


ADMINISTRATIVE PROCEDURE

ADMIN-5

Firearms, Weapons & Explosives Policy

Number: ADMIN-5	Name: Firearms, Weapons & Explosives Policy.
Purpose: The purpose of this policy is to impose the prohibition of and penalty for the possession or storage of Firearms, Weapons & Explosives in any form on the Marshall University campuses or any University-leased facilities	
Responsible Unit: President's Office	
Approved by: 	Approval Date: 6-10-2018

Policy/Procedures

It is prohibited to possess firearms, weapons and/or explosives on Marshall University campuses, in University-leased facilities, in University vehicles, on any real property under the care, custody and control of the University, or at any University sponsored event without the explicit authorization of the Campus Chief of Police, whether or not it is done openly or concealed and whether or not a federal or state license to possess the same has been issued to the possessor. Provided that, nothing herein shall be construed as a violation of W. Va. Code § 61-7-14 which permits firearms to be locked or locked to a motor vehicle if the firearm is out of view. The only exceptions to this policy are as follows:

1. Law enforcement officers to the extent they are legally permitted to possess weapons pursuant to West Virginia State Law;
2. Military personnel in performance of their official duties to the extent they are legally permitted to possess weapons in the State of West Virginia; and
3. University sanctioned classes, groups or events where a particular weapon(s) is required and regularly used as a part of the curriculum or activity, i.e. various Criminal Justice courses/martial arts classes/clubs; theatrical events, etc. The control, security and safe use of such weapons shall be the responsibility of the supervising faculty or staff member. The supervising faculty or staff member shall inform the Campus Chief of Police in advance of any unusual or seldom occurring events involving the use of weapons on campus.

Any person carrying or possessing a firearm or other deadly weapon in violation of this policy who, upon being requested to do so, refuses to temporarily relinquish possession of the firearm or other deadly weapon, and/or refuses to leave University premises or grounds as previously defined while in possession of the firearm or deadly weapon, shall be charged with a misdemeanor, and upon conviction thereof, shall be fined not more than one thousand dollars or confined in the regional jail not more than six months, or both. (§61-7-14 WV Code).

Exceptions to this policy may be requested in writing to the Campus Chief of Police. Only under very limited circumstances will an exception be granted. Questions regarding the applicability of this policy to specific items must be directed to the Campus Chief of Police.

Any student, faculty or staff member violating this policy shall be subject to the disciplinary policies and procedures applicable to students, faculty or staff in addition to the penalties provided under State law.

Definitions

Firearm: Any device that shoots a bullet, pellet, flare, tranquilizer, spear dart, paintball or other projectile, whether loaded or unloaded, including those powered by CO2. This includes, but is not limited to, guns, air guns, dart guns, pistols, revolvers, rifles, cannons, etc, and any ammunition for any such device.

Weapon: Any device that is designed to or traditionally used to inflict harm. This includes, but is not limited to: 1) firearms, slingshots, switchblades, daggers, blackjacks, brass knuckles, bows and arrows, hand grenades, hunting knives, nun-chucks, throwing stars, etc.; 2) any object that could be reasonably construed as a weapon; or 3) any object legally controlled as a weapon or treated as a weapon under the laws of the State of West Virginia.

Explosives: Any chemical compound or mechanical mixture that contains any oxidizing and combustible units, or other ingredients, in such proportion, quantities or packing that an ignition by fire, friction, concussion, percussion, or detonator, or any part of the compound or mixture, may cause a sudden generation of highly heated gases that results in gaseous pressures capable of producing destructive efforts on contiguous objects or of destroying life or limb. This includes, but is not limited to, firecrackers, black powder, dynamite, etc. as well as detonating devices such as detonators, blasting caps, timers, incendiary wire and the like.

Currently approved APs are on the web page www.marshall.edu/adminproc .