



**BOISE STATE UNIVERSITY**

University Policy 12080

## Possession of Firearms/Weapons on University-Owned or Controlled Premises

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### **Effective Date**

June 2000

### **Last Revision Date**

April 2019

### **Responsible Party**

Department of Public Safety, (208) 426-6911  
Office of the General Counsel, (208) 426-1203

### **Scope and Audience**

This policy applies to all firearms and other Weapons on University-owned or -controlled premises.

### **Additional Authority**

- Idaho Code Title 18, Chapter 33
- 18 U.S.C. §§ 926B, 926C
- Department of Army Regulation § 145-1
- United States Army Cadet Command Regulation § 145-3
- State Board of Education Policy, Section I.R.

## 1. Policy Purpose

To establish policy for the regulation of the possession of firearms and other Weapons on University-owned or -controlled premises.

## 2. Policy Statement

A safe and secure environment is fundamental to fulfilling the University's mission of teaching, research, and public service. Boise State University is committed to maintaining an environment free of violence. This obligation includes restricting recognized hazards from the campus community that contribute to violence or serious harm.

## 3. Definitions

### 3.1 Weapon(s)

Any animate or inanimate device, instrument, material, or substance used for, or is readily capable of, causing death or serious bodily injury. Any device that is deadly or dangerous, as well as replicas or facsimiles that may be perceived as a Weapon. Includes firearms, knives of any length, conducted energy devices such as stun guns, incendiary devices and explosives.

## 4. Responsibilities and Procedures

### 4.1 Prohibition

The possession, wearing, carrying, transporting, or use of a Weapon is strictly forbidden on University-owned or controlled premises, including vehicles parked on such premises. This prohibition extends to any person with a government-issued permit or license. Violation of this policy may result in the following sanctions or disciplinary action:

- Exclusion or expulsion, in the case of students; or
- Exclusion or dismissal from employment, in the case of faculty and staff; or
- Exclusion from campus, in the case of the public.

### 4.2 Exceptions to the Prohibition

The following are exceptions to the general prohibition of Weapons on University-owned or -controlled premises:

- a. The lawful possession of Weapons by full-time sworn peace officers, Level I reserve officers, and qualified law enforcement officers, as such officers are defined in 18 U.S.C. § 926B (whether in uniform or off-duty/plain clothes with proper identification). Also included in the exception are on-duty armored transport personnel.
- b. The lawful carrying of concealed firearms by a qualified retired law enforcement officer, as such officers are defined in 18 U.S.C. § 926C and Idaho Code § 18-3302H.
- c. A Weapon in the possession of a person who has received prior written authorization from the Associate Vice President for Public Safety.
- d. The lawful possession of a Weapon by members of the Reserve Officer's Training Corps (ROTC) program, when directed by a provision of the program and with permission of the Associate Vice President for Public Safety.
- e. Personal protection pepper spray, e.g. Oleoresin Capsicum or OC, may be carried on campus, but not into campus entertainment facilities with a seating capacity of at least one thousand (1,000) persons as named in Section 4.2.g.(i) of this policy.
- f. Household knives intended to be used for, and actually used for, the express purpose of cooking and eating.
- g. The lawful carrying of concealed firearms by a person who holds an enhanced license to carry concealed Weapons, as described in Idaho Code § 18-3302K. However, it is not lawful for a person issued a license under the provisions of Idaho Code § 18-3302K to carry a firearm within a student dormitory or residence hall, or within any building of a public entertainment facility. Specifically, those licenses do not permit carrying of firearms:
  - (i.) Within any student dormitories or residence halls, including, but not limited to:
    - Aspen Townhouse
    - Barnes Towers Hall
    - Cedar Townhouse
    - Chaffee Hall
    - Clearwater Suites

- Driscoll Hall
  - Keiser Hall
  - Hawthorne Townhouse
  - Honors College and Sawtooth Hall
  - Juniper Townhouse
  - Morrison Hall
  - Payette Suites
  - Spruce Townhouse
  - Selway Suites
  - Tamarack Townhouse
  - University Heights Apartments
  - University Manor Apartments
  - University Park Apartments
  - University Square Apartments
  - University Village Apartments
  - Leased facilities where students live and the University is the official tenant
- (ii.) Within any building of a public entertainment facility with a seating capacity of at least one thousand (1,000) persons, namely:
- Boas Tennis and Soccer Complex
  - Bronco Gym
  - Albertsons Stadium, including all attached facilities with direct access such as the Allen Noble Hall of Fame Gallery, the Bleymaier Football Center, the Caven-

Williams Sport Complex, the Fedrizzi Fitness Center Annex, the Idaho Sports Medicine Institute, the Keith and Catherine Stein Band Hall, the Nicolson-Yanke Athletic Center, the Simplot Center for Athletic Excellence, the Stueckle Sky Center, and the Varsity Center Annex.

- Dona Larsen Park
  - Morrison Center
  - Student Union Building, including all attached facilities with direct access such as the Special Events Center (SpEC)
  - ExtraMile Arena, including all attached facilities
- h. It is not lawful for any person to carry a concealed Weapon when intoxicated under the influence of drugs or alcohol.

#### **4.3 Weapons Screening**

- a. The University may conduct Weapons screening to meet the requirements of this policy. The Department of Public Safety will determine the appropriate security screening procedures in consultation with venue security on a case-by-case basis for some, but not all events on campus.
- b. Screening procedures will be determined based on available security intelligence, threat indicators, attendance, crowd control needs, and specific event contract requirements. Screening procedures may include, but are not limited to, visual inspection, the use of magnetometer devices (including wands and walk-through metal detectors), bag size limitations, bag inspections, and limited pat down searches. Discovery of a Weapon at the screening checkpoint may require a law enforcement assessment of the situation.

#### **4.4 Employment**

- a. Although this policy permits employees of the University to carry firearms if they hold certain licenses, it does not authorize employees to use a Weapon in any official capacity. Any use of a Weapon by a University employee is not authorized in the course and scope of employment, unless authorized by the Associate Vice President for Public Safety.
- b. Any employee who works primarily in one of the areas where firearms are not allowed, listed in Section 4.2.g.(i-ii) of this Policy, and any employee who is regularly expected to respond to

one or more of those areas during a shift (e.g., security officers), is not permitted to carry a firearm while on shift.

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## **Revision History**

October 2007; March 2013; June 2014; February 2017; October 2017; April 2019