

TOPIC:  
Weapons - Procedures

Policy Number:  
F12

### Definitions

For purposes of this policy the term “weapons” includes:

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, 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 a weapon for the purposes of this policy;
7. 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 the knife, 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 or pocket knife of three inches or more such as a dagger, dirk, dangerous knife or stiletto; except any 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 unless used or attempted to be used as a weapon;
9. any martial arts weapon such as nunchucks or throwing stars;
10. any longbow, crossbow and arrows or other projectile that could cause serious harm to any person; or
11. any other dangerous or deadly weapon or instrument of like character.

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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.

The term “handgun” means:

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.

“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 state or municipal 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.

“State or municipal building” means a building owned or leased by such public entity. It does not include a building owned by the state or a municipality which is leased by a private entity whether for profit or not-for-profit or a building held in title by the state or a municipality solely for reasons of revenue bond financing.

The term “campus” means any building or grounds owned by the College or the Board and any building or grounds leased by the College or Board for college use.

Open Carry and Concealed Carry of Weapons on Campus

Effective July 1, 2017, open carry of firearms and possession of weapons other than concealed handguns shall be prohibited on campus, subject to the rules stated in this policy. Students are prohibited from carrying weapons at all off-campus College-sponsored or supervised activities including while in a vehicle. As required by law, the College does not prohibit employees, who are legally qualified, from carrying a concealed handgun while engaged in the duties of their employment outside of Cloud County Community College’s place of business, including while in a vehicle.

Nothing in this policy shall be read to prohibit possession of weapons on campus as necessary for the conduct of Board-approved academic programs or College-approved activities or practices with the advance written approval of the Vice President for

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Administrative Services, or by Campus Security officers or law enforcement officers while acting within the scope of their employment.

There are no College locations that have been designated as prohibiting concealed carry with permanent adequate security measures. The College may from time to time designate a specific location as temporarily prohibiting concealed carry and use temporary adequate security measures as defined and required by law. Appropriate notice will be given whenever this temporary designation is made, including notice to the Board and appropriate signage.

Prohibitions Based on State Law

Individuals who are 18 years of age or older or possess a valid provisional license pursuant to K.S.A. 75-7c03 or a valid concealed carry license issued by another state and who is lawfully eligible to carry a concealed handgun in Kansas shall not be precluded from doing so on campus.

Regardless whether the individual is otherwise lawfully eligible to carry a concealed handgun, the following restrictions apply to the carrying a firearm by Kansas law, 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 18 years of age or possesses a valid provisional license pursuant to K.S.A. 75-7c03 or a valid concealed carry license issued by another state. [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 degree as to render the individual incapable of safely operating the firearm;
3. A firearm cannot be carried by an individual who is both addicted to and an unlawful user of a controlled substance [K.S.A. 21-6332];
4. A firearm cannot be carried by an individual who is or has been a mentally ill person subject to involuntary commitment [K.S.A. 21-6301(a)(13)];
5. A firearm cannot be carried by an individual with an alcohol or substance abuse problem subject to involuntary commitment [K.S.A. 21-6301(a)(13)];
6. A firearm cannot be carried by an individual who has been convicted of a felony crime [K.S.A. 21-6304];
7. An automatic firearm cannot be carried [K.S.A. 21-6301(a)(5)];
8. 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)];
9. Suppressors and silencers cannot be used with a firearm [K.S.A. 21-6301(a)(4)]; and

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10. 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 defense of life [K.S.A. 21-6308(a)(1)(A)(B)] and [K.S.A. 21-5222].

It shall also be a violation of this policy to otherwise possess, store, transport, trade, sell or in any other way use a firearm in violation of any applicable law.

Carrying and Storing Handguns

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 Board policy. Nothing in this policy shall be interpreted to require individuals who lawfully possess a handgun to use it in defense of others.

Beginning July 1, 2017, each individual who lawfully possesses a concealed handgun on campus shall at all times have that handgun in their custody and control, and shall either:

1. Carry it concealed on or about their person in a manner that complies with this policy, or;
2. Keep it stored in a secure storage location approved by Campus Security or Junction City Policy Department, at their residence, or in their privately-owned or leased vehicle.

Individuals who carry a handgun on campus must carry it concealed on or about their person at all times. With respect to this policy, “concealed” means completely hidden from view and does not reveal the weapon 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. Moreover, 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 of the individual. Except in those instances where necessary for defense of life [K.S.A. 21-5222] or transferring to safe storage and except as otherwise provided in this Policy, it shall be a violation of Board policy to openly display any lawfully possessed concealed carry handgun while on campus.

Every handgun carried by an individual, whether on their person or in a carrier, must be secured in a holster. The holster must 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 must be carried with the safety in the “on” position.

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When handguns are not being carried by the person, they shall be stored.

Handguns and ammunition may **ONLY** be stored:

1. In an individual’s privately-owned or leased motor vehicle when the vehicle is locked (if unattended) and the handgun and/or ammunition is secured in a location within the vehicle that is not visible from outside the vehicle; or,
2. In an individual’s on-campus residential unit, who legally owns the handgun and/or ammunition and when the handgun and/or ammunition is in an approved storage device.

The College does not provide approved handgun and/or ammunition storage devices to any person under any circumstances. Such storage devices shall be provided by the individual who possesses the handgun and/or ammunition and must meet minimum industry standards for safe-keeping of handguns and/or ammunition and must be approved by the College’s Security Department.

An approved storage device has each of these characteristics:

1. 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,
2. The device is constructed specifically for the storage of a handgun and/or ammunition.

Reporting and Preventative Actions Pending an Investigation

All reports of suspected violation of the concealed carry policy on the Concordia Campus are made to the Vice President for Administrative Services or by calling Campus Security at 785-243-6646. All reports of suspected violation of the concealed carry policy on the Geary County Campus are made to the Director of the Geary County Campus or by calling the Junction City Police Department at 785-762-5912.

The Vice President for Administrative Services or their designee will conduct an initial investigation to determine whether the report describes a criminal matter and/or a policy violation.

If it is determined that a policy violation has occurred, Campus Security Officers or their designee shall secure the scene and contact the owner of the weapon. The owner will be asked to resolve the policy violation. Should

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a policy violation become a legal issue, or the behavior and actions of the individual in control of the weapon become a danger to themselves or others, local law enforcement shall be contacted to determine whether state or federal law has been violated. Law enforcement shall act within the scope of their authority to resolve the issue. The Vice President for Administrative Services shall determine the appropriate sanction for any policy violation.

If, prior to a policy violation, a student’s or staff member’s behavior is brought to the attention of the Behavior Intervention Team (BIT), the team may recommend to the Vice President of Administrative Services or their designee that preventative action may be necessary to insure the safety of the college, its students, and employees. Such preventative action may include, but is not limited to:

1. Prohibiting an alleged policy violator from carrying a concealed firearm anywhere within the geographic limits of the college;
2. If a student’s behavior is threatening to themselves or others, temporary suspension from one or more classes in which the student is enrolled, or a change in the student’s class schedule, or the placement of restrictions or conditions on the student in order to continue with normal class attendance and participation;
3. If an employee’s behavior is threatening to themselves or others, administrative leave, with or without pay, or the placement of restrictions or conditions on the employee may be applied in order to continue with the employee’s employment schedule.

Sanctions

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

Notices

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Notice of this policy, the Board policy, and the Kansas concealed carry law are provided in this policy and shall also be referenced to in the College's handbook, the student code of conduct, and each housing contract. To the extent adequate security measures are used to prohibit concealed carry into gymnasiums, theaters, and other large venues that require tickets for admission, the tickets shall state that concealed carry will be prohibited at that event. Signs will be posed as appropriate.

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