Campus Carry

How will concealed carry on campus affect us?
What should be done?

Discussion materials created by Timothy J. Shaffer and graduate students from Communication Studies 630: Public Deliberation, Communication, and Participation

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When asked their policy preference regarding concealed handguns on campus, the majority (70%) of respondents preferred amending the law so that guns are not allowed on campus, and 7% favored keeping the current law, but extending the exemption past 2017. Nearly one-fifth favored keeping the current law and allowing the exemption to expire, which would then allow guns on campus. The 4% who said they did not know suggests that few do not have an opinion on this issue.

Over half (54%) of respondents said they would favor their university expending the necessary resources to implement “adequate security measures,” 23% said it would depend upon the cost, 16% said they would not favor their university expending the necessary resources, and 7% said they did not know. For further survey results, see the full report.⑧

**National Research on the Issue of Concealed Weapons and College Campuses**

Kansas is not alone in dealing with the question of concealed handguns on campus. While the majority of states either prohibit guns on campus or else allow colleges to decide for themselves whether to allow guns on campus, an increasing number of states have taken steps to require colleges to allow guns on campus in some circumstances while only two states—Colorado and Utah—allow all concealed carry permit holders to carry guns everywhere on campus.⑨

Most relevant to this discussion in Kansas is the implementation of Texas’ Senate Bill 11, also known as the “campus carry” law.⑩ S.B. 11 provides that license holders may carry a concealed handgun throughout university campuses, starting Aug. 1, 2016. However, the law is different from that in Kansas because it gives public universities some discretion to regulate campus carry.⑪ In some respects, Texas will offer 11 months of real-world experimentation with such a law on university campuses before the currently-exempt universities in Kansas will have concealed handguns on campuses. Even before its implementation however, the ramifications of this law are being felt as university faculty leave the University of Texas-Austin while a Nobel laureate and physicist at the university would keep concealed handguns out of his classes by not permitting students with concealed handguns to enroll.⑫

At the University of Houston, faculty members discussed the need to alter what and how they teach, even changing how they interact with students by limiting access by only meeting by appointment.⑬

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⑧ Access the full report at [https://www.fhsu.edu/uploadedFiles/executive/docking/Regents%20FacultyStaff%20Gun%20Survey%202015%20(2).pdf](https://www.fhsu.edu/uploadedFiles/executive/docking/Regents%20FacultyStaff%20Gun%20Survey%202015%20(2).pdf)

⑨ For information on state laws, see [https://everytownresearch.org/factsheet/guns-on-campus/](https://everytownresearch.org/factsheet/guns-on-campus/), footnotes 5-8.


⑪ For most information as to how public universities are engaging this issue in Texas, notably the University of Texas at Austin, see [https://campuscarry.utexas.edu/](https://campuscarry.utexas.edu/).


75-7c20. Concealed handguns in public buildings; when prohibited; public buildings exempted; definitions. (a) The carrying of a concealed handgun shall not be prohibited in any state or municipal building unless such building has adequate security measures to ensure that no weapons are permitted to be carried into such building and the building is conspicuously posted in accordance with K.S.A. 2015 Supp. 75-7c10, and amendments thereto.

(b) Any state or municipal building which contains both public access entrances and restricted access entrances shall provide adequate security measures at the public access entrances in order to prohibit the carrying of any weapons into such building.

(c) No state agency or municipality shall prohibit an employee from carrying a concealed handgun at the employee's work place unless the building has adequate security measures and the building is conspicuously posted in accordance with K.S.A. 2015 Supp. 75-7c10, and amendments thereto.

(d) It shall not be a violation of the personal and family protection act for a person to carry a concealed handgun into a state or municipal building so long as that person has authority to enter through a restricted access entrance into such building which provides adequate security measures and the building is conspicuously posted in accordance with K.S.A. 2015 Supp. 75-7c10, and amendments thereto.

(e) A state agency or municipality which provides adequate security measures in a state or municipal building and which conspicuously posts signage in accordance with K.S.A. 2015 Supp. 75-7c10, and amendments thereto, prohibiting the carrying of a concealed handgun in such building shall not be liable for any wrongful act or omission relating to actions of persons carrying a concealed handgun concerning acts or omissions regarding such handguns.

(f) A state agency or municipality which does not provide adequate security measures in a state or municipal building and which allows the carrying of a concealed handgun shall not be liable for any wrongful act or omission relating to actions of persons carrying a concealed handgun concerning acts or omissions regarding such handguns.

(g) Nothing in this act shall limit the ability of a corrections facility, a jail facility or a law enforcement agency to prohibit the carrying of a handgun or other firearm concealed or unconcealed by any person into any secure area of a building located on such premises, except those areas of such building outside of a secure area and readily accessible to the public shall be subject to the provisions of subsection (b).

(h) Nothing in this section shall limit the ability of the chief judge of each judicial district to prohibit the carrying of a concealed handgun by any person into courtrooms or ancillary courtrooms within the district provided that other means of security are employed such as armed law enforcement or armed security officers.

(i) The governing body or the chief administrative officer, if no governing body exists, of a state or municipal building, may exempt the building from this section until January 1, 2014, by notifying the Kansas attorney general and the law enforcement agency of the local jurisdiction by letter of such exemption. Thereafter, such governing body or chief administrative officer may exempt a state or municipal building for a period of only four years by adopting a resolution, or drafting a letter, listing the legal description of such building, listing the reasons for such exemption, and including the following statement: "A security plan has been developed for the building being exempted which supplies adequate security to the occupants of the building and merits the prohibition of the carrying of a concealed handgun." A copy of the security plan for the building shall be maintained on file and shall be made available, upon request, to the Kansas attorney general and the law enforcement agency of local jurisdiction. Notice of this exemption, together with the resolution adopted or the letter drafted, shall be sent to the Kansas attorney general and to the law enforcement agency of local jurisdiction. The security plan shall not be subject to disclosure under the Kansas open records act.

(j) The governing body or the chief administrative officer, if no governing body exists, of any of the following institutions may exempt any building of such institution from this section for a period of only four years by stating the reasons for such exemption and sending notice of such exemption to the Kansas attorney general:

(1) A state or municipal-owned medical care facility, as defined in K.S.A. 65-425, and amendments thereto;
(2) a state or municipal-owned adult care home, as defined in K.S.A. 39-923, and amendments thereto;
(3) a community mental health center organized pursuant to K.S.A. 19-4001 et seq., and amendments thereto;
(4) an indigent health care clinic, as defined by K.S.A. 2015 Supp. 65-7402, and amendments thereto; or
(5) a postsecondary educational institution, as defined in K.S.A. 74-3201b, and amendments thereto, including any buildings located on the grounds of such institution and any buildings leased by such institution.
(k) The provisions of this section shall not apply to any building located on the grounds of the Kansas state school for the deaf or the Kansas state school for the blind.

(l) Nothing in this section shall be construed to prohibit any law enforcement officer, as defined in K.S.A. 2015 Supp. 75-7c22, and amendments thereto, who satisfies the requirements of either K.S.A. 2015 Supp. 75-7c22(a) or (b), and amendments thereto, from carrying a concealed handgun into any state or municipal building in accordance with the provisions of K.S.A. 2015 Supp. 75-7c22, and amendments thereto, subject to any restrictions or prohibitions imposed in any courtroom by the chief judge of the judicial district.

(m) For purposes of this section:

(1) "Adequate security measures" means the use of electronic equipment and personnel at public entrances to detect and restrict the carrying of any weapons into the state or municipal building, including, but not limited to, metal detectors, metal detector wands or any other equipment used for similar purposes to ensure that weapons are not permitted to be carried into such building by members of the public. Adequate security measures for storing and securing lawfully carried weapons, including, but not limited to, the use of gun lockers or other similar storage options may be provided at public entrances.

(2) The terms "municipality" and "municipal" are interchangeable and have the same meaning as the term "municipality" is defined in K.S.A. 75-6102, and amendments thereto, but does not include school districts.

(3) "Restricted access entrance" means an entrance that is restricted to the public and requires a key, keycard, code, or similar device to allow access to authorized personnel.

(4) "State" means the same as the term is defined in K.S.A. 75-6102, and amendments thereto.

(5) (A) "State or municipal building" means a building owned or leased by such public entity. It does not include a building owned by the state or a municipality which is leased by a private entity whether for profit or not-for-profit or a building held in title by the state or a municipality solely for reasons of revenue bond financing.

(B) On and after July 1, 2014, the term "state and municipal building" shall not include the state capitol.

(6) "Weapon" means a weapon described in K.S.A. 2015 Supp. 21-6301, and amendments thereto, except the term "weapon" shall not include any cutting instrument that has a sharpened or pointed blade.

(n) This section shall be a part of and supplemental to the personal and family protection act.


Revisor's Note:
Section was also amended by L. 2014, ch. 97, § 16, but that version was repealed by L. 2014, ch. 134, § 7.

Why We Are Deliberating About Concealed Handguns at Kansas State University

Introduction

The opportunity to explore diverse ideas and experiences is a central tenet of higher education. For students, faculty, staff, and guests on college and university campuses, the freedom of thought and expression is one of the things that make higher education an important and unique institution of American life and for any democratic society. With a population of more than 323 million, roughly 11.1 million have concealed carry permits for handguns across the United States of America.\(^1\) The appropriateness, prominence, and role of guns in American life and culture has long been a divisive issue, and it is has increasingly become a higher education issue.\(^2\)

Regardless of one’s position, safety on a university campus is a key value held by many people. Whether as a student starting an academic program; as a parent sending children to obtain a higher education; as a visitor for speakers, presentations, or sporting events; or as someone pursuing professional opportunities as a member of the faculty or staff, the issue of a safe campus impacts institutional climate—both real and perceived. Safety and freedom are often expressed as universal values, so we may think of these as a starting point for why we are gathered today.

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\(^1\) For the United States of America population, the Census offered the most up-to-date information: [http://www.census.gov/popclock/](http://www.census.gov/popclock/); Crime Prevention Research Center, "Concealed Carry Permit Holders across the United States," (Swarthmore, PA: Crime Prevention Research Center, 2014), 11.

Why deliberation is important in the university is because of its nature—it is a place in which diverse populations interact regularly. As scholar Cynthia Estlund has put it, “the very involuntariness of interactions within the workplace turned out to play a curiously constructive role in making possible the extraordinary convergence of close and regular interaction and a relatively high degree of demographic diversity.” Further, faculty, staff, and students are also exploring ways in which deliberation—rather than only debate—can shape our discourse in classrooms and beyond.  

**The Change in Kansas State Law**

The focus of this deliberative discussion is about concealed handguns at Kansas State University. In 2013, the Kansas Legislature amended the Personal and Family Protection Law prohibiting state and municipal bodies from banning concealed handguns in public places. The enactment was codified at K.S.A. 2014 Supp. 75-7c20. From that time, public universities were exempt. That will change in July 2017 when a four-year exemption for university campuses expires. At that point, campuses must allow students, faculty, staff and visitors to carry concealed weapons unless adequate security measures, including metal detectors and security guards, are installed at building entrances. Additionally, during the 2015 legislative session, lawmakers amended the law allowing people 21 years of age and older to carry concealed guns without permit training. That law will apply to the Kansas public university campuses in July 2017. In response to these changes, The Regents invited campus groups to provide input and feedback about the draft document of the proposed amendments to the Regents' policy. The Kansas State University weapons policy work group reviewed the proposed amendments and drafted a memo of recommended changes and requested clarifications. The Regents approved the revised weapons policy during the January 20, 2016 Board of Regents meeting.  

**Kansas Board of Regents Faculty and Staff Survey**

The Kansas Board of Regents Council of Faculty Senate Presidents, in collaboration with the Regents University Support Staff Council, commissioned The Docking Institute of Public Affairs Fort Hays State University to conduct a study to gather faculty and staff opinions and policy preferences regarding guns on Regents university campuses. Participating in this survey were seven of the Regents universities (Emporia State University, Fort Hays State University, Kansas University, Kansas University Medical Center, Kansas State University, Pittsburg State University, and Wichita State University). A total of 20,151 faculty and staff were invited to participate and a total of 10,886 responses were received, resulting in a response rate of 54.0%. The response rate at Kansas State University was 52.6% and comprised 30.7% of the total study.  

![Figure 1: Policy Preference for Concealed Handguns on Campus](https://www.k-state.edu/vpaf/weaponspolicy/kbor-proposed-weapons-possession-policy.pdf)  

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5 https://www.k-state.edu/vpaf/weaponspolicy/kbor-proposed-weapons-possession-policy.pdf  
6 https://www.k-state.edu/vpaf/weaponspolicy/kbor-policy-feedback.pdf  
7 https://www.k-state.edu/vpaf/weaponspolicy/approved-BOR-weapons-policy.pdf
In recent years, surveys have identified resistance to allowing guns on campuses. Notably nine in ten campus police chiefs agree that the most effective and important way to deal with gun use on campus is to prevent the use of guns at all. Meanwhile, only 5 percent think that allowing students to carry on campus would prevent any shootings.\textsuperscript{14}

A 2014 survey of 401 college and university presidents found that 95 percent opposed concealed weapons on campus, with few (5 percent) having a valid permit to carry a concealed handgun. When the presidents were asked about standards to carry a concealed handgun, they thought a person should be required to pass a firearms training course (88%), periodically practice at a firing range to maintain their skills (87%) and show proof of a minimum of liability insurance in case the shooter wounded or killed an innocent person (86%). However, less than half of the presidents indicated either their faculty (45%) or their student body (38%) was trained to respond to an active shooter on campus.\textsuperscript{15} While not as high as the response by presidents, a survey of 15 Midwestern universities from 2013 found that 78 percent of students were not supportive of concealed handguns on campus and an equal number (78%) claimed they would not obtain a permit to carry a handgun if it were legal.\textsuperscript{16}

Nationally, high numbers of university community members oppose concealed handguns on college and university campuses.

A major social dimension shaping campus climate is the consumption of alcohol consumption on college and university campuses. Researchers who looked at alcohol consumption, particularly binge drinking episodes, found an association with higher likelihood of carrying a weapon. Out of the 54,582 participants in the study, those who had 6-9 binge episodes in the last two weeks had 31% higher odds of carrying a weapon on campus and participants who had 10 or more binge drinking episodes had more than 2.5 times (250%) higher odds of carrying a weapon on campus compared to those participants who did not have a binge episode during the last two weeks.\textsuperscript{17} Even when not looking at these binge episodes, participants with low drinking levels had 13% higher odds of carrying a weapon, medium-risk drinkers had 40% higher odds of carrying a weapon, and participants with high-risk drinking had almost three times (289%) higher odds of carrying a weapon on campus compared to participants with a no-risk driving level. The findings indicate that weekly drinking patterns indicate the likelihood of carrying a weapon on campus.\textsuperscript{18}

A second issue that is broader than higher education but has relevance to higher education deals with what’s been called a “crisis of masculinity,” or a need to define masculinity through particular styles of rhetoric and actions that elevate the status of guns and violence. Related, there are also potential implications for how rural citizens, particularly White men, interact and engage with diverse populations as they experience certain manifestations of what it means to be masculine. For a state with demographics such as Kansas, we should ask what these findings mean and how they might or might not apply.\textsuperscript{19}

A third issue that has garnered national attention has been the issue of academic freedom for students and faculty in the classroom. Numerous stories and Op-Eds by university faculty across the United States have acknowledged a range of concerns about the possible impact on what and how they teach.\textsuperscript{20} Related, the resurgence in protest

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\textsuperscript{17} Gayle Walter et al., "Students’ Drinking Status and Likelihood of Carrying a Weapon on Campus," \textit{American Journal of Heath Studies} 30, no. 4 (2015): 156.
\textsuperscript{18} Ibid., 157.
\textsuperscript{20} E.g., see \url{http://www.theatlantic.com/education/archive/2016/03/the-steep-cost-of-allowing-guns-in-the-college-classroom/472296/}; \url{https://www.insidehighered.com/views/2016/04/12/key-arguments-concealed-carry-campuses-dont-hold-essay}.\end{flushright}
movements on campuses could be impacted by an increased number of weapons, because of concern about publicly expressing views on potentially contentious issues—outside of the confines of the classroom.

While these issues have primarily been in opposition to an increased number of weapons on college and university campuses, advocates of concealed weapons on campus such as Students for Concealed Carry—a student-run, national, non-partisan organization which advocates for legal concealed carry on college campuses in the United States as an effective means of self-defense—note that while “crime on a campus may be rarer than in the rest of America, it still happens.”21 It is this reality that there always remains the possibility of the need for self-defense in which police will either be too slow or unable to respond that makes the ability to conceal carry a handgun important for many. Further, John Lott of the Crime Prevention Research Center, has identified a decline in the number of K-12 and university shooting deaths from 1992 to 2014.22 What does it this decline mean for arguments against actual shooting deaths while gun ownership has risen?

Recent scholarship largely identifies reservations or causes for concern when it comes to weapons on college and university campuses. The larger question, especially for Kansas State University, is how to mitigate concerns such as the increased odds for heavy alcoholic consumption and the carrying of a weapon on campus. While this is not the only area of concern, it highlights the seriousness of the issue we must collectively address.

K-State’s Response to Legislation
Kansas State University created a Weapons Advisory Work Group and five Weapons Advisory Subgroups focusing on the areas of: academics, general services, research, special events, and student life.23 On Feb. 23, 2016, the work group hosted an orientation session and charged the subgroups to develop recommendations in response to the following questions:

1. Recommendations for a list of specific areas where it is necessary and feasible to restrict concealed carry.
   a. Rationale for restricting concealed carry at those specific locations.
   b. Would concealed carry be restricted temporarily or permanently?
   c. What specific adequate security measures should be used — type of equipment, personnel, signage?
   d. Any recommended provisions for the safe possession and storage of lawful concealed carry handguns.

2. General recommendations for how and where to report suspected violations of the university weapons policy.

3. General recommendations for how to notify faculty, staff and students regarding the university's concealed carry policies.

4. General recommendations for the university to educate and train the campus community on firearm safety.

Subgroup recommendations were due back to the work group by mid-April. The work group is planning an open forum, originally scheduled for late April 2016, to share the recommendations and receive input from the campus community. Over the summer, the work group will revise the university weapons policy using the recommendations and feedback. The President's Cabinet will review the draft and recommend changes in August before the final draft is shared with the campus community early in the fall semester. The President will finalize the policy before it is submitted for approval by the Regents Governance Committee in October 2016.


22 See http://crimeresearch.org/2014/06/updated-information-on-k-12-school-shootings-deaths-the-number-of-deaths-has-been-declining-over-time/. Lott’s larger body of research is reflected in John R. Lott, Jr., More Guns, Less Crime: Understanding Crime and Gun-Control Laws, Third ed. (Chicago: The University of Chicago Press, 2010). It should be noted that Lott’s research has been highly scrutinized and criticized because of methodological concerns and coding errors that are the basis for his arguments. E.g., Mark Duggan, “More Guns, More Crime,” Journal of Political Economy 109, no. 5 (2001).

23 http://www.k-state.edu/vpaf/weaponspolicy/members.html.
**Why Deliberate?**

There are official committees through which Kansas State University is addressing the issue of concealed handguns. Additionally, individuals and advocacy groups have made efforts to raise awareness of the impending change regarding concealed handguns on campus. This deliberative discussion is a direct response to an invitation by Vice President for Administration and Finance Cindy Bontrager to offer thoughtful contributions to developing policy. As noted in a letter to the campus community dated February 26, 2016, Vice President Bontrager noted, “Campus input is crucial as the subgroups begin developing recommendations to revise the university’s weapons policy. I encourage you to share your suggestions, questions or concerns with members of the subgroups or through the Vice President for Administration and Finance's webpage.”

Those of us committed to participatory and inclusive decision-making believe there is an important discussion to be had that can inform our collective thinking about this highly emotional and contentious “wicked” problem. Rather than thinking individually about this issue, public discussion or deliberation allows for the Kansas State University community to better understand the range of values, perspectives, and views on this issue and how we might come to have a more informed public judgment about the complex intricacies of having concealed handguns on campus. We hope that you will walk away more informed about the issue, what your peers and colleagues think, and how you might become more involved regarding this issue—regardless of your position.

What follows are three broad categories of concern related to concealed carry implementation on campus. Each category is intended to represent one facet that our community might want to think more deeply about as this policy impacts Kansas State University. Together, these categories are intended to solicit multiple viewpoints on how our decisions about concealed handgun laws might impact campus climate and safety. These categories are not exhaustive, but rather they provide a starting point for discovering how different approaches to the presence of concealed handguns on campus will affect us.

This guide serves only as a starting point. New concerns and voices will be heard as we discuss and deliberate about the issue. We invite people to consider different perspectives and to wrestle with the tensions and trade-offs of particular actions. Our ultimate goal is to identify areas of common ground for moving the conversation forward. **But tonight, our primary goal is exploratory discussion.** This event is a pilot for further conversation to take place at Kansas State University in the coming months.

This forum has been created by a concern for the K-State family, and we view this as an opportunity to learn and share insights with one another. Much like families gather around a kitchen table when a difficult issue arises, we gather together to share ideas and insight—but mostly to listen to one another. What are some of the ideas you can bring to the table? We are excited to hear them!

Our conversation is framed by three broad categories:

**Consideration #1: Campus Safety Protocols Following July 1, 2017**

**Consideration #2: University Experience for Students, Faculty, and Staff**

**Consideration #3: Surrounding Community Impact and Responses**

Thanks for being part of the conversation.

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