

# CSBA Sample Board Policy

NEW

72

**Business and Noninstructional Operations**

BP 3515.7(a)

## **FIREARMS ON SCHOOL GROUNDS**

The Governing Board is committed to providing a safe environment for students, staff and visitors on campus. The Superintendent or designee shall consult with local law enforcement and other appropriate individuals and agencies to address the security of school campuses.

- (cf. 3515 - Campus Security)*
- (cf. 3515.2 - Disruptions)*
- (cf. 3515.3 - District Police/Security Department)*
- (cf. 4158/4258/4358 - Employee Security)*
- (cf. 5131.4 - Student Disturbances)*
- (cf. 5131.7 - Weapons and Dangerous Instruments)*

Note: Pursuant to Penal Code 626.9 (the Gun Free School Zone Act) the possession of a firearm on school grounds or within 1,000 feet of a school is prohibited, except by a person who meets one of the exceptions specified in law (e.g., is a law enforcement or honorably retired peace officer, a member of the military force engaged in the performance of his/her duties, a security guard, or a participant in an existing shooting range at a school or in a school-sanctioned shooting sport or activity). Another exception in Penal Code 626.9 allows a person with a valid Carry Concealed Weapon (CCW) license to carry a firearm within 1,000 feet of a school. However, as amended by AB 424 (Ch. 779, Statutes of 2017), Penal Code 626.9 eliminates the authority of the Superintendent or designee to provide written permission for a person who holds a valid CCW license to possess a firearm on school grounds.

Possession of a firearm on or within 1,000 feet of school grounds is prohibited, except under the limited circumstances specified in Penal Code 626.9. *School grounds* include, but are not limited to, school buildings, fields, storage areas, and parking lots. (Penal Code 626.9)

Note: Education Code 48902 requires the principal or designee to notify law enforcement authorities when any student possesses a firearm or explosive or sells or furnishes a firearm at school. In addition, pursuant to 20 USC 7961, as renumbered by P.L. 114-95, districts are mandated to develop a policy to notify law enforcement whenever a student brings a firearm to school. For policy implementing this mandate, see BP 5131.7 - Weapons and Dangerous Instruments. The following paragraph requires that law enforcement be notified when any person, whether a student or nonstudent, is observed or suspected of possessing a firearm at school.

If a district employee observes or suspects that any unauthorized person is in possession of a firearm on or near school grounds or at a school activity, he/she shall immediately notify the principal or designee and law enforcement.

The prohibition against the possession of firearms on school grounds shall be included in the district's comprehensive safety plan and shall be communicated to district staff, parents/guardians, and the community.

**FIREARMS ON SCHOOL GROUNDS (continued)**

*(cf. 0450 - Comprehensive Safety Plan)*  
*(cf. 1112 - Media Relations)*  
*(cf. 1113 - District and School Web Sites)*  
*(cf. 1114 - District-Sponsored Social Media)*

*Legal Reference:*

EDUCATION CODE

32281 *Comprehensive safety plan*

38001.5 *District security officers; requirements if carry firearm*

PENAL CODE

626.9 *Gun Free School Zone Act*

830.32 *District police department; district decision to authorize carrying of firearm*

16150 *Definition of ammunition*

16520 *Definition of firearm*

26150-26225 *Concealed weapons permit*

30310 *Prohibition against ammunition on school grounds*

UNITED STATES CODE, TITLE 18

921 *Definitions, firearms and ammunition*

922 *Firearms, unlawful acts*

923 *Firearm licensing*

UNITED STATES CODE, TITLE 20

7961 *Gun-Free Schools Act; student expulsions for possession of firearm*

*Management Resources:*

WEB SITES

*Office of the Attorney General: <https://oag.ca.gov/firearms>*

Copyright 2017 by California School Boards Association