

Armed to Learn:
Aiming at California
K-12 School Gun Policy



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Gun-Free School Zone Act of 1995
Penal Code § 626.9

- Prior to 1/1/2016:
 - CCW permit holder was not prohibited by the Act from carrying a concealed firearm on school grounds
- After 1/1/2016 (SB 707):
 - CCW permit holder was not prohibited by the Act from carrying a concealed firearm within 1000 feet of school grounds
 - CCW permit holder prohibited by the Act from carrying a concealed firearm or ammunition on school grounds without the express written permission of the Superintendent or designee

Developing School Gun Policy

One Size
Doesn't Fit All

Policy Options

- MoreGuns:
Allow teachers, staff, and CCW holders to be armed
- SomeGuns:
Only trained security or law enforcement are armed
- BanGuns:
No one is armed

MoreGuns

- Culturally supported across the board
- Desired part of job (even if voluntary)
- CW permit holders supported
- Willing to incur liability
- Insurance and indemnification in place
- Training is robust, POST or BSIS standard

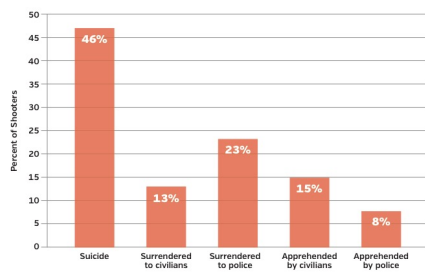
SomeGuns

- Culturally supported for sworn personnel or trained security
- Willing to incur some liability
- Insurance and contracts for outside agencies (security, SRO, etc.)
- Training is robust, POST, or BSIS standard

BanGuns

- Not supported by culture
- Unwillingness or inability to incur any liability
- Insurance is not available or cost prohibitive
- A lack of capacity/capability to administer a weapons policy
- Resources already allocated to early intervention programs, such as school psychologists or social workers who implement behavioral intervention strategies, and strive to address the underlying school culture.

Resolution and Outcome of Attack



Source: Peter Langman, Ph.D. www.schoolshooters.info

Gauging Risk

Acceptable Risk Conditions Supporting Policy	Elevated Risk Conditions Warranting Caution or Further Risk Mitigation	Uncontrolled or Unmanaged Risk Conditions Warranting Risk Avoidance
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Social/Cultural

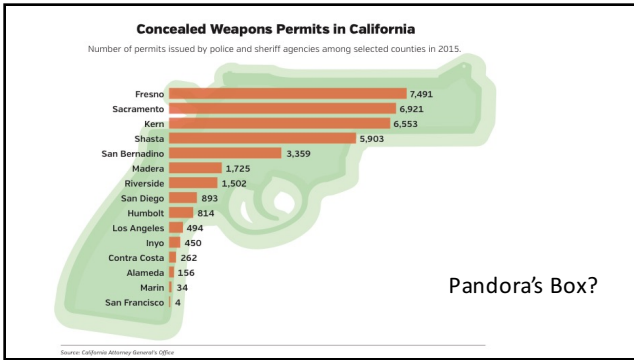
Parent and employee groups support a culture of guns on campus. No opposition expressed toward arming staff or security personnel.	Parent groups support a policy of arming employees, but employee groups are resistant or opposed. Consider only arming administrators to avoid conflict with employee groups or hire security personnel.	Parent groups and employee groups do not support guns on campus.
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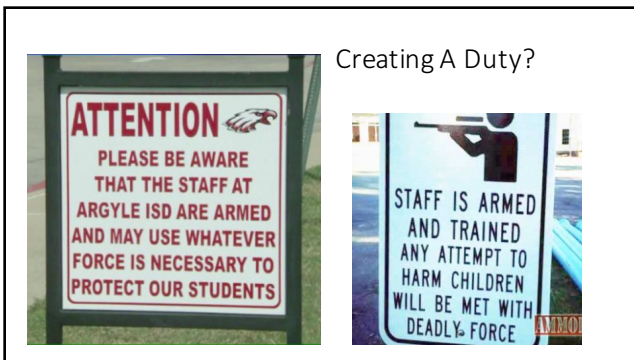
Course and Scope of Employment

Use of firearm has been identified as desired and required part of job duties.	Use of firearm is desired but not required.	Use of firearms is not a required or desired element of job duties.
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Voluntary Carry

Job duties do not require use of a weapon, but culture supports voluntary carry for employees who have a concealed weapons permit, proof of insurance, and hold harmless agreement. Local permit authority collaborates with school district on permit requirements.	Job duties do not require use of a firearm, but culture supports voluntary carry. Insurance is minimal. Local permit authority collaborates with school district on permit requirements.	Job duties do not require use of a firearm, and culture does not support voluntary carry. Insurance and hold harmless not executed. Local permit authority does not collaborate with school district on permit requirements.
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Employment/Legal Liability

Willingness to incur liability for the presence of firearms. No collective bargaining issues are present with respect to selection of employees designated or allowed to carry guns. There are written procedures regulating storage, type of weapons approved, ammunition, and permissive/approved use of firearms.	Willingness to incur liability for the presence of firearms. No collective bargaining issues are present with respect to selection of employees designated or allowed to carry guns. No written procedures regulating storage, type of weapons approved, ammunition, and permissive/approved use.	District is not willing to incur liability for the presence of firearms on campus.
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Insurance

Insurance can be obtained or is in place covering the use and presence of firearms on campus at limits equal to the district's general liability limits.	Insurance is not in place, but can be obtained covering the use and presence of firearms on campus at an amount less than the district's general liability limits.	Insurance cannot be obtained for use or presence of firearms, or limits are substantially less than the district's general liability limits.
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JPA Recommended Requirements

- Submit permit for review
- Complete 24 hr. POST training
- Psychiatric evaluation
- Proof of insurance
- Firearm qualifying (quarterly)
- Surrender of weapon to Superintendent if requested
- Carry on person or maintain in locked safe in vehicle
- Do not leave firearm on campus
- Firearm cannot be used to defend property
- Limit ammunition

Reasons for Revocation

- Showing the firearm or ammunition to students, parents, or employees or informing them about carrying the firearm
- Discharging the firearm for any reason other than defending life
- Carrying an illegal weapon or non-approved ammunition
- Leaving the weapon or ammunition unattended or storing the weapon on campus
- Sexual harassment, workplace violence, or hostile work environment complaint
- Taking medications that alter mental state or preclude operation of equipment
- Failing psych evaluation
- Failing qualification

Gun Laws

School district administration collaborates with local permit authority regarding the policies and presence of guns on campus. School officials have a clear understanding of local and state gun laws and all school policies are consistent with such laws.	School authorities do not have a thorough understanding of gun law, but collaborates closely with local law enforcement. Local law enforcement policy/regulations regarding concealed carry are vague or unknown.	School authorities do not collaborate with local permit authority, or have a clear understanding of state and local gun law. Local law enforcement is vague or not clearly articulated as a basis for school policy.
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Training and Certification

Training consistent with Peace Officer Standards and Training (POST), or the Bureau of Security and Investigative Service (BSIS). A psychological examination is required for those who seek approval to carry.	Training consistent with POST is required for sworn officers, but BSIS is not required for others. A psychological examination is not required.	Training less than POST or BSIS and absence of psychological examination.
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Emergency Procedures

Written procedures detail the expectations and response of those individuals who carry firearms and the conditions under which use is warranted. Procedures account for those who carry voluntarily and those who carry within the course of employment. Expectations are clearly understood and communicated to local law enforcement with regard to the presence of firearms on campus.	Written procedures detail the expectations and response of those individuals who carry firearms and the conditions under which use is warranted. Expectations are clearly understood and communicated to local law enforcement as to the presence of firearms on campus. Procedures do not include protocols for those who carry voluntarily.	There are no written procedures detailing the expectations and response of those who carry firearms on campus.
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Board Policy

Board policy is clear and consistent regarding guns on campus regardless of whether the policy is BanGuns, MoreGuns, or SomeGuns. If guns are approved, there is a detailed administrative regulation, which outlines the provisions of approved carry (including all the elements above).	Board policy is vague, and there is no administrative regulation, or it does not address all elements of the district's gun policy, including elements related to employee discipline for policy violations.	There is no board policy or administrative regulation regarding the presence or use of guns by employees.
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Firearms on School Grounds CSBA Model BP 3513.7

- Committed to providing a safe environment on campus
- Consult with local law enforcement, insurance carriers and others to address the security of school campuses
- District policy regarding the possession of firearms and/or ammunition on school grounds shall be included in the district's **comprehensive school safety plan**
- Shall be communicated to district staff, parents/guardians, and the community

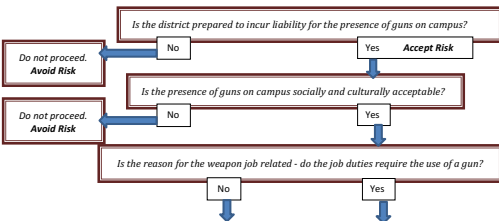
Firearms on School Grounds CSBA Model BP 3513.7 – Option No. 1

The Superintendent or designee shall not grant permission to any other individual to carry a firearm or ammunition on school grounds

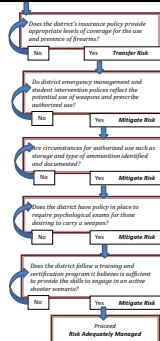
Firearms on School Grounds
CSBA Model BP 3513.7 – Option No. 2

- The board authorizes the Superintendent or designee to grant written permission to a person who holds a valid Carry Concealed Weapon (CCW) license issued in California to possess lawful firearms and/or ammunition on school grounds in accordance with law and board policy
- Any employee granted permission shall be an employee with no disciplinary record in the previous four years
- No staff member shall be required to carry a firearm and/or ammunition while on school grounds

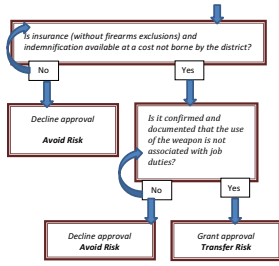
Decision Framework for Determining Concealed Weapons Policy in California K-12 Schools



Carry Related to Employment or Service to District



Voluntary Carry
Not Related to
Employment or
Service to District



Good intentions don't make good policy

<https://www.hsaj.org/articles/10932>
