

## **FAQ**

### **Handguns in Vehicles on School Property**

For many years, North Carolina law and CMS policy have banned all weapons on school property, unless they are carried by certified law enforcement officers or used for approved ceremonial purposes. The North Carolina legislature changed this law in July 2013. Effective October 1, 2013, handguns may be brought onto school property, but only in very specific circumstances:

- The person must have a valid concealed handgun permit;
- The handgun must be kept in a closed compartment or container within the permit holder's locked vehicle or in a locked container affixed securely to the vehicle (e.g. a locked tool box secured to a pick-up truck); and
- The vehicle must be locked except for when the person is entering or exiting the vehicle.

#### **Where are handguns allowed on CMS property?**

Only in the vehicle of the holder of the concealed handgun permit holder. The handgun must be kept in the vehicle in a closed container or compartment within the vehicle. It may also be stored in a locked container affixed to the outside of the vehicle. The vehicle must be locked except for when the permit holder unlocks the vehicle to get in or out, or to allow others to do so.

#### **What is CMS property?**

Board or school property is any school building, bus, school campus, grounds, recreational area, athletic field, or other property owned, used, or operated by the Board of Education.

#### **Who can keep handguns in their locked vehicles?**

Only people with valid concealed handgun permits.

#### **I have a valid concealed handgun permit. Where can I have my concealed weapon on school property?**

Only hidden in a closed compartment or container in your locked personal vehicle.

#### **Can I carry my weapon inside the school if I have a concealed handgun permit?**

Absolutely not.

#### **Am I allowed to carry my weapon into the school if it is in a closed or locked container?**

No. Unless you are a law enforcement officer, under no circumstances are you (or anyone else) allowed to carry a weapon into schools, on school grounds, or at school events, even if you have a concealed handgun permit.

#### **I am assigned a CMS vehicle and hold a concealed handgun permit. May I carry my handgun in my CMS vehicle?**

No. The law permits concealed handgun permit holders to keep handguns on school property in their personal vehicles, only. CMS strictly prohibits weapons in district-owned or controlled vehicles, whether or not the employee assigned to that vehicle has a concealed handgun permit.

#### **What type of weapon may I keep in my vehicle on school grounds if I have a concealed handgun permit?**

Only a handgun.

**What is a handgun?**

The definition in North Carolina law is: "a firearm with a short stock that is designed to be held and fired by the use of a single hand."

**What happens if I forget to lock my car and my concealed weapon is in the car? What if it is stolen?**

You are in violation of CMS Policy and North Carolina law if you do not lock your car. You could be subject to arrest for violating the criminal statutes of North Carolina. If the handgun is stolen from your unlocked vehicle, you may be subject to a criminal penalty and/or liable for any injuries or losses caused by your failure to follow the law. CMS employees may also be subject to disciplinary action for not following CMS policy.

**What happens if I follow all the proper procedures: I have an approved concealed handgun on school grounds, in a locked car and my handgun is stolen? (In other words, I followed proper procedures and my handgun was still stolen)**

In this case, you would not be in violation of CMS Policy or North Carolina criminal statutes. CMS is not liable for the value of the handgun or for any injuries or losses occurring as a result of it having been stolen.

**Should I give my keys to another staff member or student (such as to get something out of the vehicle) when my legally concealed handgun is stored in the car?**

The law permits vehicles to be unlocked by the concealed handgun permit holder only to allow people to enter or exit the vehicle. You must never put students in the position of being able to access weapons, even if they are legally stored in your vehicle. If you allow others to control your vehicle (and the handgun stored in the vehicle) you may be putting yourself in legal jeopardy.

**Does the compartment/container inside my vehicle where I keep my concealed weapon have to be locked?**

No. But it must be closed.

**What if the container is outside my vehicle?**

In this case, the container must be locked and it must be "securely affixed" to your vehicle.

**Do I have to tell my supervisor that I have a concealed weapon locked in my car?**

No.

**Will parents be told that I have a concealed handgun permit and am keeping a handgun in my locked car?**

No. No one in the general CMS population will know you have a concealed handgun permit unless you tell them so. This information is not public record. It is accessible to CMS Police and other law enforcement agencies, but not to other school personnel. No one will know if you are keeping a handgun in your locked vehicle unless you tell them.

**Will parents have to acknowledge they have a concealed handgun in their cars when they check into the office?**

No.

**Does this law allow students to have concealed handguns in their vehicles?**

No, not unless they have a concealed handgun permit. There are stringent standards for obtaining these permits and they are available only to persons age 21 and over.

**May the handgun be kept loaded in my car or does it have to be left empty?**

The law does not speak to this question. Concealed handgun permit holders should consult their training materials.

**May I have my handgun concealed on my person when I drive through the car pool line to drop off my child?**

No. Handguns may be in the car, but must be stored in a closed container or compartment inside the vehicle. They may not be concealed on your person. Other types of weapons are prohibited on school property.

**What is the consequence for violating the new concealed carry law on school grounds?**

Employees are subject to arrest and termination of their employment. Others are subject to arrest. In addition, parents may be banned from CMS premises.

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