

December 6, 2013

The Honorable Derek Schmidt
Kansas Attorney General
c/o C.W. Klebe, Concealed Carry
Handgun Unit
120 SW 10th Ave, 2nd Floor
Topeka, KS 66612-1597

Chief John Douglass
Overland Park Police Department
W. Jack Sanders Justice Center
12400 Foster
Overland Park, KS 66213

Chief Tim Burnett
Merriam Police Department
6190 Eby Street
Mission, KS 66202

Chief Steven Menke
Olathe Police Department
100 East Santa Fe
Olathe, KS 66051

RE: JCCC Board of Trustee's Notice to State Attorney General and local law enforcement that it has elected to exempt JCCC buildings from Section 2 of 2013 Senate Substitute for House Bill No. 2052 through the 4-year exemption period

Dear Sirs and/or Madams:

In accordance with the provisions of subsection 2(j)(5) of 2013 Senate Substitute for House Bill No. 2052, the Johnson County Community College (JCCC) Board of Trustees (the "Board"), as the governing body of JCCC, has taken official action to update the June 20, 2013 temporary 6-month exemption and has passed a Resolution to exempt all JCCC buildings, including any building owned or leased by JCCC, from Section 2 of the Bill for the entire 4-year exemption period. Buildings owned or leased by JCCC are as follows:

JCCC Main Campus: 12345 College Blvd., Overland Park, KS 66210

West Park: 9780 W. 87th St., Overland Park, KS 66212

Overland Park Fire Training Center: 12401 Hemlock, Overland Park, KS 66213

King's Cove: 10000 West 75th St., Ste. 241, Merriam, KS 66204

Olathe Center: 1477 E. 151st St., Olathe, KS 66062

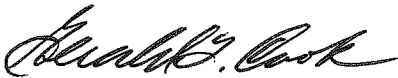
Olathe Health Education Center: 21201 W. 152nd St., Olathe, KS 66061

State Attorney General
Local Law Enforcement
December 6, 2013

The Board's action and its reasons therefore are set forth in the enclosed certified Resolution, adopted by the Board at its November 21, 2013 meeting.

Sincerely,

**Johnson County Community College
Board of Trustees**



Gerald L. Cook, Chair

Enclosure: Certified Board Resolution

CERTIFIED RESOLUTION
BY THE JOHNSON COUNTY COMMUNITY COLLEGE BOARD OF TRUSTEES
TO EXEMPT JOHNSON COUNTY COMMUNITY COLLEGE BUILDINGS
FROM APPLICATION OF THE PROVISIONS OF
SECTION 2 of 2013 SENATE SUBSTITUTE FOR HOUSE BILL NO. 2052
THROUGH THE 4-YEAR EXEMPTION PERIOD

WHEREAS, the Legislature of the State of Kansas enacted Senate Substitute for House Bill No. 2052 during the 2013 legislative session, which bill has been enrolled and was signed by the Governor on April 17, 2013 and is referred to herein as “the Act”; and

WHEREAS, Section 2(a) of the Act provides as follows:

The carrying of a concealed handgun as authorized by the personal and family protection act shall not be prohibited in any state or municipal building unless the building has adequate security measures to ensure that no weapons are permitted to be carried into such building and the building is conspicuously posted in accordance with K.S.A. 2012 Supp. 75-7c10 and amendments thereto; and

WHEREAS, Section 2(j)(5) of the Act provides that the governing body of a postsecondary educational institution, as defined in K.S.A. 74-3201b and amendments thereto, may exempt any buildings owned or leased by such institution from the provisions of Section 2 of the Act for a period of four years only by stating the reasons for such exemption and sending notice of such exemption to the Kansas attorney general; and

WHEREAS, Johnson County Community College (JCCC) is a post-secondary educational institution as defined in K.S.A. 74-3201b; and

WHEREAS, the JCCC Board of Trustees (the “Board”) is the governing body of JCCC and is therefore authorized to exempt the buildings owned or leased by JCCC from the provisions of Section 2 of the Act pursuant to Section 2(j)(5); and

WHEREAS, JCCC policies currently prohibit, to the extent allowed by law, the possession or use of firearms, explosives or other weapons within any JCCC building and at any College-sponsored classes, events or activities; and

WHEREAS, JCCC has a complex campus with multiple buildings and facilities, along with other non-campus locations; these buildings/facilities house JCCC employees, students, visitors, consultants, and other members of the public; and

WHEREAS, JCCC has signage and security plans in place that are structured to protect the campus locations and support the JCCC no-weapons policies; and

WHEREAS, JCCC has a certified Police Department, which has reviewed this matter and has recommended that such no-weapons policies are best practices for college campuses generally and for JCCC campuses specifically; and

WHEREAS, the JCCC PD has specifically advised the Board that not only would allowing persons with concealed carry permits to bring firearms onto campus likely have no positive effect on campus safety, but could in fact decrease the safety and security of JCCC college students, employees and visitors; and

WHEREAS, JCCC does not have the budget available at this time to invest in “adequate security measures” as defined in the Act; and

WHEREAS, Section 2 of the Act requires the Board to determine whether: a) to permit students, employees and visitors to carry concealed handguns in one or more buildings owned or leased by JCCC, b) to incur the costs of acquiring, installing, operating and maintaining “adequate security measures” for one or more buildings owned or leased by JCCC or c) to opt out of the “adequate security measure” requirement and continue with the current no-weapons policies for up to four more years for one or more buildings owned or leased by JCCC; and

WHEREAS, on June 20, 2013, in accordance with Section 2(i) of the Act, the Board approved a resolution to temporarily exempt all JCCC buildings from the application of Section 2 of the Act through December 31, 2013, allowing all JCCC buildings to remain gun-free and giving the Board time to conduct further review and analysis of the 4-year exemption under the new law; and

WHEREAS, a JCCC Concealed Carry Task Force was formed to study the options available to the College and presented its findings to the Board of Trustees on October 17, 2013; and

WHEREAS, in October 2013, the Board reviewed all options under the Act, assessed JCCC’s safety and security approach to concealed weapons and studied the implications and costs associated with each of the above-listed alternatives; and

WHEREAS, it is JCCC management’s recommendation to the Board that based on JCCC’s campus populations and layout, certified police force, current policies, procedures and plans that have been adopted to enhance the safety of the campuses and other safety and security factors, and the unfunded expense of “adequate security measures”, that the Board elect to exempt all JCCC buildings from the application of Section 2 of the Act for the 4-year exemption period described in Section 2(j); and

NOW THEREFORE, BE IT RESOLVED, upon review of the options under the Act, the reasons set forth above and further study of the implications and costs associated with each of the above-listed alternatives, the Board hereby elects, in accordance with Section 2(j) of the Act, to exempt all of the buildings owned or leased by JCCC from the application of Section 2 of the Act for the entire 4-year exemption period; and

FURTHER RESOLVED, that the Chairperson of the Board is hereby authorized and directed to send an executed counterpart of this Resolution to the Kansas Attorney General as notice of the Board’s election to exempt all of the buildings owned or leased by JCCC from the application of Section 2 of the Act as set forth herein; and

FURTHER RESOLVED, that during the 4-year exemption period, the Board may continue to review, study and consider this exemption and may subsequently revoke this Resolution and adopt a substitute resolution, and provide notice thereof to the Kansas Attorney General, at such time as the Board deems necessary and appropriate; and

FURTHER RESOLVED, the Board hereby ratifies and confirms JCCC’s current no-weapons policies described in the recitals hereto; and

FURTHER RESOLVED, that this Resolution shall take effect and be in force from and after its adoption and approval by the Board and until such time as it is revoked, amended or replaced by further action of the Board.

CERTIFICATION OF RESOLUTION

I, Jerry Cook, Chair of the Board of Trustees for Johnson County Community College, do hereby certify that the resolution set forth above is a true and accurate copy of a resolution adopted by the Board of Trustees for Johnson County Community College at a duly noticed meeting of the Board on November 21, 2013.

I further certify that said resolution has not been rescinded, amended, or modified and is in full force and effect as of the date hereof.

In witness whereof, I have executed this certificate this 6th day of December 2013.



Gerald L. Cook, Chair
Board of Trustees
Johnson County Community College