

SECTION: 4.0 ADMINISTRATION

SUBJECT: FIREARMS

Title: Firearms

Background: Lewis-Clark State College's (LC State's) policy on firearms conforms to the provisions of Idaho Law (Idaho Code 18- 3309(2)) and State Board of Education policy. LC State's policy has been put in place to ensure that a safe and secure environment is maintained at the college at all times. This policy complements LC State Policy 3.136 ("Campus Safety and Security") and the LC State Student Handbook.

Point of Contact: Office of the Vice President for Finance and Administration

Other LC State offices directly involved with implementation of this policy or significantly affected by the policy: President's Office, Provost's Office, Student Affairs' Office, Campus Security, Athletic Department

Date of approval by LC State authority: June 12, 2017

Date of State Board Approval: N/A

Date of Most Recent Review: 07/2022

Summary of Major Changes incorporated in this revision to the policy: Format changes using LC State style guide. Department name change: Department of Security is now Department of Public Safety.

1. Purpose

This policy implements LC State procedures to comply with the State Board of Education (SBOE) policy on firearms [see SBOE Policy I.R. ("[Campus Security](#)"). As stated in SBOE policy, "An environment of safety and security is critical for institutions to cultivate a climate conducive to knowledge and learning." This plan provides specific guidance on firearms, complementing LC State policies applicable to "dangerous weapons" in general, which are contained in the LC State Safety and Security Plan and in the Student Handbook and associated policies. Maintenance of campus security is a shared effort, carried out in full cooperation with state and local law enforcement agencies. This policy applies to LC State employees, students, and members of the general public while on college property.

1. Responsible Offices

Per SBOE policy, overall responsibility for campus security rests with the chief executive officer of the institution, i.e., the president of LC State. The vice president for Finance and Administration is designated by the president as a liaison between LC State and local law enforcement agencies, with the LC State director of Public Safety serving as the alternate liaison officer.

2. Authorized Carriage of Firearms

In accordance with Idaho Statute, the SBOE policy stipulates that "All institutions shall allow concealed carry of firearms and ammunition by holders of licenses described in section [18-3309\(2\), Idaho Code](#), under the conditions and limitations set out in that section" [i.e., retired law enforcement officers and citizens who have successfully completed training and have received an enhanced concealed weapons carriage permit from Idaho law enforcement see link for details]. Any other possession of firearms on LC State property is prohibited under the provisions of paragraph 10 of this policy, unless specifically authorized as part of the LC State safety and security plan, or if specifically approved on a case-by-case basis by the president of LC State.

3. Definition of Firearm

"Firearm" as used in this policy means any instrument used in the propulsion of shot, shell, bullets, or other harmful objects by the action of gunpowder exploded within it, by the action of compressed air

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within it, by the power of springs, and including what are commonly known as “air rifles, BB guns, and pellet guns.”

[Note: restrictions on other (non-firearm) types of potentially dangerous weapons are described in LC State’s [Campus Safety and Security Policy](#) and in the student handbook and [Student Policies](#). See Paragraph 7.E., below, for policy on display or carriage of non-operational replicas or models of firearms.]

4. Definition of “Concealed Carry”

“Concealed” means that the firearm is located on an individual’s body (or immediate extensions thereof, such as a purse or backpack), is not readily ascertainable, and is hidden from the ordinary sight of another person. A firearm is not concealed when it is viewable by another person, even if the revealing of the firearm is inadvertent and/or unintentional by the carrier. Concealed carry of a firearm must be done so that:

- A. the firearm is not discernible by ordinary observation; and
- B. the firearm is in such close proximity to the person that it is readily accessible for prompt use.

5. Restrictions on Concealed Carriage of Firearms

Persons issued a concealed firearm permit under section 18-3302H or 18-3302K, Idaho Code, shall not carry a concealed weapon in the following areas:

- A. Within any college owned or operated residence hall;
- B. Within the following “public entertainment facility” with a capacity of at least 1,000 persons: the LC State Activity Center and Harris Field complex. Signage to this effect is posted in/around this facility/area. This restriction applies at all times.
- C. In other facilities or areas on campus which are posted for “no weapons” in conjunction with designated special events, for the duration of the event only (for example, within the fenced/gated area established for the annual “Art Under the Elms” festival).

6. Exceptions

- A. Authorized exceptions applicable to non-concealed carry of firearms—as listed in the LC State [Campus Safety and Security Policy](#)
- B. The lawful possession of weapons by sworn peace officers, reserve officers, and qualified law enforcement officers, as such officers are defined in 18 U.S.C. Section 926B (whether in uniform or off-duty/plain clothes with proper identification), and on-duty armored transport personnel.
- C. Open carry of non-operational firearms is permitted by members of ceremonial color guard details as part of an authorized LC State celebration (for example, annual commencement exercise).

[Note: the requirement that color guard-borne firearms be non-operational does not apply in cases where the members of the ceremonial color guard are comprised of active duty or reserve military members or law enforcement personnel.]

- D. Any other requests for exceptions to LC State firearm carriage policy (for example, the open carry of firearms as part of historical reenactments or open display of firearms for curriculum-related events or training/orientation) must be submitted to the LC State president for approval on a case-by-case basis. Request forms can be obtained from the Department of Public Safety or the president’s office.

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E. Simulated or replica firearms: In the interest of safety and maintenance of good order on campus, employees, students, and visitors should exercise good judgment in carrying or displaying models or replicas of firearms which could be construed by members of the public or law enforcement personnel as operational firearms. Individuals or organizations planning to openly display realistic models/replicas of firearms should contact the Department of Public Safety or the president's office for notification and approval, as described in Paragraph 7.C., above.

7. Possession or use of Firearms by LC State Employees

Employees are permitted to exercise their firearm rights as defined in Idaho code and LC State policy. Unless an employee is required by the president (either on an ongoing or on a case-by case basis) to carry a firearm as part of the employee's specific job duties, any possession or use of a firearm by the employee is not considered to be within the course and scope of employment with the college.

8. Concealed Carry License Status

The college will not maintain a list of concealed license holders—this information is not a matter of public record. LC State employees may not require students or other employees to disclose their concealed carry license status.

9. Firearm storage and Additional Information on Firearm Policies

Secure storage for personal firearms owned by LC State students is available through Department of Public Safety. Public Safety's security service operates on a 24/7 basis every week of the year. Firearms delivered to Public Safety for storage should be presented unloaded, encased, and with a trigger lock attached or otherwise rendered inoperable. Additional information is also available on the Department of Public Safety's web page.

10. Violations

Any college employee or student who is found to be in violation of this policy may be subject to disciplinary action including, as applicable, student suspension or expulsion, termination of employment or exclusion from the college. Violators may also be subject to prosecution under applicable laws.