



Policies and Procedures

11.19 / Weapons on University Property

(Takes Effect July 1, 2017)

Purpose:

It is the policy of the Kansas Board of Regents (hereinafter referred to as Board), to the extent permitted by law, to allow concealed carry of handguns and prohibit possession of other weapons and open carry of firearms on the University campus. This sets forth Wichita State University (hereinafter referred to as University) policy with regard to the presence of weapons on University property.

Preamble:

In view of the enactment of the Kansas Personal and Family Protection Act, subsequent amendments and Board policy, the Board has directed each state University to develop and follow policies and procedures for the safe possession and storage of lawfully possessed handguns and determine whether and to what extent otherwise lawfully possessed concealed handguns will be prohibited in any university buildings or areas of buildings.

Policy Statement:

- A. Beginning July 1, 2017, any individual who is 21 years of age or older and who is lawfully eligible to carry a concealed handgun in Kansas shall not be precluded from doing so on the Wichita State University campus except in buildings and public areas of buildings for which adequate security measures are provided, as restricted in this policy or Kansas Board of Regent's policy, and except as otherwise prohibited by law.
- B. There are no University buildings that have been designated as gun-free with permanent adequate security measures. The University may designate a specific location as temporarily gun-free, with appropriate signage, and use temporary adequate security measures after submission and approval by the Governance Committee of the Board. Appropriate notice will be given whenever this temporary designation is made.
- C. 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, Board policy and University policy. Nothing in this policy shall be interpreted to require individuals who lawfully possess a handgun to use it in defense of others.
- D. Possession of weapons, other than concealed handguns, anywhere on any campus location shall be prohibited. This includes the open carry of any weapon, including a handgun or handguns. Every entrance to each building and facility at any campus location shall be conspicuously posted with appropriate signs indicating that openly carrying a weapon into that building or facility is prohibited. Additional signs may be posted as appropriate.

Definitions:

1. Weapons, firearms, explosives and other hazardous objects or substances covered by this policy shall include, but not be limited to, the following:
 - (a) Any object or device which will, is designed to, or may be readily converted to expel bullet, shot or shell by the action of an explosive or other propellant;
 - (b) any handgun, pistol, revolver, rifle, shotgun or other firearm of any nature, including those that are concealed or openly carried;
 - (c) any BB gun, pellet gun, air/C'02 gun, blow gun, or any device, such as a Taser, which is designed to discharge electric darts or other similar projectiles; however, personal self-defense stun guns that do not fit with the preceding definition shall not be deemed to be a weapon for the purposes of this policy;
 - (d) any explosive, incendiary or poison gas (A) bomb, (B) mine, (C) grenade, (D) rocket having a propellant charge of more than four ounces, or (E) missile having an explosive or incendiary charge of more than ¼ ounce;
 - (e) any incendiary or explosive material, liquid, solid or mixture equipped with a fuse, wick or other detonating device;
 - (f) any tear gas bomb or smoke bomb; however, personal self-defense items containing mace or pepper spray shall not be deemed to be a weapon for the purposes of this policy;
 - (g) any knife, commonly referred to as a switch-blade, which has a blade that opens automatically by hand pressure applied to a button, spring or other device in the handle of gravity or by an outward, downward or centrifugal thrust or movement;
 - (h) any straight-blade knife of four inches or more such as a dagger, dirk, dangerous knife or stiletto; except that an ordinary pocket knife or culinary knife designed for and used solely in the preparation or service of food shall not be construed to be a weapon for the purposes of this policy;
 - (i) any martial arts weapon such as nunchucks or throwing stars;
 - (j) any longbow, crossbow and arrows or other projectile that could cause serious harm to any person; or
 - (k) any other dangerous or deadly weapon or instrument of like character.

2. The term “handgun” means:
 - (a) 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
 - (b) 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.
3. The term “firearm” includes any handgun, rifle, shotgun, and any other weapon which will or is designed to expel a projectile by the action of an explosive.
4. The phrase “adequate security measures” means the use of electronic equipment and armed personnel at public entrances to detect and restrict the carrying of any weapons into the University building, or any public area thereof, including, but not limited to, metal detectors, metal detector wands or any other equipment used for similar purposes to ensure that weapons are not permitted to be carried into such building or public area by members of the public. Adequate security measures for storing and securing lawfully carried weapons, including, but not limited to, the use of gun lockers or other similar storage options may be provided at public entrances.
5. “Public area” means any portion of a University building that is open to and accessible by the public or which is otherwise designated as a public area by the board.
6. “Concealed” means completely hidden from view and does not reveal the weapon in any way, shape, or form.
7. “Approved storage device” should (a) be of a sufficient size to fully enclose the handgun while secured in an approved holster, (b) constructed of sturdy materials that are non-flammable, (c) have a combination, digital or other secure locking device that can only be unlocked by the individual using the storage device but devices secured exclusively with a key lock are prohibited, and (d) constructed specifically for the storage of a handgun and/or ammunition.

Procedures:

8. Individuals lawfully possessing a handgun, pursuant to this policy, should keep it completely concealed on or about their person at all times, maintain it within their immediate control and custody and not brandish or intentionally display the handgun except when lawfully using the handgun in self-defense or when to transfer to safe storage. This allows individuals to carry a handgun if it can be carried securely in a briefcase, backpack, purse, handbag or other similar personal carrier designed and intended for the carrying of an individual’s personal items so long it is 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 placing the carrier next to, or within the immediate reach of, the individual at all times.

9. Any employee, who is legally qualified, shall not be prohibited from carrying any concealed handgun while performing work for the University, including while in a means of conveyance, except in a campus building that has adequate security measures at all public access entrances to ensure that no weapons are permitted to be carried into such building and the building is conspicuously posted.
10. Weapons other than concealed handguns, as defined and allowed above, are not permitted on University property unless in the possession of a law enforcement officer, armored car security personnel, or private security pre-approved by the Chief of the University Police Department.
11. For the purposes of this policy, the term weapons would not include items or materials used in or necessary for the conduct of Board-approved academic programs or University-approved activities or practices. However, the University's Chief of Police should be notified about any such items or materials in advance of their use or presence on campus and mandate specific requirements for the possession, use and storage of such items or materials, including notification of other necessary University personnel.
12. Handguns carried by individuals, whether on their person or in a carrier, must 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 other means. Handguns with an external safety must be carried with the safety in the "on" position. The holster must have sufficient tension or grip on the handgun to retain it in the holster even when subjected to unexpected jostling. Semiautomatic handguns must be carried without a chambered round of ammunition. Revolvers must be carried with the hammer resting on an empty cylinder.
13. The concealed carry of a handgun by 1) an individual who is legally qualified to have a handgun and who has been screened in accordance with K.S.A. 75-7c20(d), 2) an employee who is legally qualified to have a handgun, and 3) those individuals identified in paragraph 10, above, is allowed while the individual is located in non-public areas within University buildings that have restricted access entrances that require a key, key card, code, or similar device to ensure only authorized individuals are allowed into those areas. The concealed carry of a handgun by any other individual in such non-public area is prohibited. Non-public areas with University buildings must be specifically approved by the President of the University, or the President's designee, after consultation with the University Chief of Police and the University General Counsel. Each restricted access entrance where concealed carry is prohibited as provided in this paragraph shall be conspicuously posted with appropriate signs indicating that carrying a concealed handgun into that non-public area is prohibited. The signage should be in accordance with rules and regulations adopted by the Kansas Attorney General as described in K.S.A. 75-7c10.
14. The University Police Department should be notified of a suspected violation of this policy by telephone, electronic mail, in person or in writing. Within a reasonable period of time after receiving such notification, the University Police Department shall investigate the matter and report its factual findings to Human Resources if any employee is involved or the Office of Student Conduct and Community Standards (hereinafter referred to as Student Conduct) if a student is involved. If it is a visitor, the University Police Department shall have the authority to handle the situation as deemed appropriate. Upon receipt of the factual findings, Human Resources or Student Conduct may conduct an independent investigation to determine if a policy violation has

occurred. Any employee or student of the university who violates one or more provisions of this policy shall be subject to discipline in accordance with applicable university codes of conduct. Any individual who violates one or more provisions of this policy may be issued a lawful directive to leave campus with the weapon immediately. Any individual who violates the directive shall be considered to be in trespass and may be cited accordingly. Any individual who violates state or federal law may be detained, arrested or otherwise subjected to lawful processes appropriate to the circumstances.

15. Nothing in this policy is intended to replace municipal, state or federal law regarding weapons, firearms, explosives and other hazardous objects or substances or to be inconsistent with the authority afforded a lawfully commissioned peace officer.
16. This policy is intended to apply and cover any building or grounds owned by the university or the Board and any building or grounds leased by the university or the Board for university use and located within the State of Kansas. Buildings and land owned by or both owned by and leased to third parties that otherwise might be located on ground owned by the University are not included. This policy may not be applicable on all locations leased by the University if the University is not the sole tenant of the leased property. Leased locations leased and controlled by an entity that may lawfully exclude or permit firearms at their premises (concealed or otherwise) may choose at their sole discretion to exclude or permit concealed firearms from their premises, notwithstanding a lease with the University so long as the University is not the sole tenant on the leased property.
17. All University students and employees will be notified concerning this policy prior to the effective date of the policy. This notification will include learning when this policy applies, the availability of any known local or regional firearm safety instruction, how a handgun is carried and stored pursuant to this policy, how to report a suspected violation of this policy, who investigates reports, the potential consequences upon confirmation the policy has been violated and other topics relevant to this policy.

Implementation:

This policy shall be included in the *WSU Policies and Procedures Manual* and shared with appropriate constituencies of the University.

Kansas Board of Regents Approval Date:

December 14, 2016

Effective Date:

July 1, 2017