

# On The Alert!

**Date:** March 22, 2018  
**Attention:** ASCIP Members  
**Affected Department(s):** Risk Management, Admin, Teachers & Staff  
**Applicability:** K-12, Community College Districts & Charter Schools

## FIREARMS AND DISTRICT RISK: AB 424 IMPLICATIONS

### OLD PROCEDURES RELATED TO DISTRICTS & FIREARMS ON CAMPUSES

Prior to the enactment of AB 424, the Gun-Free School Zone Act of 1995 prohibited a person from possessing a firearm on District property unless there was written permission from certain district officials. California law provided that the authority over school safety belonged with district authorities.

Without written permission from district authorized officials, it was unlawful for anyone to carry a firearm on district property (and within a defined “gun-free zone”) with the exception of peace officers, retired peace officers, some retired reserve peace officers, and persons “carrying ammunition or reloaded ammunition onto school grounds that is in a motor vehicle at all times and is within a locked container or within the locked trunk of the vehicle.”



*The district’s “gun-free zone” is defined as an area on the grounds of a school providing instruction in kindergarten or grades 1 to 12, inclusive, (K-12) or within a distance of 1,000 feet of that school.*

### NEW PROCEDURES RELATED TO DISTRICTS & FIREARMS ON CAMPUSES

[Assembly Bill 424](#), effective October 14, 2017, made the following changes to the Gun-Free School Zone Act of 1995:

1. Removed the district’s ability to permit anyone to carry a firearm on district property (or within a defined “gun-free zone”) and
2. Made exceptions for activities involving shooting sports or activities, including, but not limited to, trap shooting, skeet shooting, sporting clays, and pistol shooting, that are sanctioned by a school, school district, college, university, or other governing body of the institution, and that occur on the grounds of a public or private school or university or college campus, and to the activities of a state-certified hunter education program pursuant to Fish and Game Code Section 3051 if all firearms are unloaded and participants do not possess live ammunition in a school building.

After appropriate public input and discussion, and consultation with legal counsel, Districts should establish a Board Policy related to firearms on campuses. A sample policy is attached.

**Please contact your ASCIP risk services consultant at (562) 404-8029 to discuss further.**

## **ATTACHMENT**

### **Sample Board Policy 3515.7- Firearms on School Grounds**

No person shall possess a firearm in a place that the person knows, or reasonably should know, is a school zone as codified, in Penal Code Section 626.9. No person is authorized to possess a firearm and/or ammunition on school grounds as defined in Section 626.9, unless such possession or carrying is not prohibited by Penal Code Section 626.9. School grounds include, but are not limited to, district owned or leased school buildings, grounds, sporting fields, storage areas, and parking lots.

This policy does not apply to the activities of a program involving shooting sports or activities, including, but not limited to, trap shooting, skeet shooting, sporting clays, and pistol shooting, that are sanctioned by a school, school district, college, university, or other governing body of the institution, that occur on the grounds of a public or private school or university or college campus, and this policy does not apply to the activities of a state-certified hunter education program pursuant to Fish and Game Code Section 3051 if all firearms are unloaded and participants do not possess live ammunition in a school building.

#### Legal References:

Education Code sections 35160, 35161

Fish and Game Code section 3051

Penal Code sections 626.9, 26510, 26515; 30310.

United States Code title 18, sections 921,922, 923, 924.

Policy: \_\_\_\_\_ DISTRICT

Adopted: