

## **Employees and Concealed Firearms**

### **General Prohibition of Weapons or Dangerous Materials—**

As provided in Policy GCA, the possession of dangerous weapons and certain dangerous materials is generally prohibited on school property except when the possession has been previously approved by the appropriate school administrator. However, the prohibition against possessing firearms on school property does not apply to persons exempt from weapons laws (such as law enforcement officers) or to persons authorized to possess a concealed firearm by state statute who are age 21 or older.

[Utah Code § 76-10-505.5 \(2021\)](#)

[Utah Code § 53-5-704 \(2022\)](#)

[Utah Code § 53-5-710\(2\) \(2021\)](#)

### **District Position Regarding Concealed Firearm Permit Holders—**

Kane County School District maintains a neutral position regarding concealed firearm permit holders (whether employees or patrons).

### **Employee Concealed Carry is Outside the Scope of Employment—**

Employees who lawfully carry a concealed firearm on school property do so in their personal capacity, and as such, are acting outside the scope of their employment. This means that if any damages or liability occurs because of the employee carrying a concealed firearm, the employee is personally liable. There is no coverage or indemnification by Kane County School District or Utah State Risk Management for any damages or liability arising out of an employee carrying a concealed firearm under permit. (An employee who carries a concealed firearm on school property without a valid permit is in violation of the law and would be subject to disciplinary action for doing so.)

### **Meeting Requirements of Concealed Carry—**

Concealed firearm permit holders must meet the requirements of Utah law regarding carrying a concealed firearm. Those requirements include keeping the firearm “covered, hidden, or secreted in a manner that the public would not be aware of its presence, and readily accessible for immediate use.” Failure to satisfy this requirement may subject an employee to disciplinary action up to and including termination.

[Utah Code § 76-10-501\(3\) \(2015\)](#)

District property, including but not limited to desks, file cabinets, drawers, cupboards, or other furniture or containers, may not be used to store, hold, or conceal an employee's firearm. Employees who place a firearm in District property may be subject to disciplinary action up to and including termination.

Employees may not notify others that they are carrying a firearm while acting in their official capacity or during school hours or activities when students are present. Such discussion may subject the employee to disciplinary action. The foregoing notwithstanding, an employee may respond in an appropriate and restrained manner to questions regarding whether the employee holds a concealed firearm permit.