

## WEAPONS, FIREWORKS, EXPLOSIVES, AND AMMUNITION POLICY

### Purpose

This policy states the University of Mary's position on the possession, use, and storage of weapons, fireworks, explosives, and ammunition on campus property and at university events.

### Statement of Policy

#### Applicability

This policy shall apply to all members of the university community, including students, faculty, and staff, as well as independent contractors, vendors, volunteers who perform work for the University, alumni, guests, and visitors of the University.

#### Definitions

For the purpose of this policy, the following definitions will apply.

**Weapon:** any object or substance designed to inflict a wound, cause injury, or incapacitate, including without limitation all firearms (including handguns, pistols, shot guns, rifles, etc.), BB guns, air guns, pellet guns, paint guns, crossbows, long bows, swords, martial arts weapons, brass knuckles, switchblade knives, knives with blades five inches or longer, and chemicals such as tear gas or oleoresin capsicum, excluding normally available over-the-counter self-defense repellents. This also includes replica or imitation weapons, including toys.

**Fireworks:** any fireworks including firecrackers, sparklers, rockets of any propellant-activated device whose intended purpose is primarily for illumination.

**Explosive:** any dynamite, nitroglycerin, black powder, or other similar explosive material, including plastic explosives.

**Ammunition:** any material capable of being projected by a weapon, making the weapon operational.

### Policy & Procedures

Except as otherwise stated in this policy, the University of Mary prohibits the use, possession, display, or storage of any weapons, ammunition, explosives, or fireworks on university property or at university events, including all buildings, housing, facilities, or property owned or leased and operated by the university. This policy applies to all persons, including faculty, staff, students, spouses, dependents, and visitors. This policy shall not apply to law enforcement personnel authorized to carry weapons by their governmental agency and/or

university employees who have completed training prescribed by the University and authorized by the Executive Vice President.

Consistent with N.D.C.C. section 62.1-02-13, possession of a legally owned and secured firearm in a private vehicle by a person lawfully in the area is permitted. For a weapon to be properly secured, it needs to be out of sight and locked. This policy does not prohibit an employee, student, customer, or invitee who is lawfully in the area from possessing a legally owned firearm that is locked inside or locked to a private motor vehicle in a parking lot, or while the employee, student, customer, or invitee is driving directly to or from a public highway or street and a university parking lot.

Weapons are permitted for purposes of law enforcement or as authorized in writing for purposes of instruction, research, service, or other specifically approved purpose. To obtain written authorization for activities related to instruction, research, service, or other specific purposes, contact the Executive Vice President prior to the event. In the event the use, possession, display, or storage of the weapon or fireworks will take place in a residence hall, written authorization must also be obtained from the Executive Vice President. Always obtain written authorization if there is any doubt of violation of this policy.

An exception to the general ban on fireworks established by this policy is a fireworks display that has the prior written approval of the Executive Vice President as a part of a university-approved event or celebration.

Appropriate tools, such as saws, knives, and other such implements, necessary for the performance of job duties or schoolwork are the only exception to the policy. Bow hunting is allowed on property adjacent to campus for specific service operations, but only with a written exemption from the Executive Vice President.

Individuals in possession of unauthorized weapons, ammunition, explosive devices, or fireworks on campus may, depending on the circumstances, be subject to disciplinary action up to and including expulsion from the University of Mary or termination of employment. In addition, the individual may also be subject to criminal prosecution.

Anyone granted written exemption by the Executive Vice President for one of the conditions above must fill out the attached liability release form prior to the use, possession, display, or storage of the weapon or firework.

#### *Administration*

The Executive Vice President has the responsibility for the overall administration of this policy, and the establishment of procedures for compliance is the responsibility of the Director of Human Resources. Compliance with this policy is the responsibility of the officers, directors, managers, and supervisors.

**Approved**

*November 2009 by the Board of Trustees (EC)*

*Revised February 2016 by the President's Council*

*March 2016 by the Board of Trustees (EC)*

*Revised July 2018 by the President's Council*

*August 2018 by the Board of Trustees (EC)*

*11 March 2021 revised by the Board of Trustees*

*18 March 2021 delivered to the University Senate*

# University of Mary Weapons Policy Exception and Liability Release and Waiver

Participant Name (Print): \_\_\_\_\_ DOB: \_\_\_\_\_  
Address: \_\_\_\_\_ Phone# \_\_\_\_\_  
Event or Activity: Permitted use of weapons or fireworks on university property.  
Date(s) and time(s): \_\_\_\_\_

Detailed Description:

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Participant is authorized to engage in the described activity as an exception to the University's Weapons Policy. In consideration of being allowed to participate in this Event or Activity, I RELEASE, WAIVE, DISCHARGE, AND COVENANT NOT TO SUE the University of Mary Board of Trustees and University officers, agents, or employees ("the University") from any and all liability, claims, demands, or cause of action arising out of or related to any loss, damage, or injury, including death, that may be sustained by me, or to any property belonging to me while participating in this event or activity, or while on the premises of the University. I have actual knowledge and appreciation of the particulars of the event or activity and associated dangers and risks and voluntarily assume those risks, including property damage, personal injury or death that may be sustained. I agree to review and abide by applicable laws, ordinances and policies or rules for the event or activity. I am in good physical condition and I am not aware of any physical infirmity which would place me at risk to participate in the event or activity.

In addition, I agree to indemnify and hold harmless the University from any and all claims or liability to any other person resulting from or arising out of my participation in this event or activity or my conduct or acts, and I agree to defend and indemnify the University and its officers, agents, or employees against any claim or liability resulting from or arising out of my conduct or acts.

This Liability Release and Waiver shall be construed according to North Dakota law. It shall bind the members of my family and spouse, if I am alive, and my heirs, assigns a personal representative, if I am deceased, and shall be deemed as a RELEASE, WAIVER, DISCHARGE AND COVENANT NOT TO SUE the University. In signing this release, I acknowledge and represent that I have read and understand it and sign it voluntarily; I am at least 18 years of age and fully competent; and I execute this Liability Release and Waiver for full, adequate and complete consideration fully intending to be bound by it.

I HAVE READ THIS WAIVER OF LIABILITY AND FULLY UNDERSTAND THAT I HAVE GIVEN UP SUBSTANTIAL RIGHTS BY SIGNING IT, AND SIGN IT FREELY AND VOLUNTARILY WITHOUT ANY INDUCEMENT.

\_\_\_\_\_ Date: \_\_\_\_\_  
Participant Signature

**Authorized by:**

\_\_\_\_\_ Date: \_\_\_\_\_  
Executive Vice President, University of Mary