

## **4341 Personnel Authorized To Carry Concealed Firearms**

Pursuant to W.S. 21-3-132, the Board of Trustees of Campbell County School District may authorize employees to carry concealed firearms on or in property or facilities owned or leased by Campbell County School District; subject to the terms, conditions, and limitations prescribed by state and federal law, this policy and such other policies, and rules and regulations adopted by the Board of Trustees. This policy shall be administered by the Superintendent of Schools or their designee.

### **DEFINITIONS**

“Board” shall be defined as the Board of Trustees of Campbell County School District.

“Employee” shall be defined as employees of Campbell County School District, including, but not limited to, the following positions identified statutorily:

Superintendent, Central Office Administrators, Principals, Assistant Principals, Teachers, Guidance Counselors, Librarians, Paraprofessionals, Coaches, Business Managers, Secretaries, Administrative Assistants, Custodians, Bus Drivers, or other employees of the District.

“Concealed Carry Firearm” shall be defined as a modern, concealable handgun; which is designed to, or may readily be converted to, expel a projectile by the action of an explosive.

“Local Law Enforcement” shall be defined as the City of Gillette Chief of Police and the Campbell County Sheriff, or their designees.

“District” shall be defined as Campbell County School District.

“School District Property” shall be defined as all real property, buildings, facilities, structures, and vehicles owned or leased by the District.

“Armed Educator Committee” shall be defined as one Board Member, Deputy Superintendent and/or Associate Superintendent of Instructional Support, Director of Student Support Services, Human Resource Manager or Assistant Human Resources Manager, and Wellness/Safety Manager. As selected, non-voting consultants shall be defined as Parent Involvement Facilitator and a local law enforcement representative.

“Immediate Risk” shall be defined as a person who has demonstrated actions that would lead one to reasonably believe they pose a threat of death or serious bodily injury.

“Serious Bodily Injury” shall be defined as an injury that creates substantial risk of death, long-term loss, or impairment of the function of any body member or organ, or serious permanent disfigurement.

## **LIABILITY INSURANCE**

As a part of the District's umbrella insurance coverage, liability insurance may protect employees against damage suits arising out of the employee's performance of their duties within the scope of employment and approved concealed carry responsibilities within the District.

## **APPLICATION REQUIREMENTS**

Any employee of the District who wishes to carry a concealed firearm on school district property shall submit an application through the Superintendent to the Board (4341 Form, Personnel Authorized to Carry Concealed Firearms – Application). The application shall be signed by the employee and sworn under oath. The Board, in its sole and absolute discretion, may approve, deny or approve with conditions such application, for any reason, based on the Board's determination of what is in the best interests of the District. Board deliberations on individual applications will be conducted in a closed executive session. Votes will be conducted in open meetings with names or other identifying information withheld. The Board may limit the number of employees who carry concealed firearms within the District. All applications are confidential and not public records for purposes of W.S. 16-4-201 through 16-4-205.

Any employee of the District who wishes to carry a concealed firearm on school district property shall satisfy the following requirements:

- The employee must currently be in good standing and not have been on any plan of improvement, or have any disciplinary action, within the past five years.
- The employee must be employed by the District for a minimum of five continuous years prior to application.
- The employee must possess and maintain a valid State of Wyoming concealed carry permit issued pursuant to W.S. 6-8-104, and submit a copy of such permit with the application. The employee must submit all renewals of the permit during the time they are authorized to carry a concealed firearm on school district property.
- The employee must submit to the Wyoming Department of Family Services (DFS) Central Registry Screening.
- The employee must submit to the Wyoming Department of Criminal Investigation (DCI) Background Check.
- The employee must consent in writing to drug and alcohol testing, including but not limited to, testing before being approved for concealed carry as outlined in this policy, as well as random drug and alcohol testing (refer to Administrative Regulation 4341-R, Section 3, Personnel Authorized To Carry Concealed Firearms – Mandatory Drug And Alcohol Testing). Written consent is included in the application attached to this policy as 4341 Form, Personnel Authorized to Carry Concealed Firearms – Application.

- The employee must submit to a psychological suitability exam by a provider selected by the Board in consultation with local law enforcement. The results of the psychological suitability exam will be received by, and remain the property of, the District. The results of the exam shall be submitted by the provider to the District and Armed Educator Committee before an application is considered. Periodic psychological suitability evaluations shall be performed by the approved provider every two years. At the discretion of the Armed Educator Committee, additional exam(s) or information may be required.
- The employee must fulfill the training requirements as determined and approved by the Board in consultation with local law enforcement (described in Administrative Regulation 4341-R, Section 4, Personnel Authorized To Carry Concealed Firearms – Training Requirements). The curriculum shall include, at a minimum, those elements described in 4341-R Section 4. The employee must submit a certificate of completion for the initial and annual recurrent training.
  - Prior to carrying a concealed firearm on school district property, the employee must complete an initial training course comprised of not less than 32 hours of live fire handgun training and 24 hours of scenario-based training using non-lethal training, firearms, and ammunition.
  - The employee must provide documentation of qualification and annual recurrent training to include live fire and scenario-based training of not less than 24 hours annually with Board approved certified trainers.
  - The training, curriculum, and instructor qualifications shall comply with 4241-R, Section 4, and shall be approved by local law enforcement.
- All costs and expenses for the psychological suitability exam, Wyoming DFS Central Registry Screening, Wyoming Department of Criminal Investigation background check, drug and alcohol testing, concealed biometric container or lockbox, and required training with associated costs, shall be borne by the District. Additionally, the District shall only cover the expense of ammunition for required annual training and concealed carry (described in Administrative Regulation 4341-R, Section 4, Personnel Authorized To Carry Concealed Firearms – Training Requirements and Regulation 4341-R, Section 5, Personnel Authorized To Carry Concealed Firearms – Ammunition Requirements). All other expenses such as, but not limited to, concealed carry firearms and holster, shall be borne by the employee. The employee bears sole ownership of the firearm.
- The employee who is approved by the Board to carry a concealed firearm on school district property must keep and maintain the concealed carry firearm on their person at all times, or in a concealed and locked biometric container or lockbox. The location of the concealed biometric container or lockbox will be approved by the Armed Educator Committee.
- The employee is expected to perform their duties within the scope of employment and approved concealed carry responsibilities.
- This policy shall not be construed to authorize the employee to carry such concealed firearm on District business away from or off school district property.

- The employee must disclose to their supervising administrator(s) any circumstance that would reasonably affect or impair their capability to competently carry or use a concealed firearm on school district property in compliance with this policy and applicable laws. Circumstances that warrant disclosure include, but are not limited to, a citation or arrest for a crime (other than parking or minor moving traffic violations), outstanding warrants, Summons to Appear, or Order to Show Cause. In addition, the use of any medication or other substance that could impair the employee's judgment or ability; any medical, mental, personal situation, or other condition that could impair or interfere with the employee's ability to responsibly carry a concealed firearm on school district property must be disclosed. Failure to do so is cause for disciplinary action, including and up to termination.

### **REVEAL OF FIREARMS**

If for any reason an employee's concealed carry firearm is intentionally or unintentionally revealed on school district property, their concealed carry privilege will be suspended, subject to Wyoming law. The employee may be placed on leave until the Armed Educator Committee reviews the incident and determines an appropriate action to protect the privacy of the employee and the safety of students and staff.

### **USE OF FIREARMS**

Subject to Wyoming law, employees who receive approval by the Board to carry a concealed firearm pursuant to this policy shall only discharge their concealed carry firearm if they reasonably perceive that their life, or the life or lives of others, are in immediate risk of death or serious bodily injury from another person's use of a weapon.

If for any reason an employee's concealed carry firearm is discharged on school district property, they shall be immediately placed on leave pending an investigation of the incident. The employee shall undergo drug and alcohol testing, according to Administrative Regulation 4341-R Section 3, Personnel Authorized To Carry Concealed Firearms – Mandatory Drug and Alcohol Testing. The District shall require that a completed post-incident psychological suitability exam be reviewed and approved by the Armed Educator Committee before the Employee Authorized to Carry resumes their duty. The employee shall be required to follow any recommendations as a result of the exam and may request that the costs of the recommendations be paid for by the District. The results of the psychological suitability exam shall be received by, and remain the property of, the District. The District shall absorb the cost of this exam.

Nothing herein is intended to limit or prevent the District, any Board member, or employee from asserting the defense of governmental immunity to any claim arising from the possession or use of a concealed carry firearm. To the extent an employee uses a concealed carry firearm as authorized by and in compliance with this policy, such conduct shall be deemed to be within the scope of the employee's employment for immunity purposes.

## **REVOCACTION/ SUSPENSION OF BOARD APPROVAL TO CARRY FIREARM**

Any employee who is approved by the Board to carry a concealed carry firearm on school district property is subject to having such privilege immediately suspended by the Superintendent, or their designee, at any time, and for any reason, including at the request of the employee. The Superintendent, or their designee, shall notify the Board, supervising administrator(s), and local law enforcement of any suspension. The Board shall review any suspension of privileges and may suspend or revoke privileges for any reason, at any time, without prior notice to the employee. There shall be no right to a hearing, appeal, or other recourse following such decision. The suspension may be temporary or permanent at the discretion of the Board.

## **WITHDRAWAL OF PRIVILEGE**

If an employee who has been approved to carry a concealed carry firearm on school district property decides to withdraw from concealed carry status, withdrawal notification must be submitted in writing to the Superintendent, or their designee. Once received by the Superintendent, or their designee, forfeiture of concealed carry status is immediate. The Superintendent, or their designee, shall notify the Board, supervising administrator(s), Armed Educator Committee, and local law enforcement.

## **CONCEALED CARRY FIREARMS AND AMMUNITION**

The employee shall advise the Board of the make, model, caliber, serial number, and such other information the Board may require about the concealed carry firearm the employee has requested to carry. The Board reserves the right to approve or deny the requested concealed carry firearm. (Per Administrative Regulation 4341-R Section 2, Personnel Authorized To Carry Concealed Firearms – Holster, Concealed Biometric Container, or Lockbox Requirements for Concealed Carry).

Employees who are approved to carry a concealed carry firearm on school district property pursuant to this policy shall ONLY use ammunition that meets the requirements in Administrative Regulation 4341-R Section 5, Personnel Authorized To Carry Concealed Firearms – Ammunition Requirements.

## **NOTICE OF APPROVAL AND CONFIDENTIALITY**

The Superintendent, or their designee, shall notify the parents and guardians of students in the District of the ability of employees to carry concealed firearms and the rules and regulations governing possession.

After the Board approves an application for an employee to carry a concealed firearm on school district property, the Superintendent, or their designee, shall notify:

- All local law enforcement agencies with jurisdiction over the area of the location shall receive the names of all employees who receive permission from the Board to carry concealed firearms on school district property.

- Supervising administrator(s) shall receive the names of the concealed carry employees.

The identities of the employees who receive permission to carry concealed firearms from the Board shall be confidential and are not public records for purposes of W.S. 16-4-201 through 16-4-205. Any breach of confidentiality shall result in disciplinary action up to and including termination.

## **COMPLIANCE**

Any employee approved to carry a concealed weapon on school district property shall comply with all provisions, regulations, and exhibits of this policy. Any employee who is authorized by this policy to carry a concealed firearm, and fails to comply with any provision of this policy, will be subject to disciplinary action up to and including termination. The Board will be notified within seven days of non-compliance.

## **LIMITATIONS OF THIS POLICY**

Nothing in this policy shall be construed to permit, allow, or authorize any employee to carry a concealed firearm or other weapon, concealed or otherwise, in violation of state and federal law. Any employee who is approved to carry a concealed firearm pursuant to this policy shall be responsible for complying with all applicable laws.

Nothing in this policy shall authorize a student, or member of the public, to carry a firearm, concealed or otherwise, on school district property.

Approval for an employee to carry a concealed firearm pursuant to this policy shall not convey any property right, additional compensation, or any continuing right to carry a concealed firearm. The Board may revoke or suspend such approval at any time, without notice or a right to a hearing, as described above. Approval to carry a concealed carry firearm on school district property shall not be construed to imply any continuing contract status, or any employment contract rights.

ADOPTION DATE: April 14, 2020, Revised July 15, 2020

LEGAL REFERENCE(S): W.S. 21-3-132; W.S. 6-8-104; W.S. 16-4-201 through 16-4-205

CROSS REFERENCE(S):

ADMINISTRATIVE REGULATIONS: 4341-R Section 1, 2, 3, 4, and 5

ADMINISTRATIVE FORMS: 4341 Form, Personnel Authorized to Carry Concealed Firearms – Concealed Carry Firearm or Holster Change Order; 4341 Form, Personnel Authorized to Carry Concealed Firearms – Application; 4341 Form, Personnel Authorized to Carry Concealed Firearms - Application (For Office Use Only)