



# Idaho State University

## POLICIES AND PROCEDURES

### Possession of Firearms

#### ISUPP 9000

##### *POLICY INFORMATION*

**Policy Section:** *Public Safety*

**Policy Title:** *Possession of Firearms*

**Responsible Executive (RE):** *Public Safety Director*

**Sponsoring Organization (SO):** *Public Safety*

**Dates: Effective Date:** *July 1, 2014*

**Revised:** *5-17-18, 1-16-18*

**Review Date:** *January 2021*

#### **I. POLICY STATEMENT**

- A. No person shall have in his or her possession any Firearms or Dangerous Weapons while on University property. Exceptions to this policy created by state law or specifically authorized by the University are set forth in subparts B and C below.
- B. The following persons are authorized by the University to possess Firearms or Dangerous Weapons on University property:
  1. Law enforcement officers;
  2. ISU Public Safety officers when specifically authorized by the Director of Public Safety;
  3. Private security guards who may lawfully carry Firearms and are required by their job duties to carry Firearms and to be on University property; and
  4. Persons attending certain special events, such as on-campus gun shows, where the possession of Firearms or Dangerous Weapons is authorized by the President.
  5. University employees not covered by one of these exceptions but who have a need to possess a Firearm on University property should contact the Director of Public Safety for authorization.

- C. Pursuant to Idaho Code Section 18-3309, the possession, carrying, or transporting of Concealed Weapons and ammunition by persons licensed under Idaho Code Sections 18-3302H (relating to permits which may be issued to retired law enforcement officers) and 18-3302K (relating to enhanced concealed carry permits) is allowed, subject to the conditions and limitations set forth in Idaho law and subparts C and D of this policy.
1. Any Firearm or Dangerous Weapon carried pursuant to this subpart must be kept concealed on or about the permit holder's person at all times.
  2. Any other possession of Firearms or Dangerous Weapons on ISU property is prohibited unless otherwise permitted by this policy.
  3. The carrying or use of Firearms by University employees pursuant to Section 18-3309(2) (other than by authorized Public Safety officers), or the carrying or use of a Dangerous Weapon is outside the course and scope of employment, and employees do so at their own risk. In the event of legal action, employees may not be defended by the State of Idaho or covered by the protections of the Idaho Tort Claims Act.
- D. No person, department, college, or administrative unit may make or enforce any policy or rule limiting or prohibiting the carrying of Firearms, Dangerous Weapons, and ammunition pursuant to Subsection C above except by obtaining an exception pursuant to this Subsection D.
1. The carrying of Firearms and ammunition pursuant to subpart C above is prohibited by state and federal law in certain areas of campus. These areas are marked by appropriate signage, but it is the responsibility of any person possessing a Firearm to be familiar with the prohibited areas. Areas where Firearms are prohibited include:
    - a. All dorms, campus apartment buildings, and residence halls
    - b. Albion Hall (College of Education)
    - c. Holt Arena
    - d. Reed Gymnasium
    - e. Davis Field
    - f. The Stephens Performing Arts Center
    - g. The Lillibridge Engineering Building (ISU Campus)
    - h. Eames Advanced Technical Education and Innovations Complex (ISU Campus, Alvin Ricken Dr. East of I-15)
    - i. The CAES Building (Idaho Falls)
    - j. The Meridian Campus

- k. The Accelerator Center
- l. Early Learning Center

The carrying of Dangerous Weapons in these areas may be a criminal act and/or may result in temporary or permanent exclusion from University property.

2. When the nature of the activities carried on in particular facilities or during particular activities requires the adoption of a safety rule prohibiting or limiting the carrying of Firearms and ammunition, the person responsible for such activities should submit a request for a rule through the appropriate vice president to the General Counsel. The matter will be reviewed by the General Counsel in conjunction with the affected department, Director of Public Safety, the Director of Environmental Health and Safety, and such other authorities as may be interested to determine if such a rule may be adopted consistent with the law.
3. When the nature of class activities in a particular academic setting would make it difficult or impossible for a permit holder to participate in the class and comply with the laws regarding carrying of Concealed Weapons, as, for instance, when it would not be possible to keep a Firearm concealed on or about the permit holder's person while participating, an instructor or department may apply to the Executive Vice President and Provost for approval to advise students that Concealed Weapons should not be carried in the class. The Executive Vice President and Provost may approve the request in consultation with the General Counsel, and the Director of Public Safety, and supply the department with warning language appropriate to the class.

## II. DEFINITIONS

- A. **Firearm:** any device which can expel a projectile that is capable of inflicting serious injury.
- B. **Dangerous Weapon:** any knife, explosive, or other item which, in its intended use, is capable of inflicting serious injury, and as otherwise defined in 18 U.S.C, section 930.
- C. **Concealed Weapon:** any deadly weapon carried on or about the person in a manner not discernible by ordinary observation, and as otherwise defined in Idaho Code § 18-3302.

## III. AUTHORITY AND RESPONSIBILITIES

The President or his designee is responsible for authorizing any campus event where Firearms are permitted. The Director of Public Safety is authorized to enforce this policy by appropriate means, including the exclusion of violators from campus, referral of violations to the appropriate campus

authorities as a conduct violation, or referral of violations to law enforcement. The General Counsel is responsible for reviewing requests for exceptions to the policy under Subsection I.D, in consultation with the Director of Public Safety, the affected administrative unit and other authorities, such as the Director of Environmental Health and Safety.