

November 15, 2016

TO; District Superintendents
Chief Business Officials
SISC II Member Districts

FROM: Robert J. Kretzmer
Director, Property & Liability

SUBJECT: SB 707

With the passage of SB 707 effective January 1, 2016, California law now permits District Superintendents or their authorized representatives to authorize the on-campus carrying of concealed firearms by individuals holding concealed weapons permits.

SISC II recognizes that some Districts may choose to decline to authorize the on-campus carrying of concealed firearms, while other Districts may wish to implement more open policies, including the blanket authorization of on-campus carrying of firearms by any concealed weapons permit holders. Still others may choose a more middle-ground approach, authorizing certain concealed weapons permit holders to carry concealed firearms on-campus on a case-by-case basis. Regardless which approach your District chooses, in light of this significant change in the legal landscape, SISC II has prepared the following recommended “best practices” for Districts and Superintendents considering the implementation of on-campus carrying of concealed firearms:

- I. **Districts may, but are not obligated to, require any or all of the following as conditions to authorizing on-campus carrying of concealed firearms:**
 - A. Submission to the District on an annual or biannual basis of copies of the relevant CCW permit;
 - B. Completion of an appropriate psychological evaluation by a District-approved psychiatrist;
 - C. A requirement that authorized carriers of concealed firearms provide immediate notification to the District of any:
 1. Revocation of their concealed weapons permit;
 2. Arrest;
 3. Diagnosis of or commitment for depression, mental disorder, or substance abuse;
 4. Significant change of life circumstance (divorce, death of a family member, etc.).

- D. Completion of a 24-hour POST-certified “Firearms” Course not less than every two (2) years;
 - 1. Districts should verify that applicants for on-campus carrying of concealed firearms may complete the 24-hour “PC 832” “Firearms” course at a local community college or law-enforcement training center without additional course requirement(s) in excess of or in addition to the 24-hour “Firearms” course (to the extent an appropriate course is not available through a local community college, Districts may work with local authorities to obtain necessary training for authorized carriers);
- E. Regular, periodic qualification on the use of the authorized firearm by a local law enforcement agency or District-approved gun range, with approved qualifying standards (such qualification may be required as often as quarterly);
- F. Annual background checks;

- G. Insurance providing coverage to the authorized concealed-weapons carrier for firearms-related liability and acts of self-defense, satisfying the following requirements:
 - 1. Submission and verification of the policy to the District;
 - 2. Verification that the policy provides at least \$1,000,000 in civil liability coverage including for acts of self-defense or defense of others;
 - 3. If the authorized carrier is a District Employee:
 - a) That the policy contains no “Employment” or “Professional Services” exclusion.
 - 4. If the authorized carrier is not a District Employee:
 - a) The policy is endorsed to provide “additional insured” coverage for the District, if available;
 - b) The authorized concealed firearm carrier has executed an indemnity or “hold harmless” agreement in favor of the District.
- H. Require that the authorized concealed firearm carrier maintain the authorized weapon on their body or in a locked safe (CA Approved Gun Safe) in the trunk of their vehicle at all times while on campus (weapon may not be stored on campus);
- I. Require that possession of the firearm be immediately surrendered to the Superintendent upon request as a condition to remain on campus or within a 1,000 feet of the campus;
- J. Place limitations on the amount of ammunition and/or the number and capacity of magazines carried on campus;
- K. Utilization of the firearm shall be solely for the immediate defense of life, and not for any other purpose, including the defense of property or educational purposes.
- L. Acknowledgement that the District may be required to disclose the identity of authorized concealed firearms carriers in response to Public Records Act requests.

II. Districts may revoke an individual’s authorization based on any of the following:

- A. Failure to satisfy any training and/or requalification requirement;

- B. Failure of a psychological exam;
- C. Revocation of concealed weapons permit, arrest, or commitment on account of depression, mental disease or substance abuse, regardless of whether voluntary or not;
- D. Any complaint of workplace violence, sexual or workplace harassment;
- E. Carrying an illegal weapon;
- F. Carrying non-approved weapons or ammunition, or ammunition in quantities in excess of those authorized;
- G. Displaying or brandishing the weapon or ammunition, or otherwise discussing or conveying to others that the individual is authorized to and/or is carrying a concealed weapon on campus;

- H. Discharging the weapon for any reason except the immediate defense of life, whether or not accidental;
- I. Leaving the weapon or ammunition unattended or failing to comply with District policies concerning weapons carriage or storage;
- J. Taking medications which may result in an altered mental state or an inability to operate machinery;
- K. In the exercise of the Superintendent's discretion, on the basis of any fact or circumstance leading to the reasonable belief that revocation of the carrier's on-campus authorization is appropriate and in the best interests of safety.

III. **Other Considerations**

- A. Notwithstanding the passage of SB707, appropriate Gun Free School Zone Act signage remains necessary. The on-campus carry provision of SB 707 is an exception to the general prohibition against weapons on campus. Accordingly, such appropriate signage remains necessary to support notice and enforcement of the remaining prohibitions of both State and Federal Gun Free School Zone Acts.