



# MARK WEST UNION SCHOOL DISTRICT

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**Dr. Rachel Valenzuela, Superintendent**  
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July 2023

To: Mark West Union School District - Parents/Guardians

From: Dr. Rachel Valenzuela, Superintendent

Subject: California Law Regarding Safe Storage of Firearms

Dear MWUSD Parent/Guardian:

Effective July 2023, the California Department of Education requires all California school districts to notify parents/guardians about the California Law Regarding Safe Storage of Firearms (SB 906).

In compliance with this requirement, the purpose of this memorandum is to inform and to remind parents and legal guardians of all students in the Mark West Union School District of their responsibilities for keeping firearms safely secured and stored as required by California law.

The following information clarifies the specifics of California law regarding the storage of firearms. On behalf of the California Department of Education, we encourage you to please review this information and evaluate your own personal practices to assure that you and your family are in compliance with California law.

- With very limited exceptions, California makes a person criminally liable for keeping any firearm, loaded or unloaded, within any premises that are under their custody and control where that person knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child's parent or legal guardian, and the child obtains access to the firearm and thereby (1) causes death or injury to the child or any other person; (2) carries the firearm off the premises or to a public place, including to any preschool or school grades kindergarten through twelfth grade, or to any school-sponsored event, activity, or performance; **or** (3) unlawfully brandishes the firearm to others.<sup>1</sup>
- With very limited exceptions, California also makes it a crime for a person to negligently store or leave any firearm, loaded or unloaded, on their premises in a location where the person knows or reasonably should know that a child is likely to gain access to it without the permission of the child's parent or legal guardian, unless reasonable action is taken to secure the firearm against access by the child, even where a minor **never** actually accesses the firearm.<sup>2</sup>
- In addition to potential fines and terms of imprisonment, as of January 1, 2020, a gun owner found criminally liable under these California laws faces prohibitions from possessing, controlling, owning, receiving, or purchasing a firearm for 10 years.<sup>3</sup>
- Finally, a parent or guardian may also be civilly liable for damages resulting from the discharge of a firearm by that person's child or ward.<sup>4</sup>

We appreciate your efforts in review of this information. The State of California and the California Department of Education reminds us that "the easiest and safest way to comply with the law is to keep firearms in a locked container or secured with a locking device that renders the firearm inoperable."

Sincerely,

Dr. Rachel Valenzuela, Superintendent

Date Published: July 2023, CDE

<sup>1</sup> See California Penal Code sections 25100 through 25125 and 25200 through 25220.

<sup>2</sup> See California Penal Code section 25100(c).

<sup>3</sup> See California Civil Code Section 29805.

<sup>4</sup> See California Civil Code Section 1714.3.

**Mark West Elementary School**  
Kelli Osorio, Principal  
4600 Lavell Road  
Santa Rosa, CA 95403

**San Miguel Charter Elementary**  
Patrick Eagle, Principal  
5350 Faught Road  
Santa Rosa, CA 95403

**John B. Riebli Charter Elementary**  
Emily Todd, Principal  
315 Mark West Springs Road  
Santa Rosa, CA 95404

**Mark West Charter School**  
Michelle Franci, Principal  
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