

## Policy: 5.12

### Prohibited Weapons Policy

- (a) **Weapons Generally Prohibited.** Except as provided below, it is the policy of Kansas City Kansas Community College (“KCKCC”) to prohibit the possession or use of firearms, explosives, or other weapons on any KCKCC campus. This prohibition extends to all off-campus KCKCC-sponsored or supervised activities. Open carry of any firearm anywhere on any campus shall be prohibited. Each entrance to each building and facility shall be conspicuously posted with appropriate signs indicating that openly carrying a firearm into that building or facility is prohibited.

Persons with knowledge or information of conduct which may constitute a violation of this Policy are urged to contact the KCKCC Campus Police.

- (b) **Applicability.** This Policy applies to all Kansas City Kansas Community College (“KCKCC”) students, employees and visitors on any KCKCC campus. This Policy extends to all off-campus KCKCC-sponsored or supervised activities (“Off-Campus Activities”).
- (c) **General Exception.** Nothing in this policy shall be read to prohibit possession of weapons on campus: (1) by KCKCC Campus Police Officers while acting within the scope of their employment or (2) as necessary for the conduct of KCKCC-approved academic programs or approved activities or practices.
- (d) **Concealed Carry Permitted.** Beginning July 1, 2017, in accordance with the Kansas Personal and Family Protection Act, K.S.A. 75-7c01 *et seq.*, as amended and other applicable federal and state statutes, the following is permissible and will not be a violation of this Policy or Policy 5.12:
1. The carrying of a concealed Handgun on any KCKCC campus by legally qualified individuals, pursuant to Kansas law, and also in accordance with the Concealed Carry Restrictions set forth in subsection (d) of this Policy;
  2. The lawful carrying of a concealed Handgun by an employee performing KCKCC duties at an Off-Campus Activity, when in accordance with the applicable laws and policies for such location;
  3. The lawful possession of a Handgun within a personal/non-KCKCC vehicle.
- (e) **Concealed Carry Restrictions.** Each individual who lawfully possesses a Handgun on any KCKCC campus shall be wholly and solely responsible for carrying, storing and using the

Handgun in a safe manner and in accordance with the law and this Policy. Individuals who carry a Handgun on any KCKCC campus must carry it concealed on or about their person at all times. It shall be a violation of this Policy to openly display any lawfully possessed handgun while on any KCKCC campus, except for those instances where necessary for self-defense to transferring to safe storage, and except as otherwise provided by KCKCC Policy. Nothing in this policy shall be interpreted to require individuals who lawfully possess a handgun to use it in defense of others. No person shall use the fact or possibility that he or she is carrying a concealed weapon with the intent to intimidate another person except in defense of self or others.

(f) **Kansas Law Restrictions.** Kansas law states that the only type of firearm that an individual can carry while concealed is a Handgun, as defined below in subsection (l) of this Policy. 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:

1. An individual in possession of a concealed firearm must be at least 21 years of age. K.S.A. 21-6302(a)(4).
2. A firearm cannot be carried:
  - By an individual under the influence of alcohol or drugs, or both, to such a degree as to render the individual unable to safely operate the firearm. K.S.A. 21-6332.
  - By an individual who is both addicted to and an unlawful user of a controlled substance. K.S.A. 21-6301(a)(10).
  - By an individual who is or has been a mentally ill person subject to involuntary commitment. K.S.A. 21-6301(a)(13).
  - By an individual with an alcohol or substance abuse problem subject to involuntary commitment. K.S.A. 21-6304.
3. An automatic firearm cannot be carried. K.S.A. 21-6304.
4. 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).
5. Suppressors and silencers cannot be used with a firearm. K.S.A. 21-6301(a)(4).
6. Firearms cannot be fired in the corporate limits of a city or at a dwelling, or at a structure or vehicle in which people are present, except in self-defense. K.S.A. 21-6308; K.S.A. 21-6308a.

- (g) **Location Restrictions.** Under Kansas law, certain campus buildings and/or Public Areas within campus buildings can be permanently or temporarily designated to prohibit concealed Handguns. There are no KCKCC campus buildings or Public Areas that have been permanently designated to prohibit concealed Handguns with Adequate Security Measures in place. However, KCKCC may temporarily designate a specific location as prohibiting concealed Handguns and use temporary Adequate Security Measures as defined and required by law. Appropriate notice will be given whenever this temporary designation is made.

Campus locations leased by KCKCC or used for Off-Campus Activity, and owned 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 Handguns from their premises, notwithstanding the lease or use arrangement with KCKCC. If Handguns are excluded at such locations and would otherwise be permitted by this Policy, individuals are expected to comply with the rules imposed by the location.

In addition, areas of buildings that have no public access entrances and are limited to restricted access entrances only may be off-limits to concealed carry, as determined by KCKCC. “Restricted access entrance” means an entrance that is restricted to the public and requires a key, keycard, code, or similar device to allow entry to authorized personnel. “Authorized personnel” means employees of the KCKCC and any person granted authorization pursuant to K.S.A. 75-7c20(d)(2), who are authorized to enter a KCKCC building through a restricted access entrance. Appropriate signage will be provided in these areas.

- (h) **Safety Requirements.** To reduce the risk of accidental discharge on any KCKCC campus, when carrying a concealed Handgun on any KCKCC campus (whether on the person or in an appropriate 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 uncocked position through the use of a strap or by 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 the hammer resting on an empty cylinder.
- (i) **Storage.** Handgun storage is not provided by KCKCC. Individuals 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. Handgun storage by any other means on any KCKCC campus is prohibited. Specifically, it is prohibited for any individual to store a Handgun: (1) in any vehicle that is unlocked or when the Handgun is visible from outside the vehicle; (2) in an individual’s office; (3) in an unattended backpack/carrier; (4) in

any type of locker; or (5) in any other location and under any circumstances except as specifically permitted by both this Policy and state and federal law. Any Weapons of any sort found unattended or not appropriately secured should be immediately reported to KCKCC Campus Police.

For any on-campus residential unit that does not have adequate security measures, each resident who lawfully possesses a handgun on campus and elects to store the handgun they possess in the room to which they are assigned when not carrying it on their person in a concealed fashion shall secure the handgun in a secure 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.

The College does not provide approved handgun storage devices to any person under any circumstances. Each individual who stores a handgun in an on-campus residence must provide their own approved storage device. An approved storage device has each of these characteristics:

- (1) it is of sufficient size to fully enclose the handgun while secured in an approved holster;
- (2) it is constructed of sturdy materials that are non-flammable;
- (3) it has 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,
- (4) the device is constructed specifically for the storage of a handgun and/or ammunition.

All ammunition stored in an on-campus residence must be stored in an approved storage device.

- (j) **Training.** Even the lawful carrying of a concealed Handgun has its own risks. Training on the proper handling of a concealed Handgun is encouraged. KCKCC may periodically offer on-campus presentations to students and employees related to safe Handgun practices.
- (k) **Responsible Exercise of Rights.** Carrying a concealed Handgun is not appropriate under all circumstances. KCKCC strongly encourages all members of the KCKCC community to give serious consideration to whether, in any given situation, the exercise of their concealed carry rights is appropriate under the circumstances.
- (l) **Investigation.** Any report of Weapons on a KCKCC campus will be addressed by KCKCC Campus Police and/or by local police departments in coordination with KCKCC Campus Police.
- (m) **Enforcement.** Any individual violating this Policy will be subject to appropriate disciplinary action, including but not limited to suspension, expulsion, termination of employment, immediate removal from the premises and arrest. Enforcement of this Policy will be administered by the KCKCC Campus Police.

(n) **Notice.** Notice of and reference to this policy shall be given in the implementing weapons procedures of the KCKCC, the KCKCC handbook and codes of conduct, as well as in housing contracts. To the extent adequate security measures are used to prohibit concealed carry into stadiums, arenas and other large venues that require tickets for admission, the tickets shall state that concealed carry will be prohibited at that event.

(o) **Definitions.** For the purpose of this Policy, the following definitions apply:

1. "Weapon" is defined as:

1. 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;

2. Any handgun, pistol, revolver, rifle, shotgun or other firearm of any nature, including those that are concealed or openly carried;

3. Any BB gun, pellet gun, air/CO<sub>2</sub> gun, stun gun or blow gun or any Taser or similar electrical weapon that discharges a projectile;

4. 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;

5. Any incendiary or explosive material, liquid, solid or mixture equipped with a fuse, wick or other detonating device;

6. Any tear gas bomb or smoke bomb; however, personal self-defense items containing mace or pepper spray shall not be deemed to be weapons for purposes of this policy;

7. Any knife that has a blade that opens automatically by hand pressure applied to a button, spring or other device in the handle of the knife (commonly referred to as a switch-blade), or any knife having a blade that opens or falls or is ejected into position by the force of gravity or by an outward, downward or centrifugal thrust or movement;

8. Any straight-blade knife of three 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 and service of food shall not be construed to be a weapon for the purposes of this policy;

9. Any martial arts weapon such as nunchucks or throwing stars; and

10. Any longbow, crossbow and arrows or other projectiles that could cause serious harm to any person; and
11. Any other dangerous or deadly weapon or instrument of like character.
2. “Handgun” is defined as a “firearm,” pursuant to K.S.A. 75-7c02, with a cross-reference to K.S.A. 75-7b01. Specifically, under K.S.A. 75-7b01, it is: (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. “Concealed” means completely hidden from view and in a manner that does not reveal the Handgun in any way.
4. “About their person or about the person” means carried 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. Such 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 or control of the individual.
5. “Public Area” is defined by K.S.A. 75-7c20(m)(4).
6. “Adequate Security Measures” is defined by K.S.A.75-7c20(m)(1), , and “building” shall have the same meaning as the term “state building” is defined in K.S.A. 75-7c20.
7. “Campus” means any building or grounds owned by KCKCC or the Board and any building or grounds leased by the KCKCC or the Board for KCKCC use.
8. “Open carry” means carrying a firearm visible to others.
9. “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.