

## OLR Backgrounder: Armed Security in Schools

By: Marybeth Sullivan, Senior Legislative Attorney  
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### Issue

Describe when armed security can be used in elementary and secondary schools under federal and state law.

### Summary

Federal law generally bans firearm possession on school property; however, it allows exceptions for, among others, (1) law enforcement officers and (2) individuals carrying a firearm pursuant to an employment contract with the school board. Similarly, Connecticut law makes possession on school grounds a felony with exceptions for some individuals, such as peace officers and those under employment contracts to carry on the premises.

While Connecticut law does not require local and regional boards of education to employ armed guards, it does impose a statutory obligation on boards to provide a safe school setting. Some boards choose to help meet that obligation by employing armed school security. State law allows two options for armed school security, commonly referred to as school resource officers (SROs): either active or retired police officers. It does not allow school boards to contract with any other individuals to carry a firearm on school property. State law establishes requirements for SROs' qualifications, assignment, and responsibilities.

### Firearm Possession on School Property

#### *Federal Law*

The federal Gun-Free School Zones Act generally bans knowingly possessing firearms within an elementary or secondary school (public or private) on school property or within 1,000 feet of school property. The law exempts the following individuals, among others, from the ban: (1) a person

participating in a school-approved program in the school zone, (2) an individual carrying a firearm under a contract entered into between a school in the school zone and the individual or an employer of the individual, and (3) a law enforcement officer acting in his or her official capacity ([18 U.S.C. § 922\(q\)\(2\)\(A\) & \(B\)\(iv\)-\(vi\)](#)). States may enact their own laws that allow armed school security within the boundaries of these federal exemptions.

## ***State Law***

Similar to federal law, Connecticut law generally bans firearm possession on public or private elementary or high school grounds or at a school-sponsored activity, making it a class D felony subject to a penalty of up to five years in prison, up to \$5,000 in fines, or both. It also contains exceptions for (1) a person using a firearm in a school-approved program, (2) a person under an agreement with school officials, or (3) a peace officer performing lawful duties (e.g., state or local police officer, state or judicial marshal, adult probation officer) ([CGS § 53a-217b](#)).

## **Connecticut Law on SROs**

As part of its requirement that school boards maintain good public elementary and secondary schools, state law requires boards to give all students an appropriate learning environment, which includes a safe school setting ([CGS § 10-220\(a\)](#)). Some boards have chosen to place SROs in their schools to meet this requirement. State law outlines requirements for SROs' qualifications, assignment, and responsibilities.

### ***Qualifications***

All armed school security in Connecticut schools must be either active police officers or any of the following retired officers or agents: Connecticut state police officers, Connecticut local police officers, out-of-state police officers, or federal law enforcement agency officers or agents. Retired officers must also (1) meet or exceed Connecticut's Police Officer Standards and Training (POST) Council certification standards to serve as armed security at a school and (2) be a "qualified retired law enforcement officer" as defined in the federal Law Enforcement Officers Safety Act (LEOSA) ([CGS § 10-244a](#)). Among other things, being qualified under LEOSA means the officer must have either served as a law enforcement officer for at least 10 years or separated from service due to a service-related disability ([18 U.S.C. § 926C](#)).

### ***Assignment***

A local or regional school board that assigns a sworn municipal police officer to a school (i.e., SRO) must enter into a memorandum of understanding (MOU) with the local police department defining the officer's role and responsibilities. The MOU must (1) address daily interactions among students, school personnel, and police officers; (2) include a graduated response model for student discipline; and (3) specify the SRO's duties and procedures for restraining students, using firearms, making school-based arrests, and reporting on investigations and behavioral interventions of

challenging behavior or conflict that escalates to violence or constitutes a crime. These duties and procedures must be in accordance with any laws or policies about police officer duties ([CGS § 10-233m](#), as amended by [PA 23-167](#), § 72, & [PA 23-208](#), § 9; [PA 23-167](#), § 73, as amended by [PA 23-208](#), § 10).

The MOU between the school board and law enforcement must require the SRO to complete any separate training specifically related to social-emotional learning and restorative practices provided to teachers and administrators as part of professional development. The officers must complete the training while (1) performing their duties as SROs and (2) assigned to be at the school ([CGS § 10-233m](#)).

## ***Responsibilities***

*Investigation Reports.* Each SRO must give his or her agency's police chief a report for each investigation or behavioral intervention the SRO conducts within five days after doing so. Under the act, an "investigation or behavioral intervention" is a circumstance in which an SRO is conducting (1) a fact-finding inquiry on student behavior or school safety, including emergency circumstances, or (2) an intervention to resolve violent or nonviolent student behavior or conflicts. The report must include at least the following:

1. the date, time, and location of the investigation or behavioral intervention;
2. the SRO's name and badge number;
3. the race, ethnicity, gender, age, and disability status for each student involved in the investigation or intervention;
4. the reason for and nature and disposition of the investigation or intervention; and
5. whether any student involved in the investigation or intervention was (a) searched; (b) informed about their constitutional rights; (c) issued a citation or a summons; (d) arrested; or (e) detained, including the duration of the detainment.

Police chiefs must submit SROs' reports to their school districts' superintendents at least monthly. Superintendents must submit them to their school districts' local or regional board of education ([PA 23-167](#), § 73, as amended by [PA 23-208](#), § 10).

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