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POSSESSION OF WEAPON ON SCHOOL GROUNDS

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You asked whether properly trained Connecticut public school faculty and staff are allowed to have guns in schools.

Permission to carry a gun in a public school is limited. The deciding factor for those who may carry a gun is not whether they have been properly trained and licensed but rather why they are on school grounds. Generally, possessing a firearm or deadly weapon on school grounds is a class D felony, punishable by up to five years imprisonment, a \$ 5,000 fine, or both. A person is guilty of this crime when, knowing they are not licensed or privileged to do so, a person possesses the weapon (1) in or on public or private elementary or secondary school property or (2) at a school-sponsored activity. However, this prohibition does not apply to the otherwise lawful possession by a:

1. person for use in a program approved by school officials that is on school property or at a school-sponsored activity (e. g. fire-arm safety program);
2. person in accordance with an agreement between the person or person's employer and the school district (e. g. security guard);
3. peace officer while engaged in the performance of his official duties; and
4. person while traversing school premises for the purpose of gaining access to public or private lands open to hunting or other lawful purposes, if the entry is authorized by the board of education and the weapon is unloaded (CGS § 53a-217b).

When this law was originally enacted in 1992, there was an additional exception for the lawful possession of a firearm by a person holding a valid state or local permit. However, this exception was eliminated in 1998.

While a teacher or staff-member would be prohibited from bringing a gun to school without the district's permission, the statute appears to allow him to do so pursuant to an agreement with said district. However, it is not clear from session transcripts that this

result was contemplated by the legislature and a cursory review of related board of education policies reveals that this practice would generally be prohibited by school districts. For instance, Hartford Public Schools' policy on weapons and dangerous instruments and personnel states that "all dangerous instruments and illegal weapons are prohibited on school property, student transportation and at school-sponsored activities." Similarly, a Stamford Public Schools board of education policy notes that "the presence of weapons poses a risk to all persons, and [the board] prohibits weapons from school property and school-sponsored activities, except as may be required as a condition of employment, such as for peace officers." It generally prohibits employees and others from bringing any weapon or dangerous instrument onto school property or to any school-sponsored activities.

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