



STATE OF ALABAMA
DEPARTMENT OF EDUCATION



Thomas R. Bice
State Superintendent of Education

August 7, 2013

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MEMORANDUM

TO: City and County Superintendents
FROM: Thomas R. Bice *TRB*
State Superintendent of Education
RE: Applicability of Alabama's Gun Law, Act # 2013-283

As many of you know, Act # 2013-283, commonly referred to as Alabama's "Gun Law," became effective on August 1, 2013. A number of questions have arisen regarding the continued applicability of policies prohibiting firearms on school campuses in light of the new Gun Law.

The Gun Law reserves the field of regulation of firearms to the Legislature, except as expressly authorized by the state statute. However, since 1991 the Legislature, through the adoption of Ala. Code §16-1-24.1, has required the Alabama State Board of Education and local boards of education to uniformly enforce policies to protect students and employees and ensure a safe school environment free of weapons. In compliance with that statute, Alabama school systems have adopted policies prohibiting firearms on school property. Those policies are expressly authorized by state law and thus are not affected by the adoption of the Alabama Gun Law.

All Alabama school systems should continue to enforce existing policies to ban firearms and other weapons from school grounds. Students and school employees who violate school policy may be subject to disciplinary action as provided by policy. Other individuals who bring firearms or any weapons on school property should be notified that they are in violation of school policy and asked to leave the premises. If they fail to leave the property on request they may be subject to arrest for criminal trespass.

If you have not already done so, you are advised to post notices at all points of entry onto school property and into school buildings stating "FIREARMS PROHIBITED." You are also encouraged to discuss these issues with local law enforcement officials to emphasize the continued applicability of your safe school policies and to develop a strategy for addressing issues that may arise related to the new law.

Thank you for your service and dedication to the safety of our students, your employees, and your community.

TRB:LAK

cc: Local School Board Members
Alabama Association of School Boards
School Superintendents of Alabama

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