

**CITATION REFERENCE**

**Official Title:** Personal Weapons Policy

**Abbreviated Title:** Weapons Policy

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**Responsible Office:** Public Safety  
Department

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# Policy: Prohibition of Weapons On Campus

## Policy Statement

Subject to certain specified exceptions, all faculty, staff, students and visitors to the College of Coastal Georgia are prohibited from carrying or possessing any weapon or explosive compound while on College grounds or in College buildings.

Violations of this policy will result in prompt disciplinary action up to and including termination of employment or expulsion, in accordance with College employee or student disciplinary policies, as applicable.

Actions in violation of this policy are also a violation of Chapter 11 of Title 16 of the Official Code of Georgia Annotated (O.C.G.A.), Section 127.1, which may result in criminal prosecution.

## Reason for Policy

This policy is intended to provide guidance to all faculty, staff, students and visitors to the College so as to ensure compliance with Chapter 11 of Title 16 of the O.C.G.A., addressing carrying a weapon on college campuses.

## Entities Affected By This Policy

All faculty, staff, students and visitors to the College are covered by this policy.

## Who Should Read This Policy

All faculty, staff, students and visitors to the College should read and be familiar with this policy.

## Contacts

Contact	Phone	E-Mail
Director of Public Safety	(912) 279-5819	<a href="mailto:bsipe@ccga.edu">bsipe@ccga.edu</a>

## Website Address for This Policy

<http://www.ccgga.edu/PublicSafety/>

## Related Documents/Resources

None

## Definitions

These definitions apply to these terms as they are used in this policy:

- **License Holder:** The term “license holder” means a person who holds a valid weapons carry license. A license holder must be a minimum of twenty-one (21) years old. A license holder could be a student.
- **School Safety Zone:** The term “school safety zone” means in or on any real property owned by or leased to any public or private elementary school, secondary school, or school board and used for elementary or secondary education and in or on the campus of any public or private technical school, vocational school, college, university, or institution of postsecondary education.
- **Stun Gun or Taser:** A “stun gun” or “taser” is any device that is powered by electrical charging units such as batteries and emits an electrical charge in excess of 20,000 volts or is otherwise capable of incapacitating a person by an electrical charge.
- **Weapon:** The term “weapon” means and includes any pistol, revolver, or any weapon designed or intended to propel a missile of any kind, or any dirk, bowie knife, switchblade knife, ballistic knife, any other knife having a blade of two or more inches, straight-edge razor, razor blade, spring stick, knuckles, whether made from metal, thermoplastic, wood, or other similar material, blackjack, any bat, club, or other bludgeon-type weapon, or 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, or 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 any weapon of like kind, and any stun gun or taser. This paragraph excludes any of these instruments used for classroom work authorized by the teacher.
- **Weapons Carry License:** The term “weapons carry license” means a license issued pursuant to O.C.G.A. § 16-11-129.

## **Overview**

Generally, O.C.G.A. § 16-11-127.1 (b) makes it unlawful for any person to “carry or to possess or have under such person’s control while within a school safety zone or at a school building, school function, or school property or on a bus or other transportation furnished by the school any weapon or explosive compound, other than fireworks” the possession of which is regulated by a separate statute.

### **I. Weapons Prohibited in or on College (School) Buildings and Grounds**

As noted above, all faculty, staff, students and visitors are prohibited from carrying any weapon into any “school building.” At the College, this would include all buildings located on either the Brunswick or Camden campus, regardless of use. Thus, it is impermissible to carry any weapon, for any purpose or length of time, into any academic building, administrative building or residence hall.

Additionally, all faculty, staff, students and visitors are prohibited from carrying any weapons onto the College campus, subject only to the exceptions listed below. For purposes of this policy, the campus is defined to include the campus proper, as well as any property leased by or loaned to the College for campus functions. This includes, but is not limited to, off-campus sites used for sporting events and vehicles used by the College to provide transportation for students and staff.

However, subsection (c) of the statute provides certain exceptions to the general prohibition that are relevant to the College community.

### **II. Limited Exceptions for License Holders in Parked Vehicles or Transiting Through Campus**

Pursuant to subsections (c)(7) and (8) of O.C.G.A. § 16-11-127.1, the general prohibition outlined above does not apply to licensed holders under the following limited circumstances:

- a. Picking Up a Student. When such person carries or picks up a student at a school building, school function, or school property or on a bus or other transportation furnished by the school; or
- b. Parked or In Transit. When he or she has any weapon legally kept within a vehicle when such vehicle is parked at such school property or is in transit through a designated school zone; or.
- c. In Licensed Holder’s Control. When a weapon is in the possession and control of the licensed holder while in a motor vehicle; or

- d. Locked Vehicle Compartments or Firearms Racks. When a weapon is:
- In a motor vehicle, in a locked compartment of a motor vehicle, in a locked container in or a motor vehicle, or in a locked firearms rack which is on a motor vehicle;
  - Where the vehicle is being used by an adult **over 21 years of age**;
  - To bring to or pick up a student at a school building, school function, or school property or on a bus or other transportation furnished by the school, or when such vehicle is used to transport someone to an activity being conducted on school property which has been authorized by a duly authorized official of the school; and
  - The licensed holder is not a student at the College.

Importantly, it should be remembered that no person, regardless of whether he or she holds a valid weapons carry license, is permitted to carry or possess a weapon on his or her person or in his or her possessions (e.g., a backpack) while on College grounds outside the physical confines of a vehicle.

### III. **Proof of License Holder Status**

Pursuant to O.C.G.A. § 16-11-129(e), any license holder must “have in his or her possession his or her valid license whenever he or she is carrying a weapon under authority granted by this Code section.” Accordingly, any individual claiming one of the exceptions to the general prohibition outlined in paragraphs II or III, above, must, upon request, produce a valid weapons carry license. Failure to do so will be considered *prima facie* evidence of a violation of this policy and O.C.G.A. § 16-11-126.

### IV. **Campus Police Officers and Other Law Enforcement Personnel**

Pursuant to subsection (c) of O.C.G.A. § 16-11-127.1, the general prohibition outlined above does not apply to any of the following individuals, when these individuals are acting in the performance of their official duties or when en route to or from their official duties:

- a. Peace Officers: The prohibition does not apply to peace officers, as defined by O.C.G.A. 35-8-2.
- b. Federal Officers. The prohibition also does not apply to law enforcement officers of the United States Government.

- c. Campus Police Officers. Finally, the general prohibition does not apply to any person employed as a campus police officer who is authorized to carry a weapon in accordance with Chapter 8 of Title 20 of the O.C.G.A.

Additionally, the general prohibition does not apply to any persons participating in law enforcement training conducted by a police academy certified by the Georgia Peace Officer Standards and Training Council or by a law enforcement agency of the State or the United States or by any political subdivision thereof; provided, the training is conducted as an official duty and approved by the College.

#### V. **Athletic Events**

The general prohibition does not apply to sanctioned sports equipment possessed by athletes of the College or its competitors while engaged in legitimate athletic activities.

#### VI. **Maintenance and Plant Operations**

The general prohibition does not apply to equipment possessed, maintained and utilized by maintenance and plant operations personnel in the course of their legitimate work-related functions.

#### VII. **Reporting Violations**

Pursuant to O.C.G.A. § 20-2-1184, entitled *Reporting of Students Committing Prohibited Acts*, “any dean or public safety officer employed by a college or university who has reasonable cause to believe that a student” has violated O.C.G.A. § 16-11-172 relating to carrying a weapon or long gun in an unauthorized location or O.C.G.A. § 16-11-132, relating to the illegal possession of a handgun by a person under 18 years of age, is mandated to “immediately report the act and the name of the student to the ... President of that school ... or President’s designee.”

- a. President or Designee Action. In accordance with subsection (b) of § 20-2-1184, when the President or the President’s designee receive a report of a violation of the statutes cited above, and he or she “has reasonable cause to believe that the report is valid,” he or she “shall make an oral report thereof immediately by telephone or otherwise to the ... appropriate police authority and district attorney.” Through approval of this policy, the Director of Public Safety is appointed as the President’s designee for purposes of this subsection.
- b. Liability. Further, subsection (c) of the statute provides immunity for civil or criminal liability for making, or causing to be made, such a report, so long as the information was provided in good faith.

- c. Failure to Report. Finally, subsection (d) of the statute makes it a misdemeanor for any individual required to make a report to knowingly and willfully fail to do so.

**VIII. No Defense to Violation of Policy**

It shall be no defense to a violation of this policy that (a) the College was not in session at the time of the offense; (b) the building in question was being used for purposes besides College purposes; (c) the offense took place in a College vehicle; or (d) an individual is a licensed holder, but did not have a valid weapons carry license on his or her possession at the time of the incident.

**IX. Reporting Obligations and Sanctions for Non-Compliance**

If any employee or student believes another person covered by this policy possesses a weapon in violation of this policy, the employee or student shall immediately report this belief and the basis for this belief to the Public Safety Department. Failure to report knowledge of the presence of any weapon shall subject the employee or student to appropriate administrative and / or disciplinary action.

Violations of this policy will result in prompt disciplinary action up to and including termination of employment or expulsion, in accordance with College employee or student disciplinary policies, as applicable. Additionally, should any faculty, staff, student or visitor to the College violate this policy, the College shall take all necessary steps to refer the matter to appropriate law enforcement authorities for criminal prosecution.

**Responsibilities**

The responsibilities each party has in connection with this weapons policy are:

Party	Responsibility
Director of Public Safety	Ensure compliance with this policy.
All faculty, staff, students and visitors to the College	Ensure compliance with this policy.

**Forms**

None

**Appendices**

None