

Table of Contents

1. Purpose 3

2. Definitions 3

3. Police Department..... 3

4. Firearms..... 4

5. Skateboarding and Rollerblading 8

6. Motorized Vehicles 8

7. Traffic Control Regulations 9

8. Lost and Found Property 13

1. Purpose. To set forth the regulations and procedures for the protection of lives and property owned by or controlled by the University, and for the maintenance of a safe learning and working environment.

2. Definitions. For the purpose of these regulations the following definition applies.

2.1 “Officers” means those Employees who are law enforcement officers certified by the state of Kansas and serve as such in their University capacity.

3. Police Department. The University shall maintain a force of officers and support staff as the University Police Department.

3.1 Department Purpose.

3.1.1 The Department’s primary purpose shall be to aid and supplement state and local law enforcement agencies in the protection of lives and property on grounds and buildings owned or controlled by the University.

3.1.2 The Department shall be committed to providing a safe learning and working environment. This commitment shall be exercised in cooperation with University Employees, Students, and visitors.

3.2 Manual. A Department manual of regulations and procedures shall be developed and maintained by the Chief of Police for the guidance and governance of the Department. The manual shall include, but not be limited to:

- Detailed descriptions of the officers’ responsibilities to the University community as Certified Law Enforcement Officers;
- The professional conduct standards to be followed by the Department Employees;
- Instructions regarding the locking of buildings;
- Detailed regulations for use of force;
- Guidelines for efficient response to bomb threats, natural disasters, and severe weather alerts;
- Rules and guidelines pertaining to racial profiling; and,
- Rules and guidelines pertaining to domestic violence.

3.3 Records. The Department shall maintain adequate records of incidents and offenses, and shall, except as otherwise required by law, maintain such records as confidential and not open to the public.

3.4 Daily Crime Log. The Chief of Police shall, in compliance with the Jeanne Clery Campus Crime Statistics Act, maintain and publish a daily log of offenses which have occurred on University property and post such log for public viewing.

4. Firearms.

4.1 Purpose. The purpose of this regulation is to describe how handguns may be carried and stored in any building owned or leased by Washburn University, including Washburn Institute of Technology, in as safe a manner as possible pursuant to Kansas law [The Personal and Family Protection Act, K.S.A. 75-7c01 et seq.]

4.2 Washburn University Police. Washburn University police officers shall be allowed to possess firearms or other weapons at all times when engaged in the performance of their duties or as otherwise allowed by law. **Sections 4.7 and 4.8** shall not apply to law enforcement officers. Weapons shall be carried and stored in accordance with departmental policy.

4.3 Definitions. For the purpose of this policy,

- **“Adequate Security Measures”** (also **“ASM”**) shall have the same meaning as is defined in K.S.A. 75-7c20.
- **“Building”** shall have the same meaning as the term “municipal building” is defined in K.S.A. 75-7c20.
- **“Campus”** shall mean any property owned or leased by Washburn University and Washburn Institute of Technology.
- **“Concealed Carry”** means the weapon is concealed on or about their person at all times. With respect to this policy, concealed means completely hidden from view from any angle and does not reveal the weapon in any way, shape, or form. “About the person” means that an individual may carry a handgun if it can be carried securely in a suitable carrier, such as a backpack, purse, handbag, or other personal carrier designed and intended for the carrying of an individual’s personal items. Moreover, the carrier must at all times remain within the exclusive and uninterrupted control of the individual. This includes wearing the carrier with one or more straps consistent with the carrier’s design, carrying or holding the carrier, or setting the carrier next to or within the immediate reach of the individual. If the carrier is not within the immediate reach of the individual, then the weapon is no longer being “carried” and would then need to meet the requirements for storing a weapon.
 - a. If the concealed weapon becomes exposed because the weapon holder is either 1) using the weapon in lawful self-defense or

defense of others as defined by Kansas Statutes; or 2) is transferring the weapon directly to an appropriate storage location as defined in **Section 4.8** below, such exposure of the weapon shall not be considered a violation of this policy.

- **“Firearm”** means any weapon designed or having the capacity to propel a projectile by force of an explosion or combustion. K.S.A. 21-5111(m).
- **“Handgun”** means:
 - a. A pistol or revolver which is designed to be fired by the use of a single hand and which is designed to fire or capable of firing fixed cartridge ammunition; or
 - b. Any other weapon which will or is designed to expel a projectile by the action of an explosive and which is designed to be fired by the use of a single hand. K.S.A. 75-7c02(b) and 75-7b01(i).
- **“Policy”** means this Weapons Policy.

4.4 Open Carry of Weapons. Open carry of any firearms by any means is prohibited. Each entrance to each building and facility on Campus shall be conspicuously posted that openly carrying a firearm into that building or facility is prohibited. These postings shall be in accordance with Kansas law, more specifically, K.S.A. 75-7c24.

4.5 Concealed Carry of Weapons. In accordance with The Personal and Family Protection Act, K.S.A. 75-7c01 *et seq.*, concealed carry of handguns shall be permitted on Campus. Any restrictions, limitations or requirements affecting the carrying of concealed handguns on campus are set forth below.

4.6 Restrictions to the Carrying of a Concealed Handgun Pursuant to Kansas Law. Kansas law states that the only type of firearm that an individual can carry while concealed is a handgun. The following restrictions apply to the concealed carrying of a firearm by Kansas law and the violation of any of the following restrictions is a crime under Kansas law AND is also a violation of this policy, whether or not a criminal charge is filed by the appropriate prosecuting authority:

- a. An individual in possession of a concealed firearm must be at least 21 years of age [K.S.A. 21-6302(a)(4)];
- b. A firearm cannot be carried by an individual under the influence of alcohol or drugs, or both, to such a degree as to render the individual unable to safely operate the firearm [K.S.A. 21-6332];
- c. A firearm cannot be carried by an individual who is both addicted to and an unlawful user of a controlled substance [K.S.A. 21-6301(a)(10)];

- d. A firearm cannot be carried by an individual who is or has been a mentally ill person subject to involuntary commitment [K.S.A. 21-6301(a)(13)];
- e. A firearm cannot be carried by an individual with an alcohol or substance abuse problem subject to involuntary commitment [K.S.A. 21-6301(a)(13)];
- f. A firearm cannot be carried by an individual who has been convicted of a felony crime [K.S.A. 21-6304];
- g. An automatic firearm cannot be carried by an individual who has been convicted of a felony crime [K.S.A. 21-6304].

4.7 Carrying Safety.

- a. Every handgun carried by an individual, whether on their person or in a carrier, must be secured in a holster that completely covers the trigger and the entire trigger guard area and that secures an external hammer in an un-cocked position through the use of a strap or by other means. The holster must have sufficient tension or grip on the handgun to retain it in the holster even when subjected to unexpected jostling.
- b. Handguns with an external safety must be carried with the safety in the “on” position.
- c. Semiautomatic handguns must be carried without a chambered round of ammunition.
- d. Revolvers must be carried with the hammer resting on an empty cylinder.

4.8 Handgun Storage. Handgun storage on Campus is prohibited, except in the following three circumstances: (1) in an individual’s privately-owned or leased motor vehicle when the vehicle is locked and the handgun is secured in a location within the vehicle that is not visible from outside the vehicle; (2) in an individual’s on-campus residential unit when the handgun is secured in a holster and in an appropriate storage device (see below); or (3) an employee’s own handgun in that employee’s office (means a secured office with a door and a lock) within an approved storage device (see below) that is placed in a non-visible location. If the employee is not in his/her office, the weapon may only be stored under this provision i) while the employee is located on the campus where their office is located and ii) the employee’s office is locked. As an example, if an employee’s office is located at the Washburn University campus and the employee travels to the Washburn Institute of Technology campus, the employee must remove their concealed weapon from their office. Leaving the weapon in the office, even if in an approved storage device, under these circumstances would be a violation of this policy. Handgun storage by any other means than specifically permitted in this policy is prohibited.

a. Appropriate Storage Device. The University does not provide handgun storage devices to any person under any circumstances. Each individual who stores a handgun in an on-campus residence must provide their own appropriate storage device. An appropriate storage device has each of these characteristics: (1) it is of sufficient size to fully enclose the handgun while secured in an appropriate holster; (2) it is constructed of sturdy materials that are non-flammable; and (3) it has a combination, digital, or other secure locking device that can only be unlocked by the individual using the storage device, but devices secured exclusively with a key lock are prohibited; and, (4) the device is constructed specifically for the storage of a handgun and/or ammunition. All ammunition stored in an on-campus residence must be stored in an appropriate storage device.

4.9 Carrying Concealed in Campus Buildings. Generally, concealed handguns may be carried into any Building on Campus. Below are situations/circumstances where the general rule may not apply.

a. Buildings with Public Access. No carrying concealed weapons will be allowed in a Building if the Building has one or more entrances that are open to the public, Adequate Security Measures are in place at each such public access entrance and such Buildings are conspicuously posted as required by Kansas law, more specifically, K.S.A. 75-7c10.

b. Temporary Adequate Security Measures. Washburn reserves the right to set up temporary Adequate Security Measures for any Building to address security needs for a particular event or for a period of time. If such temporary measures are put in place for a particular event, announcements for the event will include notification that concealed carry will not be allowed for that event. If such temporary measures are put in place for a period of time, Washburn shall give reasonable notice to the Washburn community in advance of the period of time.

c. List of buildings where Carrying Concealed is not allowed permanently. If carrying concealed will be restricted in the entirety for any Building on Campus pursuant to the requirements of **Subsection a.** above, then that Building shall be listed below.

4.10 Violations of the Policy.

a. Any suspected violation of this Policy should be reported to University Police. The University Police shall then conduct an investigation for a possible violation of either a criminal statute of the State of Kansas or a provision of this Policy.

b. Upon completion of the investigation, University Police shall:

1. Provide a copy of their report to the Appropriate University official for

further consideration as the Appropriate University official would handle any other potential policy violation.

2. If the investigation leads University Police to believe that a criminal violation may have occurred, then the University Police shall proceed as they do with any other criminal matter.

3. Appropriate University official means the Assistant Vice President, Human Resources or his/her designee where the alleged violator is an employee and means the Associate Vice-President for Student Life or his/her designee where the alleged violator is a student.

4.11 Sanctions. Sanctions shall be imposed on a case by case basis dependent upon the circumstances of the incident, prior violations of this Policy, other prior violations of any policy, regulation or procedure of Washburn University or state law that shows 1) a pattern of disregard for Washburn policy, regulations and procedures and/or 2) a pattern of behavior that creates a concern for safety of the Washburn faculty, staff or students.

4.12 Knowingly Making a False Report. Each report of a suspected policy violation must be made in good faith. The conclusion after an investigation of a report that there has been no policy violation does not mean, by itself, that the report was not made in good faith. Knowingly making a false report of a policy violation is prohibited and will be investigated through the same process as described within this policy for the investigation of a suspected policy violation, with appropriate sanctions being assessed upon confirmation that a false report was made.

4.13 Training. Training on the policy will begin upon approval of the policy by the Board of Regents. Training will include in person training but the University should include, at some point, if not available at the beginning, an online component including a webpage. Training as provided for under this policy is not intended to be gun safety training. Available resources in and around Shawnee County for gun safety shall be identified at the policy trainings as well as on the proposed webpage.

5. Skateboarding and Rollerblading. Please refer to Washburn University Procedures and Regulations, X. Risk Management and Safety, Section 19, Skateboard, Skates and Bicycles and Other Forms of Related Transportation (<https://www.washburn.edu/faculty-staff/human-resources/wuprpm/WUPRPM-Procedures-and-Regs/X.%20RiskMgtRegs.pdf>).

6. Motorized Vehicles. For the safety of individuals on, and the protection of, University property, the use of the motorized vehicles listed in 6.1 below on University owned or controlled property, or within University buildings is prohibited.

6.1 Motorized Vehicle Defined. For purpose of this regulation “motorized vehicle” means, but is not limited to:

- Motorized skateboards;
- Low powered cycles;
- Low speed vehicles;
- Motor driven cycles;
- Motorized bicycles;
- Toy vehicles;
- Motorized carts; and,
- Any similar device as defined in the Standard Traffic Ordinance for Kansas Cities.

6.2 Exceptions.

6.2.1 The term motorized vehicle does not include:

- Assist type motorized vehicles used by individuals who are disabled or require special transportation; and,
- Tractors, mowers, high loaders, motorized carts, utility vehicles, or other similar devices when used by authorized University Employees in the performance of their assigned duties.

6.2.2 The prohibition does not apply when the use of such vehicles has been authorized and coordinated with the University Police Department.

7. Traffic Control Regulations

7.1 Responsibility for Vehicles. Individuals operating or parking any vehicle on campus shall be fully responsible for the vehicle and contents of the vehicle. The University has no responsibility for vehicles or their contents while the vehicle is on campus. Individuals shall be responsible for any violations occurring while vehicles are under the control of or owned by the individual. Vehicle ownership shall be determined through University registration or through a state motor vehicle department.

7.2 Effective Period of Regulations. Vehicle regulations are in effect at all times. Restricted parking spaces are available for open parking after 5:00 P.M. except as otherwise posted.

7.3 Enforcement Authority. The ordinances of the City of Topeka, adopted Standard Traffic Ordinance for Kansas Cities, Kansas State Statutes and any regulations adopted by the Board of Regents are applicable to the operation and physical condition of any type of motor vehicle operated on the University campus. The University is within the corporate limits of the City of Topeka. Officers of the University Police Department, City of Topeka Police Department, Shawnee County Sheriff’s Department and the Kansas Highway Patrol have authority to enforce all ordinances and statutes on the University campus.

Violations committed on the University campus will be processed by the appropriate court or hearing officer having jurisdiction. Fines and court costs may be assessed by the court.

7.4 Parking—Handicap Accessible. Certain parking spaces have been designated for handicap accessible parking. Parking in designated handicap accessible parking spaces is restricted to vehicles displaying:

- An officially issued license plate displaying the international symbol of access to the physically handicapped;
- An officially issued placard displaying the international symbol of access to the physically handicapped; or,
- A disabled veteran license plate issued in accordance with K.S.A 8-161 or laws of any other state.

7.4.1 Individuals desiring special parking consideration because of temporary or permanent disability must obtain a State Handicapped Parking Placard or license tag by making application at the State Office Building or County Treasurer's Office. The University is not authorized to allow non-handicapped individuals to park in designated handicapped accessible spaces.

7.5 Parking—Restricted. Certain parking lots and areas may be designated as permit parking only. The determination of which parking lots or areas so designated shall be subject to approval by the President.

7.5.1 Employees may apply for a restricted parking permit and parking lot access card. Application for a restricted parking permit and parking lot access card shall be made at the University Police Department. The restricted parking permit is a hang tag that shall be displayed by hanging the tag from the inside rear view mirror of the vehicle.

7.5.2 Only one restricted parking permit and parking lot access card will be issued to an Employee. Lost parking lot access cards will be replaced at a cost determined by the University.

7.5.3 Possession of a parking lot access card and/or restricted parking permit does not guarantee the holder a restricted space.

7.6 Parking—Student. Students, Student workers, and Student interns are not eligible for restricted parking privileges.

7.7 Parking—Over Length or Oversized Vehicles. No individual shall park any vehicle on campus that cannot be legally parked in a single parking space. Individuals requiring special parking consideration for over length or oversized vehicles shall contact the University Police Department to request arrangements for parking.

7.8 Camping or Sleeping in Vehicles. Parking or standing any type of vehicle on campus for the purpose of camping or sleeping in or around the

vehicle is prohibited without prior approval from the Director of the University Police Department.

7.9 Prohibited Parking. No individual shall park, stop, or stand any vehicle, anywhere on campus in violation of the following acts that are considered illegal parking:

- Double parking or blocking streets;
- Parking on sidewalks or grass;
- Parking in areas restricted for Facility Maintenance Vehicle Parking Only;
- Parking which blocks driveways or sidewalks;
- Parking outside marked parking spaces;
- Parking within 15 feet of a fire hydrant;
- Parking in areas designated as no parking by signs;
- Parking in areas designated as restricted parking without a properly displayed permit;
- Parking in a fire lane;
- Parking in spaces designated for handicapped parking or access way; and,
- Any other parking violations as defined by Standard Traffic Ordinances (STO), City Ordinance, or State Statute.

7.10 Parking Violation Fees. A fee of \$25.00 will be assessed for all University tickets issued to Students or Employees for parking violations (except for handicap accessible parking and fire lane parking violations). Such fees are due and payable at the University Business Office during business hours within 5 business days of the date of issuance of the ticket. If fees are not paid within 5 business days, a late fee of \$10.00 shall be assessed.

7.11 Violation Fee—Failure to Pay.

7.11.1 Employees with unpaid parking ticket fees and/or late fees may be subject to administrative review.

7.11.2 Students with unpaid parking and/or late payment fees shall have a hold placed on their transcripts and re-enrollment until such fees are paid in full.

7.12 Removal of Illegally Parked Vehicles. Any vehicle parked in violation of any parking regulation may be deemed a common nuisance and the nuisance abated by removal of the vehicle in accordance with Topeka Municipal Code 10.25.010. The University Police will attempt to contact the owner of the vehicle and demand removal of the vehicle prior to the University removing the vehicle. The cost of abatement, including towing and impound storage fees shall be the responsibility of the owner of the vehicle.

7.13 Vehicle Operation—Pedestrians. Vehicles shall yield to all pedestrians in accordance with the Standard Traffic Ordinance.

7.13.1 Pedestrians shall obey all traffic regulations while on campus.

7.14 Vehicle Operation—Speed Limits. The speed limits on the University Campus shall be:

- 20 MPH on all streets and roadways on campus; and,
- 12 MPH in all parking lots, driveways, and parking lot access ways.

7.14.1 Posted speed limits do not relieve operators of motor vehicles of the responsibility to drive with caution and as safety requires in existing conditions.

7.15 Motor Vehicle Accidents. All motor vehicle accidents occurring on the University campus shall be reported to the University Police Department. The University Police Department will conduct a proper investigation of all motor vehicle accidents as required by law. The Topeka Police Department also has jurisdiction to investigate all accidents occurring within the City of Topeka.

7.16 Hearings. Any individual who desires to contest the issuance of a University ticket issued to the individual may request a hearing in accordance with the following procedure:

- A complaint regarding the ticket must be made in person at the University Police Department;
- If the individual is not satisfied with the disposition of the complaint regarding the ticket, the individual may request a review of the ticket by the Parking Ticket Review Board. The individual must submit, in writing, to the Chief of Police the reason(s) for requesting a review of the ticket. The written request for a review must be delivered to the Chief of Police within 5 business days after the day the ticket was issued;
- Upon receipt of the written request for a review, the Chief of Police will schedule a hearing before the Parking Ticket Review Board. The Parking Ticket Review Board will consist of two Students appointed by the Washburn Student Government Association, one non-exempt staff member and one exempt staff member appointed by the Staff Council, and one faculty member appointed by the Faculty Senate. The Parking Ticket Review Board will meet and render its decision within 5 business days after the hearing; and,
- The decision of the Parking Ticket Review Board shall be final and is not subject to further review.

8. Lost and Found Property.

8.1 Purpose. To set forth regulations and procedures for the handling of lost and found property.

8.2 Definitions.

8.2.1 “Lost Property” means abandoned property, or unattended personal property which a person has lost or misplaced in public spaces on University controlled property.

8.2.2 “Negotiable Instrument” means, but is not limited to, checks, drafts, financial cards, stocks, and unused airline tickets.

8.2.3 “Abandoned property” is any property left in a locker, residence hall room, closet, or other space provided by the University or a University Department.

8.3 Individual Employee Responsibility.

8.3.1 Employees who find hazardous or suspicious material shall immediately contact the University Police Department.

8.3.2 Employees who find lost property on University controlled property shall turn it in to the University Police Department or the main office of another University Department as follows:

- Clothes—To a University Department near the point where the item(s) is found;
- Books—To a University Department near the point where the item(s) is found or to the academic Department of the subject area of the book; and,
- All other items—To the nearest University Department or the University Police Department.

8.3.3 Misappropriation of lost property may be deemed theft or fraud.

8.4 Department Responsibilities. Departments receiving lost property shall obtain:

- Contact information for the individual who turned in the item;
- Description of property found;
- Date and approximate time found;
- Location where found; and,
- The name of any witness(es) to the finding.

8.4.1 The Department shall make reasonable efforts to contact the owner of the lost property beginning not later than the following business day.

8.4.2 When the property is not claimed at the Department;

- Clothes may be donated to a charitable not-for-profit organization or discarded after two weeks within an academic term;
- Books shall be delivered to the University Bookstore after two weeks within an academic term;
- Cash or negotiable instruments shall be turned in to the University Police Department the same day received; and,
- All other property shall be delivered to the University Police Department within three business days from the date the property is received in the Department.

8.4.3 The University Police shall:

- Inventory and record all lost property turned in;
- Issue a receipt to the individual turning in the property; and,
- Keep a copy of the receipt issued.

8.4.4 Upon receipt of the property, University Police shall make reasonable efforts to return the property to the owner.

8.4.5 University Police shall not accept:

- Clothing;
- Hazardous or suspicious material; or,
- Lost property from University Departments without information required by Section 8.4 above.

8.5 Storage and Disposal of Non-Negotiable Property.

8.5.1 The University Police Department shall store lost property received, excluding cash and negotiable instruments, for a minimum of two weeks within an academic term. If unclaimed within that period the property shall be transferred to Inventory Control Services.

8.5.2 For a period of not less than 90 days, Inventory Control Services shall store and maintain the property transferred to it, after which it shall:

- Donate it to a charitable not-for-profit organization;
- Conduct a public sale; or,
- Dispose of as trash (junk).

8.5.3 Inventory Control Services shall record the disposition of such property.

8.5.4 Proceeds from the sale of found non-negotiable property shall belong to the University and shall be deposited in the General Fund.

8.6 Storage and Disposal of Cash and Negotiable Instruments. All found cash and negotiable instruments received by the Police Department shall be delivered to the Business Office by the close of the business day received or the next business day if received when the Business Office is closed. The Business

Office shall safeguard unclaimed cash or negotiable instruments for a period of not less than 90 days.

8.6.1 Unclaimed negotiable instruments shall be reported and delivered to the State Treasurer by the VPAT or designee in accordance with the Kansas Disposition of Unclaimed Property Act.

8.7 Processing Claim of Ownership. When an individual claims ownership of lost property the University Department holding the property shall:

- Obtain from the claimant:
 - ❖ Picture identification;
 - ❖ Identifiable description of the item(s) lost;
 - ❖ Probable location of the loss;
 - ❖ Approximate date of the loss; and,
 - ❖ Where applicable, proof of ownership;
- If satisfied the claimant is the owner of the found property, return it to the individual; and,
- Have the claimant sign a receipt for the item.

This Section Intended to be Blank