

Firearms



In order to promote a safe and secure community college and a caring learning environment, Allen Community College prohibits the possession or use of firearms on college/campus facilities and at off-campus activities, other than as set forth below.

In accordance with the Kansas Personal and Family Protection Act, K.S.A. 75-7c01 *et seq.*, as amended and other applicable laws, it is permissible and will not be a violation of this policy for legally qualified individuals to:

1. carry a concealed handgun on campus pursuant to Kansas law and in accordance with the Concealed Carry Restrictions set forth below;
2. lawfully carry a concealed handgun as an employee performing College duties at an off-campus activity, when in accordance with applicable laws and policies for such location;
3. lawfully possess a handgun within a personal/non-College vehicle;
4. lawfully possess or use a handgun if a law enforcement officer acting in his/her official capacity; or
5. as approved for the conduct of College programs.

This policy applies to all Allen County Community College students, employees, and visitors

1. on the Allen County Community College Iola Campus and within locations owned or leased by Allen County Community College,
2. on the Allen County Community College Burlingame Campus, where a specific provision has been set forth in this policy, and
3. when attending, participating in, or performing College duties at any off-campus College sponsored or supervised classes, practices, activities, events, or other programs (collectively, "off-campus activities").

Open Carry of Firearms

Allen County Community College prohibits the open carry of firearms other than concealed handguns on college/campus facilities and at off-campus activities.

Definitions

"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

- a pistol or revolver which is designed to be fired by the use of a single hand and which is designed to fire or be capable of firing fixed cartridge ammunition;
- 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.

Concealed Carry of Handguns

Each individual who lawfully possesses a handgun on an Allen County Community College 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 his/her person at all times. "Concealed" means completely hidden from view and does not reveal the handgun in any way, shape, or form. "About his/her 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 suitable carrier must at all times remain within the exclusive and uninterrupted control of the individual. This control includes wearing the suitable 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 college/campus facilities and at off-campus activities.

The lawful carry of a concealed handgun should not create concerns on college/campus facilities and at off-campus activities; however, anything other than the lawful carry of a concealed handgun has the potential to create confusion and additional risk during police responses.

Restrictions Pursuant to Kansas Law

Kansas law states that the only type of firearm that an individual may carry while concealed is a handgun, as defined in this policy. The following restrictions applicable to all firearms specifically apply to the concealed carry 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 18 years of age [K.S.A. 21-6302(a)(4)];
 - a. with a valid provisional concealed carry license, ages 18-21,
 - b. with or without a valid standard concealed carry license, ages 21 +;
2. A firearm cannot be carried by an individual:
 - a. 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],
 - b. who is both addicted to and an unlawful user of a controlled substance [K.S.A. 21-6301(a)(10)],
 - c. who has been convicted of a felony crime [K.S.A. 21-6304],
 - d. who is or has been a mentally ill person subject to involuntary commitment [K.S.A. 21-6301(a)(13)],
 - e. with an alcohol or substance abuse problem subject to involuntary commitment [K.S.A. 21-6301(a)(13)];
3. 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)];
4. Suppressors and silencers cannot be used with a firearm [K.S.A. 21-6301 (a)(4)]; and
5. 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].

Storage of Handguns

Handgun storage is not provided by Allen County Community College. Individuals may store a handgun in the individual's personal 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 is prohibited. Specifically, it is prohibited for an individual to store a handgun

- in a vehicle that is unlocked or when the handgun is visible from outside the vehicle,
- in an individual's office,
- in an unattended suitable carrier,
- in any type of locker, or
- in any other location and under any circumstances except as specifically permitted by this policy and by State and federal law.

Policy Provision Specific to Student Housing

Individuals residing in Student Housing at Allen County Community College are specifically reminded as follows:

1. that an individual in possession of a concealed handgun must be at least 18 years of age,
2. that the open carry of firearms other than the lawful carry of concealed handguns is prohibited,
3. that an individual in possession of a concealed handgun may store the handgun in a locked storage container that cannot be accessed or viewed by others in the individual's assigned residence when the concealed handgun is not being carried on or about his/her person,
4. that during any time that the concealed handgun is transitioned from one secured situation to another, such as to and from the individual's personal vehicle to being carried on or about his/her person, or to and from a locked storage container in the individual's residence to being carried on or about his/her person, the concealed handgun must be kept out of public view.

Any person violating this policy will be subject to appropriate disciplinary action, including but not limited to suspension/expulsion, termination of employment, removal from premises and/or arrest.

Policy Provision Specific to the Allen Community College Burlingame Campus

In accordance with the Federal Gun Free School Zones Act, Title 18 U.S.C. §922(q), it is unlawful for a person to possess a firearm within 1,000 feet of an elementary or secondary school; Allen Community College's Burlingame Campus facility is within such a Gun Free School Zone. Exceptions to this prohibition are made for the possession of a firearm in the following cases:

1. an individual with a Kansas Concealed Carry License, provisional or standard;
2. where the firearm is unloaded and in a locked container (i.e. pistol, revolver, etc.) or a locked firearms rack (i.e. rifle, shotgun, etc.) within a vehicle;
3. where the firearm is possessed for use in a program approved by the elementary or secondary school or unified school district; and/or
4. where the firearm is possessed or used by a law enforcement officer acting in his/her official capacity.

Toward the enforcement of this provision of policy, any person violating this policy will be subject to appropriate disciplinary action, including but not limited to suspension/expulsion, termination of employment, removal from premises and the pressing of charges for criminal trespass, and/or referral to law enforcement for possession of a firearm in violation of the Federal Gun Free School Zones Act.

Reporting

Emergency reports concerning threats or violence: Call 911.

Reports of suspected violations of this policy: Call the Vice President for Student Affairs at 620-901-6213.