

Policy Name: Regulations on Weapons

Policy Number: ADM 9.04

Title of Policy Owner: Dean of Administration

Approved by: Policy Committee/Administrative Cabinet

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Policy Status: Approved

I. Policy

It is the policy of Bon Secours Memorial College of Nursing (BSMCON) to provide rules and procedures for the use, possession, and storage of firearms within its facilities.

II. Purpose

Recognizing the fact that BSMCON is a private institution of higher education located on private property, the purpose of this regulation is to promote a safe teaching, learning, and working environment at all College facilities by minimizing the risk of violence by use of a weapon. This policy provides rules and procedures for the possession of weapons on campus grounds, in campus buildings, at campus events and on College property. This policy is consistent with the laws and regulations of the Commonwealth of Virginia and Bon Secours Mercy Health to include:

1. Virginia Code Section 18.2-308; Concealed weapons and 18.2-308.1 Possession of firearm, stun weapon, or other weapon on school property prohibited (public or private K-12);
2. Virginia Code Section 18.2-308.01; Carrying a concealed handgun with a permit; *specifically* the granting of a concealed handgun permit pursuant to this article shall not thereby authorize the possession of any handgun or other weapon on property or in places where such possession is otherwise prohibited by law or is prohibited by the owner of private property;
3. Virginia Supreme Court in the case of DiGiacinto v. the Rector and Visitors of George Mason University, 281 Va. 127 (2011) ruled that regulations, rather than policies, can regulate weapons at a public institution of higher education.
4. Bon Secours Richmond Health System, Safety Manual, Policy No. 8-41 (BSR CH 10): Firearms, Ammunitions and Weapons Policy.

III. Scope

This policy applies to all BSMH associates; BSMCON faculty, staff, students, alumni, volunteers, contractors, and visitors; as well as anyone else entering campus buildings, on campus grounds, on College property or attending College-sponsored events; or on property owned, leased, or otherwise controlled by BSMCON.

IV. Definitions

"Police officer" means law-enforcement officials appointed pursuant to Article 3 (§ 15.2-1609 et seq.) of Chapter 16 and Chapter 17 (§ 15.2-1700 et seq.) of Title 15.2, Chapter 17 (§ 23-232 et seq.) of Title 23, Chapter 2 (§ 29.1-200 et seq.) of Title 29.1, or Chapter 1 (§ 52-1 et seq.) of Title 52 of the Code of Virginia or sworn federal law-enforcement officers.

"College property" means any property owned, leased, or controlled by BSMCON.

"College facilities" is defined as the spaces on College property with defined enclosures for a designated use, such as an academic building, student center or parking deck, but not open spaces like parking lots and recreational trails, even when those areas are enclosed by fencing or walls.

"Weapons" are defined as any instrument of combat, or any object not designed as an instrument of combat but carried for the purpose of inflicting or threatening bodily injury.

"Weapon" means (a) any pistol, revolver, or other weapon designed or intended to propel a missile of any kind by action of an explosion of any combustible material; (b) any knife, dirk, bowie knife, switchblade knife, ballistic knife, machete, hatchets, foils, razor, slingshot, spring stick, metal knucks, or blackjack; (c) any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, nun chuck, nunchaku, shuriken, or fighting chain; (d) any disc, of whatever configuration, having at least two points or pointed blades which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart; or (e) any weapon of like kind, to include but not limited to, tasers or stun weapons - defined as any device that emits a momentary or pulsed output which is electrical, audible, optical or electromagnetic in nature and which is designed to temporarily incapacitate a person; (f) does not mean knives or razors used for domestic purposes, pen or folding knives with blades less than three

inches in length, or knives of like kind carried for use in accordance with the purpose intended by the original seller.

“Prop weapon” is defined as any item which looks like a weapon.

“Prohibited articles” is defined as firearms, ammunition, weapons, pneumatically (air) operated weapons, prop weapons, fireworks, electric shock devices and explosives.

V. Policy Details

1. The use, possession and storage of all firearms, even if the owner has a valid permit, or ammunition, weapons, pneumatically (air) operated weapons, prop weapons, explosives, electric shock devices and fireworks are prohibited inside all facilities and buildings owned, leased or otherwise controlled by BSMCON.
2. Firearms, ammunition, weapons, pneumatically (air) operated weapons, prop weapons, explosives, electric shock devices and fireworks are not permitted to be stored in any vehicle while the vehicle is parked on College property owned or leased by BSMCON or provided to BSMCON for its use.
3. Entry by anyone upon the aforementioned College property and College facilities in violation of this regulation is expressly forbidden. This prohibition also applies to all events on campus where people congregate in any public or outdoor areas. Exceptions are outlined below.

Exceptions:

1. Current sworn and certified local, state, and federal law enforcement officers with proper identification, may possess or carry a weapon on College property, inside all campus buildings, and at all campus events.
2. Local, state, and federal law enforcement officers having retired from service, with proper identification and possessing a valid police retiree weapon qualifications permit indicating they have met all requirements of the Law Enforcement Officers Safety Act in accordance 18 U.S. Code 926B & 926C, may possess or carry a weapon on College property, inside all campus buildings, and at all campus events.
3. Security officers and special conservators of the peace when contracted or employed by the College, who are legally authorized to carry a weapon, may

carry their weapons on College property and in College facilities in accordance with the laws and regulations of the Commonwealth of Virginia.

4. College staff, faculty, students, contractors, vendors and visitors having business with BSMCON, and who hold a valid concealed weapons permit recognized by the Commonwealth of Virginia; may store a firearm in a secured container or compartment in their vehicle in a manner that does not violate the Code of Virginia, while on College property. The firearm shall never be openly displayed or carried except while necessary for its lawful use.
5. Students and employees may possess and use appropriate tools, such as saws, knives or other such implements, necessary for the performance of their job duties.
6. Contractors, vendors and others on campus, whose duties require possession and use of trade tools, construction equipment, including but not limited to pneumatic nail guns, may possess and use such equipment only in performance of their job duties through a valid contractual or legal relationship with the college.

Reporting Responsibilities:

Any violation of this policy should be immediately reported to front desk personnel, College staff and College security.

Any such individual who is reported or discovered to possess a firearm or weapon on College property in violation of this regulation, will be asked to remove it immediately from College property and secure the weapon properly in their vehicle, or leave the College property. Failure to comply may result in a student conduct referral, an associate disciplinary action, and/or arrest.

Person Lawfully In Charge:

In addition to individuals authorized by College administration, Henrico County police officers and law enforcement officers acting pursuant to a mutual aid agreement or by concurrent jurisdiction; are lawfully in charge for the purposes of forbidding entry upon or remaining upon College property while possessing or carrying weapons in violation of this prohibition.

Authority:

1. Title 29 – Labor, 29 US Code 654. U.S. Federal law provides that each employer shall furnish to employees a place of employment which is free from recognized hazards that are causing or likely to cause death or serious physical harm.
2. Title IX, United States Education Amendments of 1972, Public Law No. 92-318, 86 Stat. 235 (June 23, 1972), codified at 20 U.S.C. §§ 1681–1688.

VI. Attachments
None

VII. Related Policies
None

VIII. Disclaimers

- a. Nothing in this policy creates a contractual relationship between Bon Secours Memorial College of Nursing (BSMCON) and any party. BSMCON, in its sole discretions, reserves the right to amend, terminate or discontinue this policy at any time, with or without advance notice.

IX. Version Control

Version	Date	Description	Prepared by
1.0	04/13/2020	Revisions and new template	Dean of Administration