

90112 Prohibition of Firearms on College Property

- (1) As used in this Policy:
 - A. “Firearm” means any weapon which is designed to or may readily be converted to expel any projectile by the action of an explosive or frame or receiver of any such weapon.
 - B. “Handgun” means any firearm with a barrel less than sixteen inches in length or any firearm designed to be held and fired by the use of a single hand.
 - C. “Concealed handgun” means a handgun that is totally hidden from view. If any part of the handgun is capable of being seen, it is not a concealed handgun.
 - D. “Permitholder” means an individual holding a current and valid permit to carry a concealed handgun issued pursuant to the Nebraska Concealed Handgun Permit Act.
 - E. “Peace officer” means any town marshal, chief of police or local police officer, sheriff or deputy sheriff, the Nebraska Superintendent of Law Enforcement and Public Safety, any officer of the Nebraska State Patrol, any member of the National Guard on active service by direction of the Governor during periods of emergency or civil disorder, any Nebraska Game and Parks Commission conservation officer, and all other persons with similar authority to make arrests.
 - F. “College property” means any real estate or premises that is (1) wholly, partly or jointly owned by the College, or (2) permanently or temporarily in possession of or under the control of the College. “College property” also includes any motor vehicle owned by the Metropolitan Community College Area, regardless of the location of the motor vehicle.
- (2) Except as otherwise provided in paragraph (4) of this Policy, no person who is within or upon College property shall at any time possess or have in or under his or her custody or control any firearm. This prohibition applies regardless of whether the firearm is being carried by the person, is concealed on his or her person or is within any vehicle under the control of the person upon (or brought by the person upon) College property. This prohibition further applies regarding all firearms (including all handguns and concealed handguns, regardless of whether the person is a permit holder).
- (3) The College President or the College President’s designee shall post conspicuous notices on and about College property stating, “Possession of concealed handguns and any other firearms or weapons on College property is prohibited”, or substantially similar language.
- (4) This Policy does not prohibit possession of a firearm on College property by: (A) security personnel of the College who have been authorized by the College President or the College President’s designee to possess, carry, or transport firearms; (B) any peace officer; (C) any active or reserve United States military personnel while carrying or in possession of a firearm within the line of duty and the scope of an order or instruction issued by his or her authorized military commander; or (D) a person possessing a firearm in connection with a College or College-permitted instructional or other activity at which possession of the firearm has been or is approved by the College President or the College President’s designee as an appropriate or necessary incident of the activity.

(5) Sanctions.

- A. Any employee of the College who is determined to have violated this Policy shall be subject to employee discipline up to and including termination of employment.
- B. Any student enrolled in the College who is determined to have violated this Policy shall be subject to student discipline up to and including dismissal from the College.
- C. Any person (including any employee of the College and any student enrolled in the College) who is determined to have violated this Policy shall be subject to being barred from College property. Such bar shall be imposed by a written order of the College President or the College President's designee and may be for a duration of up to one year from the date of a first violation of this Policy and for a period of up to five years from the date of any subsequent violation of this Policy.
- D. To the maximum extent permitted by applicable law, the College President and employees of the College shall cooperate with law enforcement authorities in the investigation and prosecution of any person suspected of having unlawfully possessed a firearm on College property.

September 14, 2006 (first reading)

October 24, 2006 (second reading)