WEAPONS ON CAMPUS: FREQUENTLY ASKED QUESTIONS

IDAHO STATE UNIVERSITY

1. **When the new law takes effect on July 1, 2014, will everyone be carrying guns on the ISU campus?**

No. Firearms and other weapons remain banned on all ISU campuses by ISU policy and state law, with the exception of people who hold certain special concealed carry permits. Once the law takes effect, the only person you should see carrying a gun may be a uniformed campus security officer. ISU campus security officers are fully trained and qualified to be peace officers. Beginning July 1 holders of those special permits are allowed to carry a concealed firearms on some parts of campus. See "*Who can carry a concealed weapon on campus?"* and other questions below for details.

2. **How does the new law change things?**

Currently, the law of Idaho guarantees all persons the right to own and carry firearms, subject to the Legislature's power to enact reasonable restrictions on practices such as the carrying of concealed weapons. The Legislature has delegated to the State Board of Education the power to establish policies for the carrying of weapons on public college and university campuses. The Board has directed each state institution to set its own policies. ISU currently prohibits the possession of weapons on its campuses by policy (weapons are also banned by state law on the Meridian campus, since it shares a facility with a high school) except in certain circumstances when approved by the Administration.

The new law does not change this policy except for the holders of two special classes of concealed carry permits. The first is the "enhanced" permit, so-called because the holder must pass special training in order to receive it. The second is a permit available to retired law enforcement officers. Holders of these two types of concealed carry permit are allowed to carry concealed firearms and ammunition on campus except where it is otherwise prohibited by law.

Under the new law, weapons are not allowed in residence halls and auditoriums seating more than 1,000 people, as well as a few other locations subject to special laws and regulations. Any person, including a concealed carry permit holder, who carries a weapon into campus housing or auditoriums risks criminal charges.

AFTER JULY 1, 2014:

3. **What is a "weapon" under Idaho law?**

For purposes of the concealed weapons laws, a weapon is any firearm, any knife with a blade longer than four inches, or any other deadly or dangerous weapon. These cannot be carried concealed on the person, or concealed within reach in an automobile, without a permit. Under the

new law, weapons cannot be carried on the ISU campus, except that holders of one of the two special concealed carry permits are allowed to carry concealed firearms and ammunition on campus, excluding those areas prohibited under the new law or under other applicable laws and regulations. Those areas will be marked; but, it is the responsibility of the permit holder to know what those areas are.

4. **Who can carry a concealed firearm on campus?**

Only those persons who have been issued an enhanced concealed carry permit under Idaho Code Section 18-3302K, or retired law enforcement officers who have been issued a permit under Idaho Code Section 18-3302H. Firearms must be kept concealed at all times. The permission to carry concealed firearms on campus granted by the new law, Idaho Code Section 18-3309, does not apply to weapons other than firearms.

5. **Will guns be allowed everywhere on campus?**

No. The new law forbids the carrying of weapons in campus housing, and in any auditorium or similar venue seating more than 1,000 people. Other state and federal laws forbid the carrying of firearms into elementary and secondary schools. As a result, firearms and other weapons will not be permitted in or around Albion Hall (a College of Education building) or on the Meridian campus, because they contain elementary or secondary schools.

In addition, federal laws and Nuclear Regulatory Commission regulations prohibit the carrying of firearms in certain areas of the Engineering building, the RISE Center, and the Idaho Accelerator Center. *See* 42 U.S.C. § 2278a; 37 C.F.R. § 73.75, and others. These areas will be marked with signage indicating that it is a federal offense to carry a weapon into the restricted facilities. Also, as the CAES Building in Idaho Falls is a facility jointly operated with the Department of Energy, it is subject to DOE and INL regulations prohibiting the carrying of weapons in the facility. *See* DOE Order 473.3, Attachment 3, Section A.

6. **What safety precautions is the University taking to deal with these changes?**

ISU is implementing a number of security measures to ensure that it remains one of the safest college campuses in the nation. These include enhanced security measures at locations where firearms are prohibited, and arming highly-trained campus security officers.

7. **If my student has a concern about someone who is carrying a gun, who should he notify?**

Students can call Public Safety at 208-282-2515, or the Pocatello Police Department dispatcher at 208-234-6100 with concerns.

8. **What procedures does the University have to deal with someone who has a gun and is exhibiting threatening behavior?**

It is a criminal act to exhibit threatening behavior with a gun, whether or not one has a concealed carry permit. When a crime is committed on campus, campus security officers are authorized to detain the suspect and hold the individual for arrest by law enforcement officers. ISU Public Safety is well equipped to deal with any such situation in the unlikely event it occurs. All ISU Public Safety officers are trained and qualified to be law enforcement officers, and the ISU Public Safety department operates using the same training, standards, and policies and procedures used by law enforcement agencies across the state. We have an excellent working relationship with local law enforcement, all of whom have jurisdiction on campus and are available to respond to on-campus incidents. In addition, any violations of this policy by students will also be addressed under the Student Conduct Code. A student found responsible for this type of violation could receive sanctions ranging from reprimand to expulsion.

9. **Will school security officers receive firearms training?**

Yes. All ISU Public Safety officers are fully trained and qualified law enforcement officers. They have received training in the use of firearms from one of the two authorized law enforcement training programs in the state. In addition, they receive regular refresher training in firearms use.

10. **Will school security officers carry guns?**

Yes. Qualified Public Safety officers will be authorized to carry firearms.

11. **Does ISU have an escort service for students?**

Yes. Please call Public Safety at 208-282-2515. There are also emergency telephones available at several locations across campus.

12. **Is the campus safe?**

ISU has been consistently ranked as one of the safest campuses in the U.S., most recently being named in the top ten. We believe that maintaining our safety record involves a close partnership between our campus community members, including our Public Safety Office, the local communities and law enforcement. All of us must take a proactive role in our own safety, regardless of where we live or attend school. ISU will continue discussing proactive safety tips during Freshmen Orientation, in periodic emails to our community and in on-going safety training, drills and simulations.

13. Does the law require pistols to be concealed when someone has a permit to carry?

Yes. The new law requires ISU to allow concealed carry by holders of the two special classes of concealed carry permit.

14. CONTRACTORS. May colleges or universities prohibit contractors and their employees from carrying guns on campus?

No, not if they are holders of one of the two special classes of concealed carry permits. Under the new law, ISU may not adopt a policy that would prohibit the carrying of a concealed firearm by the holder of an enhanced or "retired law enforcement" concealed carry permit. Contractors may, however, prohibit their employees from carrying weapons on the job.

15. RENTAL AGREEMENTS. We lease/rent some of our space to other organizations or to community groups for meetings or performances. Can we revise our space rental agreements and leases to include a ban on the carrying of any weapons, including pistols?

No. Under the new law, ISU may not adopt a policy that would prohibit the carrying of a concealed weapon by the holder of an enhanced or "retired law enforcement" concealed carry permit.

16. SUSPECTED VIOLATIONS. What if an employee sees another person with a weapon in his or her possession in one of our buildings? If a University employee sees a visitor carrying a pistol, is he or she expected to ask to see a permit?

No. The employee should contact Public Safety at 208-282-2515, or the Pocatello Police Department dispatcher at 208-234-6100.

17. CHILD CARE CENTERS. Are guns prohibited from our campus child care center?

No. Idaho Code Section 18-3302D and federal law prohibit firearms in schools. The day care center is not a school as defined in these statutes.

20. What about other School District activities on campus?

The elementary school operated in the College of Education (Albion Hall) is a school, and firearms are not permitted in, or in certain areas around, that building, pursuant to Idaho Code Section 18-3302D. Similarly, the Meridian School District operates a high school in the building occupied by ISU in Meridian. Firearms are not permitted on the Meridian campus for this reason. However, other activities that may bring school children on campus do not affect the operation of the new law, pursuant to which ISU will permit holders of the two special classes of concealed carry permits to carry concealed weapons.

21. Where are weapons prohibited?

Weapons are prohibited to all persons, including holders of the two special classes of concealed carry permits, in the following areas:

All dorms, campus apartment buildings, and residence halls

Albion Hall

Holt Arena

Reed Gymnasium

Davis Field

The Stephens Performing Arts Center

The Engineering Building (ISU Campus)

The RISE Center (ISU Campus, Alvin Ricken Dr. east of I-15)

The CAES Building (Idaho Falls)

The Meridian Campus