

**Title: Weapons, Dangerous Materials, and Chemical Deterrents on Campus****Effective Date:** 09/01/2023

**Applies to:** All students, employees, other campus community members, vendors, contractors, or visitors, except law enforcement officers.

**Statement:** WesternU promotes an environment in which the safety and welfare of all faculty, staff, students, and visitors are provided for through the coordination of safety programs campus wide. Therefore, weapons are prohibited on any property owned, leased, operated, or controlled by the University, including but not limited to the following: classrooms, laboratories, clinics, office buildings, parking lots and structures, University owned vehicles, and all outdoor areas of any campus of the University.

**Purpose:** To establish restrictions on possession, storage, and/or concealed carry of weapons, dangerous materials, or chemical deterrents on university property as defined above.

**Related Information:** WesternU is subject to state laws that prohibit weapons on the campus of an educational institution.

Any employee, student, or visitor who brings an unlawful or unauthorized weapon onto any WesternU property will be subject to the provisions of applicable state laws, including administrative disciplinary action, and/or criminal arrest and prosecution. Subsequent action in any case may include criminal prosecution and/or disciplinary action up to and including termination of employment or a student's expulsion from the university.

Subject to the exceptions below, the University maintains a weapons and firearms-free policy for all University property. All persons covered by this policy, unless subject to a specific exception in this policy, are prohibited:

1. From possessing, storing, carrying, or unlawfully using any weapon or firearm, dangerous materials on university property or in any vehicle owned, leased, or controlled by the University.
2. From displaying, brandishing, discharging, or otherwise using any and all weapons or firearms, whether real or imitation (e.g., toy gun or airsoft, pellet, or BB gun).

All persons covered by this policy must follow and are subject to any other applicable state or federal laws, and/or University policies related to weapons, dangerous materials, and chemical deterrents.

The prohibitions related to Weapons do not apply in the following circumstances:

Sworn law enforcement officers: responding to campus incidents and/or participating in training seminars or classroom activities to the extent they are legally permitted to possess weapons in the jurisdiction in which the University premises are located.

Employment Exceptions: For a lawful purpose within the scope of a person's employment at the University, as authorized by the Office of Human Resources and/or University Administration. The prohibitions related to knives and/or other cutting instruments do not apply in the following circumstances:

For lawful use, within the scope of a person's employment at WesternU, including but not limited to kitchen knives and similar utensils used by food services employees, scalpels and other cutting instruments used by physicians, dentists, researchers, faculty, and students in laboratories, including saws and other shearing devices such as those typically used by Facilities/Plant Operations employees, etc.

### **Allowable Chemical Deterrents**

Some self-defense weapons can be carried on campus within legal limits, such as pepper spray that is intended for self-defense, is no larger than 2.5 oz. and contains a "Warning" label on the container.

### **Actions for Violations**

Knowledge of violations of this policy should be reported to Campus Security and your immediate supervisor. In their absence or in the case of emergency, Campus Security should be contacted by calling 909-706-3000 (x3000) or 911.

Violations of this policy by students or employees will be considered "misconduct" and will subject the individual(s) to discipline, up to and including dismissal or termination, as well as potential criminal prosecution, subject to applicable University policies and procedures.

If this policy is violated by visitors, they will be subject to removal/restriction from any and all property owned, leased, or controlled by the University, on a temporary or permanent basis, as well as potential criminal prosecution.

Campus Security staff may refer suspected violations of the law to appropriate law enforcement authorities and provide access to investigative or other data as permitted by law.

In the event a federal or state law or a county ordinance is more restrictive than this policy, federal or state law or the county ordinance shall apply.

### **Definitions:**

**Chemical Deterrent:** mace, tear gas, pepper spray, mace, or similar agent. For purposes of this policy, pepper spray is not considered a weapon so long as it is intended use is for self-defense, not larger than 2.5 ounces and contains a "warning" label. Use of pepper spray for any purpose other than immediate self-defense is against the law.

**Dangerous Materials/Instruments** are defined to include, but not be limited to, any of the following:

- Explosive device
- Fireworks including but not limited to firecrackers, rockets, roman candles, cherry bombs, toy cannons and toy guns in which explosive materials are used, fire balloons, or other incendiary devices
- Toxic or poisonous chemicals or disease organisms

- Bomb
- Grenade
- Mine
- Rocket
- Tasers
- Other similar device or materials including the unassembled components from which such device or any of the preceding can be made
- Any replicas or look-alike Dangerous Materials/Instruments

**Weapon:**

- Any loaded or unloaded firearm, gun, or replicas
- Ammunition
- Any knife with a blade longer than 2.5 inches, opens automatically, or has more than one sharp edge
- Club-type weapons (a club, bat, baton, billy club, knobkerrie, nunchaku, nightstick, truncheon or similar instrument)
- Artificial knuckles made from metal, plastic, or other similar hard material
- Any object used to hurt or injure another

**Firearm:** any device, regardless of its name, that is designed to expel a projectile (e.g., bullet, pellet, shot, flare, or spear) or projectiles by the action of an explosion, expansion of gas or escape of gas; any imitation or replica firearm; and any firearm that has been rendered inoperative.

**Regulatory Information:**

California

Code of Regulations Title V section 41301(13)

California's Gun Free Zone Act of 1995

California Penal Code, sections 626.9, 626.10, 16590, 21510, 22810e(1) and 22810e(2)

Oregon

ORS 161.015, 163.211, 166.360, 166.370, 166.377, 166.380, 166.382, 166.385

**Responsible Department:** Campus Security

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