- Creating programs and special endorsements that allow teachers and staff to provide school security and carry firearms in K-12 schools.

States that introduced legislation in 2013 related to arming teachers or school staff include AK, AL, AR, AZ, CA, CO, CT, FL, GA, IA, IL, KS, MD, ME, MI, MO, MS, NC, ND, NH, NM, OK, OR, PA, SC, SD, TN, TX, VA, WA, WI, WV, and WY.

Of the more than 80 bills introduced, the following seven bills were enacted into law as of November 2013.

1. Alabama HB 404 specifically allows Franklin County to authorize the formation of volunteer emergency forces at public schools in the county, consisting of current and retired school employees and local citizens. Schools must work with the sheriff on the approval of the volunteers, the creation of a detailed school crisis plan, and the training of such volunteers. The plan must also specify how and where weapons may be stored and carried by emergency security force members and the circumstances under which certain weapons may be used. Each local school board oversees such forces.
2. Arkansas SB 896 authorizes church-run private K–12 schools to allow individuals with concealed carry permits to carry handguns on school property.
3. Kansas HB 2052 permits the governing body or the chief administrative officer of a school district to allow an employee who is licensed to carry a concealed handgun to carry one on school grounds, provided the employee meets any further policy

This research and compilation of state statutes was completed by the National Conference of State Legislatures, including background discussions with state legislative staff. This summary provides a snapshot of legislation passed in 2013 as well as previous statutes that relate to arming teachers and other school staff. It only includes an examination of education statutes and any cross-referenced statutes. It does not otherwise include reviews of statutes found in the criminal code. Special thanks to Lauren Heintz who conducted this review.

requirements that are established by the governing body of the school. This only applies if the school district does not have a policy prohibiting the practice.

4. Oklahoma HB 1622 authorizes private schools to allow individuals with concealed carry permits to carry a firearm on school grounds or in school buses or vehicles. The individual must be licensed according to the Oklahoma Self-Defense Act, and such a policy must have been adopted by the governing entity of the private school. This statute also clarifies civil damages policies relating to a faculty or school staff member that carries a firearm on school property.
5. South Dakota HB 1087 authorizes school boards to create, establish, and supervise the arming of school employees, hired security personnel, or volunteers as “school sentinels.” The school board must develop corresponding policies and receive approval from law enforcement that has jurisdiction over the school premises to create and implement such a program. School sentinels must complete board-approved training and any additional requirements to serve as a sentinel and to carry a firearm on school property. The establishment of a school sentinel program may be put to a vote in the school district.
6. Tennessee HB 6 allows school district faculty and school staff members to carry a firearm within the district if the individual is authorized to possess and carry a firearm in accordance with Tennessee law, has the written authorization of the director of schools, has completed a 40-hour course in basic school policing training that is approved by the school district, and uses only frangible bullets. This statute also clarifies civil damages policies relating to a faculty or school staff member that carries a firearm on school property.
7. Texas HB 1009 creates a new category of law enforcement officer designated as a “school marshal” who will be allowed to exercise similar authority given to peace officers. Schools may appoint current employees who meet additional certifications to be school marshals. In accordance with written regulations adopted by the school board of trustees or governing body, a school marshal may carry or possess a handgun on K–12 school property if he/she is licensed by the state to carry a concealed firearm. School marshals who are involved in regular, direct contact with students are subject to additional regulations.

Although these laws vary, it should be noted that they all require teachers or staff who may be armed to either have concealed carry permits or some other type of training or licensure.

In addition to prescriptive legislation that specifically addresses the carrying of weapons and firearms by school personnel on K–12 school property, some states allow for specific exemptions to school zone weapon bans that may allow a teacher or faculty member to possess a firearm. These exemptions include the following:

- Law enforcement, school resource officers, and other school security personnel
- Individuals with concealed carry permits, licenses, or endorsements

- Individuals with express and sometimes written permission from a school official, school district, or governing school body
- Individuals participating in a lawful activity, demonstration, or event (oftentimes with additional school permission)
- Firearms that remain unloaded and locked in a vehicle on school property

These exemptions sometimes offer the opportunity for local schools and school districts to set the policy of weapons and firearms in K–12 schools at their own discretion. The carrying of weapons and firearms on K–12 school property may also be addressed in a state’s criminal code, as part of weapons or concealed carry statutes.

Arming educators and staff on college and university campuses is not addressed in this brief. More information on such laws and policies can be found on NCSL’s Guns on Campus webpage at <http://www.ncsl.org/research/education/guns-on-campus-overview.aspx>.

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On January 8, 2014, the U.S. Department of Education released a compendium of school discipline laws and regulations. The PDF and online tool can be accessed at <http://safesupportivelearning.ed.gov/school-discipline-compendium>.

To learn more about the CSG Justice Center's School Discipline Consensus Project, visit <http://csgjusticecenter.org/youth/projects/school-discipline-consensus-project>.