

## **Policy 1160 – Weapons**

In order to promote a safe and secure campus and learning environment, Barton Community College prohibits the possession or use of Weapons<sup>1</sup> on Campus and at Off-Campus Activities, other than as set forth below.

### **Concealed Carry:**

In accordance with the Kansas Personal and Family Protection Act, K.S.A 75-7c01, and other applicable federal/state laws, it is permissible and will not be a violation of the Policy for the:

- I. carrying of a concealed Handgun<sup>2</sup> on Campus by legally qualified individuals, pursuant to Kansas Law, and also in accordance with the Concealed Carry Restrictions set forth below,
- II. lawful carrying of a concealed Handgun by an employee performing College duties at an off-campus activity, when in accordance with applicable laws/policies for such location,
- III. lawful possession of a Handgun within a personal/non-College vehicle,
- IV. lawful possession of Weapons:
  - a. by law enforcement officers while acting within the scope of the employment
  - b. by military personnel who must carry a firearm as a part of their commission
  - c. as necessary for the conduct of College approved programs and activities.
  - d. by college employees that have been issued handguns as part of their job duties.

### **Open Carry Prohibited:**

Except as otherwise specifically provided in the Policy Statement above, open carry of any firearm anywhere on Barton's Campus is prohibited. Each entrance to each building shall be conspicuously posted with appropriate signs indicating that openly carrying a firearm into that building is prohibited.

### **Concealed Carry Restrictions:**

Concealed Carry: Each individual who lawfully possesses a Handgun on Campus shall be wholly and solely responsible for carrying, storing, and using that Handgun in a safe manner and in accordance with the law and this Policy. Individuals who carry a Handgun on Campus must carry it concealed on or about their person at all times. "Concealed" means completely hidden from view and does not reveal the Handgun in any way, shape, or form. "About" the person means that an individual may carry a Handgun if it can be carried securely in a suitable carrier, such as a backpack, purse, handbag, or other personal carrier designed and intended for the carrying of an individual's personal items. The Carrier must at all times remain within the exclusive and uninterrupted control of the individual. This includes wearing the carrier with one or more straps, consistent with the carrier's design, carrying or holding the carrier, or setting the carrier next to or within the immediate reach and control of the individual. Except in those

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<sup>1</sup> "Weapon" means weapon described in K.S.A. 21-6301, as further defined under K.S.A. 75-7c20; however, for purposes of this Policy, includes knives more than 4 inches in length.

<sup>2</sup> "Handgun" is defined as a "firearm. Pursuant to K.S.A. 75-7c02, with cross-reference to K.S.A. 75-7b01. Specifically, under K.S.A 75-7b01, it is: (1) a pistol or revolver which is designed to be fired by the use of a single hand and which is designed to fire or capable of firing fixed cartridge ammunition; or (2) any other weapon which will or is designed to expel a projectile by the action of an explosive and which is designed to be fired by the use of a single hand.

instances where necessary for self-defense or transferring to safe storage and except as otherwise provided in this policy, it shall be a violation of this policy to openly display any handgun while on campus.

**Restriction Pursuant to Kansas Law:** Kansas Law states that the only type of firearm that an individual can carry while concealed is a Handgun as defined above. The following restrictions applicable to all firearms specifically apply to the concealed carrying of a Handgun under Kansas law and this Policy, and the violation of any of the following restrictions is a crime under Kansas law and a violation of this Policy:

- An individual in possession of a concealed firearm must be at least 21 years of age [K.S.A. 21-6302(a)(4)];
- A firearm cannot be carried by an individual:
  - under the influence of alcohol or drugs to a degree as to render the individual unable to safely operate the firearm (K.S.A. 21-6332),
  - who is addicted to and an unlawful user of a controlled substance [K.S.A. 21-6301 (a)(10)],
  - who is or has been a mentally ill person subject to involuntary commitment [K.S.A. 21-6301 (a)(13)],
  - with an alcohol or substance abuse problem subject to involuntary commitment [K.S.A. 21-6301 (a)(13)],
  - who had been convicted of a felony crime (K.S.A. 21-6304);
- An automatic firearm cannot be carried [K.S.A. 21-6301 (a)(5)];
- A cartridge which can be fired by a Handgun and which has a plastic-coated bullet with a core of less than 60% lead by weight is illegal [K.S.A. 21-6301 (a)(6)];
- Suppressors and silencers cannot be used with a firearm [K.S.A. 21-6301 (a)(4)]; and
- Criminal discharge of a firearm is reckless and unauthorized discharge of any firearm at any person, or at a dwelling, or at a structure or vehicle, except in self-defense [K.S.A. 21-6308, 6308a];

**Location Restrictions:** Certain Campus buildings and/or Public Areas<sup>3</sup> within the Campus may be permanently or temporarily designated to prohibit concealed Handguns with the installation or use of Adequate Security Measures. Appropriate notification will be given and posted in the event that an area of the campus has been designated to permanently or temporarily prohibit concealed Handguns.

Facilities which are leased/occupied by Barton fall under this policy unless the facility owner has lawfully excluded or permit Handguns from their facility. Facilities such as Federal military installations, correctional facilities, etc. may have policies and procedures exclusive to those facilities. Individuals are expected to comply with the policies imposed by the location. The possession/transportation of a handgun in college owned vehicles is prohibited (with exception to Concealed Carry section IV).

**Safety Requirements:** To reduce the risk of accidental discharge on Campus, when carrying a concealed Handgun on Campus (whether on the person or in a carrier), the concealed Handgun is to be secured in a holster that completely covers the trigger and the entire trigger guard area and that secures an external hammer in an un-cocked position through the use of a strap or by

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<sup>3</sup> "Public Areas" is defined at K.S.A. 75-7c20

other means. The holster is to have sufficient tension or grip on the handgun to retain it in the holster even when subjected to unexpected jostling. Handguns with an external safety are to be carried with the safety in the “on” position. Semiautomatic handguns are to be carried without a chambered round of ammunition and revolvers with a hammer resting on an empty cylinder.

**Storage:** Handgun storage is not provided by Barton Community College. Handguns that are not in the individual’s exclusive and uninterrupted control may store a Handgun in:

- The individual’s vehicle when the vehicle is locked and the Handgun is secured in a location within the vehicle that is not visible from outside the vehicle.
- A dorm room or office in a secure, locked, storage device that conceals the gun from view. Such storage devices shall be provided by the individual who possesses the handgun and must meet minimum industry standards for safe-keeping of handguns. These storage devices must be secured to a fixed object in the room with a cable locking device.

Specifically, it is prohibited for any individual to store a Handgun:

- in a vehicle that is unlocked or when the Handgun is visible from outside the vehicle,
- in a college owned vehicle,
- in an individual’s assigned office or dorm room when not locked in a secured storage device (meeting minimum industry standards for safe-keeping of handguns),
- in a classroom or any other campus facility,
- in an unattended backpack/carrier,
- in any type of locker, desk, closet, etc. not intended for handgun storage or,
- in any other location and under any circumstances except as specifically permitted by this policy and by state and federal law.

**Training:**

Individuals are encouraged to obtain training in the proper handling of concealed Handguns. Concealed carry classes are available locally. The lawful carrying of a concealed Handgun has its own risks.

**Violation of Policy:**

Any person violating this policy may be subject to appropriate disciplinary action, including but not limited to suspension, termination, expulsion, immediate removal from the campus, and/or campus housing, and/or arrest. This includes the accidental or unintended discharge of a firearm in violation of K.S.A. 21-6308.

**Notice:**

*Any report of Weapons being openly displayed on Barton’s campus will be responded to by the Campus Safety Department and the Barton County Sheriff’s office. The lawful carrying of a concealed Handgun should not create concerns on campus; however, anything other than the lawful carrying of a concealed Handgun has the potential to create confusion and additional risks and will be responded to by Campus Safety and the Barton County Sheriff’s office.*

It is the responsibility of the individual choosing to Concealed carry to be aware of both Federal and individual state laws regarding the concealed carry of weapons into other jurisdictions that

they may travel to. There are significant differences in laws between Kansas and other jurisdictions.

**Reporting:**

Individuals should report violations of this Policy to the Campus Safety Department

- Call extension 217
- Anonymous reporting can be sent via the Barton Guardian app
- Email Campus Safety

**Emergency reports concerning threats or violence on campus should call 911 and Campus Safety at extension 217.**

**Approved by:** President

**Date:** 6/27/13

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