



# SCHOOL & COLLEGE LEGAL SERVICES OF CALIFORNIA

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## LEGAL UPDATE

November 18, 2022

**To: Superintendents, Member School Districts (K-12)**

**From: Leah M. Smith, Associate General Counsel** *LMS*

**Subject: SB 906- Safe Storage of Firearms Notice**  
**Memo No. 29-2022**

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On July 21, 2022, Governor Newsom approved Senate Bill (“SB”) 906, which creates new obligations for Local Educational Agencies (“LEAs”) aimed at preventing firearm-related incidents at schools and addressing threats made by pupils in middle schools and high schools. The bill includes two separate requirements for LEAs.

### Notification to Parents/Guardians of Safe Storage of Firearms

SB 906 requires the California Department of Education (CDE), in consultation with relevant local educational agencies, civil rights groups, and the Department of Justice, to develop model content for an annual notification to parents. That notice must, at a minimum, inform parents or guardians of California’s child access prevention laws and laws relating to the safe storage of firearms. The CDE is required to publish this model content by July 1, 2023.

Commencing with the 2023-2024 school year, LEAs maintaining kindergarten or any of grades 1 to 12, inclusive, will be required to include information related to the safe storage of firearms in the annual parent notice required by Education Code section 48980. The notification should be informed by the model content to be developed by the CDE. For LEAs who utilize this office’s model Annual Parent Notice, the document will be updated for 2023-2024 with this information, contingent on the timely publication of the model content by the CDE.

### Reporting Threats or Perceived Threats

The bill also requires school officials whose duties involve regular contact with pupils in any of grades 6 to 12 to immediately report to law enforcement any threat or perceived threat that creates a reasonable suspicion that a student is



preparing to commit a homicidal act related to school or a school activity. The school official's report must include any documentary or other evidence associated with the threat or perceived threat. Upon notice of the threat or perceived threat, the local law enforcement agency or school site police shall immediately conduct an investigation and threat assessment with the support of the LEA. The investigation and threat assessment must include a review of the firearm registry of the Department of Justice and, if justified by a reasonable suspicion that it would produce evidence related to the threat or perceived threat, a school site search.

Where two or more school officials know of the threat, there is joint obligation to report. There may be an agreement between them to file a single report. However, a school official with knowledge that the designated reporting school official has failed to make the report must thereafter make the report.

The bill provides immunity to employees of an LEA and the LEA from civil liability for any damages allegedly caused by, arising out of, or related to the bill's provisions.

This bill applies to school districts, county offices of education, and charter schools, which must comply commencing with the 2023-2024 school year.

Please contact our office with questions regarding this Legal Update or any other legal matter.

*The information in this Legal Update is provided as a summary of law and is not intended as legal advice. Application of the law may vary depending on the particular facts and circumstances at issue. We, therefore, recommend that you consult legal counsel to advise you on how the law applies to your specific situation.*

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