

FREQUENTLY ASKED QUESTIONS REGARDING CAMPUS CARRY AT BLUEFIELD STATE UNIVERSITY

OVERVIEW

1. Can I legally carry a gun on Bluefield State University property?

Until July 1, 2024, the answer is no. BSU prohibits the possession or storage of deadly weapons and/or destructive devices on BSU property. This includes storage of such weapons or devices in state vehicles and in offices and desks, whether locked or unlocked. A desk is not an extension of a person unless the person is actually at the desk and the weapon is within arms-length, thereby coming within the term, “on or about the person.”

2. What will change on July 1, 2024?

July 1, 2024, is the take-effect date for the [Campus Self-Defense Act](#). This Act provides a limited exception to the prohibition on the possession or storage of deadly weapons and/or destructive devices on BSU property.

Passed by the West Virginia Legislature and signed into law by Gov. Jim Justice in 2023, the Campus Self-Defense Act allows a person to carry a concealed pistol or revolver on the grounds of an institution of higher education, with some exceptions, **if** that person has a current and valid license to carry a concealed deadly weapon.

The law applies to on-campus locations and BSU property, with exceptions. Licenses to carry a concealed weapon are issued by the State of West Virginia pursuant to [§61-7-4](#), [§61-7-4a](#) or recognized by [§61-7-6a](#) of the WV Code.

3. Why is Bluefield State University making this change?

Bluefield State University is following the state law passed by the West Virginia Legislature and signed by Gov. Jim Justice in 2023. All higher education institutions in West Virginia are required to adhere to the Campus Self-Defense Act.

Bluefield State University is dedicated to ensuring a secure atmosphere for all students, staff, university associates, and guests, while also honoring the rights of individuals who are licensed to carry a handgun in accordance with West Virginia law. Bluefield State University is bound to adhere strictly to West Virginia statutes and cannot implement policies or measures that contravene state law.

4. What is my responsibility if I wish to carry a concealed deadly weapon on BSU property?

It is the responsibility of any individual who seeks to carry a concealed deadly weapon on BSU property to be aware of, to know and to follow the law of West Virginia. BSU will not advise or counsel any individual on the law, the Campus Self-Defense Act, or the requirements necessary to lawfully carry a concealed deadly weapon on BSU property. Any individual with legal questions should consult an attorney of their choice. Failure to follow West Virginia law and/or any policies, rules or procedures related to the implementation of the Campus Self-Defense Act or campus conduct may result in a referral to appropriate law enforcement agencies and/or disciplinary action.

5. What is a “dangerous weapon”? How does the law define pistol? How does the law define revolver?

The term, “dangerous weapon,” includes, but is not limited to, firearms; knives other than folding pocket knives with blades three-and-one-half inches long or less or those used for food preparation; bladed weapons such as swords, razors or arrows; ammunition; explosives or explosive devices; nun-chucks; tasers or stun guns; and throwing devices with sharp or pointed edges.

Pistol is defined as “a short firearm having a chamber which is integral with the barrel, designed to be aimed and fired by the use of a single hand.”

Revolver is defined as “a short firearm having a cylinder of several chambers that are brought successively into line with the barrel to be discharged, designed to be aimed and fired by the use of a single hand.”

“By the use of a single hand” is the key phrase. Also, the pistol or revolver must be concealed and carried by a person who is licensed to do so.

6. After the law changes on July 1, 2024, will people be able to carry guns *openly* on campus property?

No. Only people who are licensed to carry a concealed pistol or revolver will be permitted to have the weapons in areas where they are allowed, **and the weapons must not be visible**. A concealed weapon is one which cannot be seen directly or by shape under clothing. Furthermore, all concealed weapons must be on or about the person (i.e., a personal weapon), which includes a purse or backpack so long as the purse or backpack is on the person or within an arms-length of the person. A weapon

may not be stored in a desk, locked or otherwise, or at any other site other than out of sight in a locked personal vehicle or at an approved storage locker in the Medical Education Center lobby.

This law permits a very limited exception to the general prohibition of firearms, deadly weapons and/or dangerous objects at Bluefield State.

7. If I have a current and valid concealed carry license from another state, will I be able to legally carry a pistol or revolver on permitted University property after July 1, 2024?

Generally, yes, if the license is also valid and legal for carrying concealed in West Virginia. Consideration should be given to laws regarding states with reciprocity with West Virginia.

Individuals under the age of twenty-one possessing a concealed carry license from another state should consult applicable law and/or an attorney of their choice to ensure that such an individual may validly carry a concealed deadly weapon in West Virginia. BSU will not provide legal advice on this issue. It is the responsibility of the individual, not Bluefield State, to make sure that the individual lawfully comes within the exception to the general prohibition of firearms, deadly weapons and/or dangerous objects at Bluefield State.

[See the Office of the West Virginia Attorney General's reciprocity list.](#)

8. Is a provisional license issued under West Virginia law acceptable under the Campus Self-Defense Act?

Yes.

9. If most people can carry a gun in West Virginia without a license, why does someone need a concealed deadly weapon license?

Although West Virginia is a constitutional carry state, a license to carry a concealed deadly weapon may provide that person with some additional rights to carry a weapon in places where it might otherwise be prohibited, including other states or in specific areas on college campuses in West Virginia. The law regarding constitutional carry does not exempt an individual from the general prohibition of firearms, deadly weapons and/or dangerous objects at Bluefield State. To come within the carry concealed exception to the general prohibition, an individual must meet all of the requirements of

the carry concealed statute. It is the responsibility of the individual, not Bluefield State, to ensure this is done.

10. Where can I get more information about obtaining a current and valid license to carry a concealed weapon?

In West Virginia, [applications](#) for concealed carry permits are processed through sheriff's departments in counties of residence. Non-residents should consult the laws of their state.

11. Is training required to carry a concealed weapon in West Virginia?

West Virginia law requires the completion of an approved training course in handling and firing a handgun "with live firing of ammunition by the applicant."

The Campus Self-Defense Act does not require any specific additional training.

12. Where can I learn more about the gun laws in West Virginia?

The West Virginia Attorney General's Office published [A Guide to Concealed Handgun Laws in West Virginia](#) in July 2020, and it contains a significant amount of useful information for those wanting to learn more about the gun laws in West Virginia.

Of particular note, the guide states that: "West Virginia recognizes the right of persons who are 21 years of age or older, not prohibited by state or federal law from possessing a firearm, and United States citizens or legal residents thereof to carry a concealed weapon within the state without first obtaining a concealed handgun license ("CHL"). This is commonly known as 'constitutional carry.'"

13. Is West Virginia the only state to permit campus carry?

No. The following states provide for some form of campus carry: Arkansas, Colorado, Georgia, Idaho, Kansas, Mississippi, Oregon, Tennessee, Utah and Wisconsin. Each state has its own specific requirements and limitations.

14. Are tasers considered weapons?

Yes.

15. Must I have my Concealed Carry Permit/License in my possession when I am carrying concealed on Bluefield State property?

Yes.

16. Will individuals be required to register as a lawful weapons carrier?

No. However, all West Virginia laws relating to the carrying of weapons are applicable and individuals are responsible for knowing and following such laws.

EXCEPTIONS

1. What are the exceptions to the requirements in the Campus Self-Defense Act?

In general, state law allows for exceptions to the Campus Self-Defense Act, meaning all guns, including pistols and revolvers, will remain prohibited for even licensed carriers in certain campus locations.

[Read more about the exceptions listed in state code.](#)

To address specifics of implementation at Bluefield State University, refer to Bluefield State Mandatory Memorandum 24-002, effective on July 1, 2024.

2. What is considered the “Bluefield State Property”?

Under Mandatory Memorandum 24-002, “Bluefield State Property” or “BSU Property” means all areas, including buildings, which are under custodial possession of the BSU Board of Governors and within the same reasonably contiguous geographic area and used in direct support of, or in a manner related to, the University’s educational purposes. It does not include areas rented, leased, or under full-time occupancy and use by a private entity.

3. If I have a valid concealed carry license, where am I *NOT* allowed to carry my pistol or revolver on WVU property starting July 1, 2024?

Under the revised and approved law and Mandatory Memorandum 24-002, concealed carry will remain prohibited in the following areas on BSU System after the Campus Self-Defense Act takes effect July 1, 2024:

- At an organized event taking place at a stadium or arena with a capacity of more than 1,000 spectators;
- In the secure area of any building used by any law-enforcement agency on BSU property;
- In an area that has adequate security measures to ensure pistols or revolvers are not to be carried by the public into the area – any such area designated by the University under this exception will provide reasonable notice to the public and campus community;
- In an on-campus room or rooms in which a student or employee disciplinary proceeding is being held;
- In sole occupancy offices, but only in those offices where the sole occupant uses obvious signage to notify those who may be entering therein that concealed pistols and revolvers are prohibited;
- At a primary or secondary education school-sponsored function being held in a specific location on BSU property that is rented, leased or under the exclusive use of the West Virginia Department of Education, the West Virginia Secondary Schools Activities Commission, a county school board or a local public school when the function is occurring;
- At a private function that is being held in a specific location on BSU property that is rented, leased, or under exclusive use of an entity when the function is occurring – any such function designated under this exception will provide reasonable notice to attendees;
- On any BSU property where possession of a firearm is prohibited by state or federal law;
- In specifically designated areas in which patient care or mental health counseling is being provided. In these cases, the University will provide reasonable notice to the public and campus community about what areas are designated under this exception;
- In high hazardous and animal laboratories, which are defined by the Campus Self-Defense Act. In these cases, the University will provide reasonable notice to the public and campus community about what areas are designated under this exception; and
- In BSU's on-campus residence halls at the Medical Education Center, except the common lounge, meeting or dining areas on the first floor. This exception does not apply to the third or fourth floor of the Medical Education Center. No deadly weapons are permitted on such floors. This exception does not apply to employees whose responsibilities require them to be in an on-campus residence hall.

4. If there are minors on campus in a certain area, does that area automatically fall under the exceptions to the Campus Self-Defense Act, meaning no campus carry?

No. Only daycare facilities and specific functions under exclusive use of the state Department of Education, the West Virginia Secondary Schools Activities Commission, a county school board or a local public school are exempt.

Prohibited areas may be identified with signs.

5. If my office is in a building that has student conduct or employee disciplinary hearings, am I allowed to carry a pistol or revolver?

It depends. Concealed pistols or revolvers are not permitted in those types of hearings. If a hearing is not being held, and your office is not in a room where such a hearing is being held, concealed pistols or revolvers would be allowed if no other exceptions apply.

6. What is a “sole occupancy” office?

A “sole occupancy” office is defined as a room with at least one door and walls that extend to the ceiling that is assigned to one person as a workspace. This definition explicitly excludes any space that functions as a thoroughfare or entry point to additional offices or workspaces, regardless of its assignment to an individual. Such spaces, even if primarily used by one person, do not qualify as Sole Occupancy Offices if they provide access to or are configured as reception areas leading to other occupied areas.

7. I work in a “sole occupancy” office that does not fall under any other exceptions. What do I need to do to block concealed carry by others in my workspace?

Occupants of these types of “sole occupancy” offices wishing to request an approved sign for a prohibited area can do so by submitting a request to the Maintenance Department for delivery of a signage holder. Such an occupant may print off the appropriate signage at this location.

8. What if my office, which falls under the “sole occupancy” definition, is located in an area where pistols or revolvers are prohibited? Can I still legally carry a concealed pistol or revolver?

No. If the only access to a potentially allowable space is through a prohibited area, concealed carry is prohibited in the entire area.

9. I am attending a private function at a WVU location that is being rented, leased or designated for the exclusive use of that private entity. How will I know if concealed pistols or revolvers are permitted?

It is up to the private entity to provide information about the concealed carry allowances.

10. What areas are designated as “patient care” or “mental health counseling” areas?

Starting July 1, 2024, designated areas will be marked with “No concealed carry” signage in many cases.

11. What areas are designated as “high hazardous and animal laboratories?”

Starting July 1, 2024, most designated areas will be marked with “No Deadly Weapons” signage. Additionally, campus maps will show general areas where concealed carry is and is not allowed.

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12. If I have a valid concealed carry license, can I carry my pistol or revolver in my backpack or purse?

Yes, if the backpack or purse is always in your sole, close possession. Storage of a backpack or purse in a desk drawer which is not in close proximity is not permitted. Please note that “concealed” is defined as “hidden from ordinary observation so as to prevent disclosure or recognition.”

13. Are concealed pistols or revolvers allowed in BSU’s on-campus housing at the Medical Education Center?

For the most part, no. The exceptions are the lobby common area, the dining area and the meeting room on the first floor of the Medical Education Center, and among employees with valid concealed carry permits whose job responsibilities require them to be in residence halls. Deadly weapons, pistols and revolvers are otherwise prohibited on the third and fourth floors of the Medical Education Center.

A student will be responsible for the safe and appropriate storage of a deadly weapon or device in an appropriate storage locker at the Medical Education Center or in their locked private vehicle. Bluefield State will provide a secure location for the storage of a pistol or revolver in the lobby of the Medical Education Center for residents of the housing. Such secure lockers will be available for rental by residents per term. Residence hall residents with valid concealed carry permits will be required to store their pistols or revolvers in the designated lockers or out of sight in their private vehicles prior to heading to their living spaces.

14. I live in a residence hall. How do I get assigned a storage locker? What is the cost?

The process and fee structure are being finalized and will be shared at a later date.

15. What are the penalties if I forget to place my pistol or revolver in a designated storage locker or leave my pistol or revolver concealed in my private vehicle before going to my residence hall room?

Violations will be addressed on a case-by-case basis.

16. Can an employee with a valid permit legally carry a concealed pistol or revolver anywhere in a residence hall?

Yes, if job responsibilities require the employee to be in the residence hall. Importantly, this is only while the person is in the on-campus residence hall for purposes of employment. This is the only instance where the law allows an employee who is not in law enforcement to carry in a prohibited area.

17. Does the University provide lockers or safes for gun storage on campus by University community members or visitors who do not live in on-campus residence halls?

No.

18. I am an employee with a valid concealed carry license. Am I allowed to carry my firearm while driving a state vehicle or a rental vehicle while on University business?

If you are on campus, then it does not matter whether you are in a vehicle – the general rule will apply. However, if you are off campus, then employees will be subject to the applicable laws, and it is your responsibility to know them. Although employees may be able to carry concealed on campus, there is nothing in the Campus Self-Defense Act or the Business Liability Protection Act that allows employees to store pistols or revolvers in state vehicles.

IMPLEMENTATION

1. Who is responsible for knowing and following the provisions in the Campus Self-Defense Act?

The individual carrying the gun or revolver is expected to know and follow applicable laws and will be responsible for doing so. In cases of an individual being in doubt, it is the responsibility of the individual to consult with an attorney. Bluefield State will not provide legal counsel or answer questions or queries of a legal manner.

2. What should I do if I see a person carrying a pistol, revolver or any other type of deadly weapon or dangerous object openly?

The law requires pistols and revolvers to remain concealed.

There are limited exceptions to this, such as for law enforcement officers.

If a person's pistol or revolver is not concealed — meaning it is fully showing, outlined or becomes visible as they move — contact Tony Palmer of the Bluefield Police Department at 304-327-4181 or the BPD at 304-327-6101, and provide as much information as possible.

If you see a rifle or larger firearm on campus or if anyone is ever acting in a threatening or suspicious manner with any firearm, including a pistol or revolver that is supposed to be concealed, **call 911 immediately.**

3. How will I know where concealed carry is allowed and where it is not on campus starting July 1, 2024?

In certain instances, signs will be used to designate excluded areas.

Additionally, in some cases, “No Deadly Weapons” notices will be included on ads, tickets or other communications, when applicable.

Ultimately, though, it is up to the concealed carry license holder to know the specifics of [the](#) law and BSU procedures, and to follow such law and procedures while on Bluefield State property.

4. What if I am carrying a concealed revolver or pistol and I have to go into an area where concealed revolvers and pistols are prohibited?

Members of the University community should make plans to store or leave at home anything that would be prohibited in a specific area where they must go to do their job or attend class.

Employees or students may, consistent with their schedule, decide to secure any pistols or revolvers they may be carrying in their private vehicles as long as vehicles are locked and guns are out of view, as required by the West Virginia Business Liability Protection Act.

5. What should I do if I think a person has a concealed pistol or revolver in a prohibited area?

Contact Tony Palmer at 304-327-4181 or the Bluefield Police Department at 304-327-6101. An officer will make the determination and, if necessary, ask the person to leave. Refusing to do so may warrant further action from the BPD.

You may not disarm or seek to disarm an individual, nor may you ask for them to show a carry concealed license. A law enforcement officer is the only person who can take a weapon.

Depending on the potential risk or danger, you may advise a person with a visible, poorly concealed, outlined, or non-concealed weapon that they may be in violation of Bluefield State’s rules and procedures and to leave and not return with the weapon. You may not enforce such rules or procedures. Any concern for risk or danger should be referred to Tony Palmer or law enforcement. The University may file trespass charges against offenders in violation of University rules, procedures, policies or West Virginia law.

6. What happens if a University employee or student violates University procedures?

Any employee or student who does not follow the requirements of [the](#) law or Mandatory Memorandum 24-002 may face disciplinary action, including a warning, suspension, termination or other appropriate step.

7. What happens if a person who is not a University employee or student violates University procedures?

That person may be asked to leave campus or temporarily turn over the prohibited item. Refusal could potentially lead to a criminal charge or a trespassing notice.

8. I am a parent, and I am worried about my student. Will they be safe on campus?

We understand that parents are concerned about the safety of their students. We are committed to following the law while putting in place measures based on best practices to prioritize the safety of the entire University community.

[See the latest Clery Act report.](#)

9. Does the University provide or recommend the NRA-approved gun safety training necessary for someone to obtain a carry concealed permit?

No. Bluefield State does not make such recommendations, nor does Bluefield State have an approved/suggested vendor list for such training. Such training is the responsibility of the individual.

10. Can the University impose additional training requirements not established by West Virginia law?

No.

11. Can faculty set rules about acceptable behavior with firearms and the consequences of unacceptable behavior with firearms in the classroom?

No.

12. Are faculty allowed to announce that someone in the classroom might be armed?

No.

13. Can faculty or staff ask students to leave their book bags, purses, or other large bags outside their classrooms?

No.

14. Are faculty members required to report possible violations of the Campus Carry law?

No.

15. What are the repercussions if a concealed carry lawful weapons carrier leaves their weapon unattended?

They will have violated the law and/or BSU procedures. Appropriate law enforcement and/or disciplinary actions will be taken.

16. Where can I get answers to additional questions?

For specific questions not addressed here, please send an email to Brent Benjamin, Executive Vice President and General Counsel of Bluefield State, at bbenjamin@bluefieldstate.edu.

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