

HIGHLAND COMMUNITY COLLEGE
GENERAL POLICY

SUBJECT: HCC Weapons Policy

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BOARD OF TRUSTEE APPROVAL: 05/24/2017
REVISED: 01/27/2021

EFFECTIVE DATE: 07/01/2017
REVISION EFFECTIVE: 1/28/2021

Applicability: This Policy applies to all Highland Community College (HCC or “College”) students, employees, and visitors: i) on the HCC main campus and within or upon locations owned, leased, or controlled by HCC that are not part of the HCC main campus (collectively, “Campus”), or ii) when attending/participating in or performing College duties at any off-Campus College sponsored or supervised classes, practices, activities, or other programs (collectively, “Off-Campus Activity”).

Weapons Statement: In order to promote a safe and secure community college and learning environment, HCC prohibits the possession or use of Weapons* on Campus and at Off-Campus Activities, except as set forth below.

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

- I) Carrying of a concealed Handgun** 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 as necessary for the conduct of College approved programs.

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. 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/control of the individual. It shall be a violation of this Policy to openly display any lawfully possessed Handgun while on Campus.

Restrictions 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:

(Restrictions Pursuant to Kansas law continued)

- 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, or both, to such a degree as to render the individual unable to safely operate the firearm [K.S.A. 21-6332],
 - Who is both 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 has been convicted of a felony crime [K.S.A. 21-6304],
- An automatic firearm cannot be carried [K.S.A. 21-6301(a)(5)],
- Suppressors and silencers cannot be used with a firearm [K.S.A. 21-6301(a)(4)]; and,
- 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, 6308a]

Location Restrictions: Certain Campus buildings and/or Public Areas***within Campus Buildings can be permanently or temporarily designated to prohibit concealed Handguns. There are no Campus buildings or Public areas that have been permanently designated to prohibit concealed handguns with Adequate Security Measures (ASMs) in place. However, HCC may temporarily designate a specific location as prohibiting concealed Handguns and use temporary ASMs as defined and required by law. Appropriate notice will be given whenever this temporary designation is made.

Campus locations leased by HCC 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 a lease or use arrangement with HCC. 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.

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 other means. Handguns with an external safety are to be carried with the safety in the “on” position.

Storage: Handgun storage is not provided by HCC. 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.

Individuals who legally reside in HCC Campus Housing may store a Handgun in their own apartment bedroom in an opaque (non-transparent) storage device. Handgun storage by any other means is prohibited. 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 full 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. 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.

Employees who are assigned a private office on the HCC Campus or a regional site may store a Handgun in an opaque (non-transparent), locked storage box inside their assigned office when the office is locked and the Handgun is not visible from inside or outside the office. Handgun storage by any other means is prohibited.

Specifically, it is prohibited for any individual to store a Handgun: i) in a vehicle that is unlocked or when the Handgun is visible from outside the vehicle, ii) in an unattended backpack/carrier, iii) in any type of locker, iv) in a campus apartment that is not contractually assigned to the owner of the Handgun v) in a transparent, locked or unlocked storage container, vi) in an unlocked campus apartment, vii) in an unlocked storage container inside a campus apartment, or viii) in any other location and under any circumstances except as specifically permitted by this Policy and by state and federal law.

Even the lawful carrying of a concealed Handgun has its own risks. Any report of Weapons on an HCC Campus will be addressed by local law enforcement in coordination with HCC officials. The lawful carrying of a concealed Handgun should not create concerns on Campus; however, anything other than lawful carrying of a concealed Handgun has the potential to create confusion and additional risk during police responses.

Enforcement: Any individual violating this Policy will be subject to appropriate disciplinary action for employees and minimum immediate removal from student housing and assigned disciplinary probation or possible expulsion from the College for students. Enforcement of this Policy will be administered by HCC Officials.

Reporting

1. Suspected violations of this Policy should be reported to HCC Security:
 - Call HCC Security: 785-741-2206
 - Walk-in: Vice President for Student Services Office, Administration Building, Highland Campus
 - Written Report: Incident Reporting Form:
<https://cm.maxient.com/reportingform.php?HighlandCCKS>
2. Emergency reports concerning threats or violence on campus:
 - Call 911
 - Call HCC Security: 785-741-2206

*"Weapon" means a 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.

***"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.

****"Public Areas" is defined at K.S.A. 75-7c20.