

WSR 22-08-011

PROPOSED RULES

WESTERN WASHINGTON UNIVERSITY

[Filed March 24, 2022, 8:39 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 21-23-072.

Title of Rule and Other Identifying Information: Chapter 516-35 WAC, Use of university property—Freedom of expression and assembly. Chapter 516-36 WAC, Use of university property—Scheduling and general use. WAC 516-52-020 Weapons and armaments prohibited.

Hearing Location(s): On May 11, 2022, at 2:00 p.m. Virtual public hearings necessitated by the COVID-19 pandemic have proven effective in allowing greater public access, eliminating the burden of physical travel, and maintaining public safety. Accordingly, a virtual meeting will be held with an optional in-person component. To attend the virtual public hearing, you must register in advance at <https://wwu-edu.zoom.us/meeting/register/tJwqcOGuqT8uEtWehQveXi35Fplom6Tp3rBz>. You may also register at the university rules website at <https://president.wwu.edu/chapter-516-35-wac-use-university-property-freedom-expression-and-assembly>. After registering, you will receive a confirmation email containing information about joining the public hearing. To attend in person, email the university rules coordinator for meeting location. The hearing will start at 2:00 p.m. and will continue until all oral comments are received.

Date of Intended Adoption: June 10, 2022.

Submit Written Comments to: Jennifer Sloan, rules coordinator, 516 High Street, Mailstop 9015, email sloanj2@wwu.edu, by May 10, 2022.

Assistance for Persons with Disabilities: Contact Jennifer Sloan, Rules Coordinator, phone 360-650-3117, TTY 711, email sloanj2@wwu.edu, by April 29, 2022.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Chapters 516-35 and 516-36 WAC, update changes in titles, offices, and processes. Update language to be clearer for off-campus users. Update language related to external space use scheduling. Housekeeping changes as needed. WAC 516-52-020 update language regarding use of face coverings and housekeeping changes as needed.

Reasons Supporting Proposal: Western Washington University (WWU) is proposing these changes to keep information accurate and up-to-date.

Statutory Authority for Adoption: RCW 28B.35.120(12).

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: WWU, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Eric Alexander, 516 High Street, Viking Union 545, Bellingham, WA 98225, 360-650-3451.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. RCW 34.05.328 does not apply to the university, and the university has not voluntarily decided to apply it.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(4).

Explanation of exemptions: The proposed rule has no impact on small businesses.

March 24, 2022
Jennifer L. Sloan
Rules Coordinator

OTS-3670.1

AMENDATORY SECTION (Amending WSR 18-13-073, filed 6/15/18, effective 7/16/18)

WAC 516-35-001 Definitions. As used in this chapter, the following words and phrases mean:

(1) **Business day.** Any day, Monday through Friday (excluding holidays), during which university offices are open.

(2) **Freedom of expression and assembly.** Any activity protected by the first amendment to the Constitution of the United States and Article I, sections 4 and 5 of the Washington state Constitution. Such activities may include, but are not limited to, informational picketing, petition circulation, distribution of information leaflets or pamphlets, speech-making, demonstrations, rallies, noncontracted appearances of speakers, protests, meetings to display group feelings or sentiments, and other types of constitutionally protected assemblies to share information, perspective, or viewpoints. (~~Freedom of expression or assembly that involves the placement of any furniture, hardware, prop, vehicle, display, sound amplification, or audio-visual device or other object on university property requires prior approved space reservation. To reserve use of university property, refer to chapter 516-36 WAC.~~)

(3) **Limited public forum areas.** Areas of campus available as spaces for freedom of expression and peaceable assembly as protected by the Constitution of the United States and the Washington state Constitution, subject to reasonable time, place, and manner restrictions. Limited public forum areas do not include:

(a) Classrooms or academic buildings (~~conducting~~) utilized for scheduled educational programming with the exception that nothing herein shall be read to interfere between or with the academic freedom of the instructor and enrolled students to engage in educational programs;

(b) Reservable or scheduled property subject to the provisions of chapter 516-36 WAC;

(c) Private administrative or academic offices;

(d) Lavatory or maintenance facilities;

(e) Roadways or sidewalks necessary to permit the free flow of pedestrian, vehicular, emergency responder, or maintenance traffic; or

(f) Any other university property, on a case-by-case basis, where the reasonable application of time, place, and manner restrictions render the location inappropriate for expressive activities.

(4) **Nonuniversity group or individual.** An individual or a collection of individuals who do not have a formal relationship with the university. The term also includes members of these groups who are individually affiliated with the university who desire to use university

property for personal, private, or nonuniversity group related activities.

(5) **Time, place, and manner.** Reasonable limitations on the exercise of expressive rights that are neutral as to the content of expression and leave open alternative channels of expression.

(6) **University.** Western Washington University.

(7) **University affiliate.** An entity that has a formal relationship with the university and also encompasses such entity's officers, agents, and employees. The term includes, but is not limited to, the office of the attorney general, contracted agencies, and 501 (c)(3) organizations with formal relationships to the university.

(8) **University group or individual.** An individual or collection of individuals that has a formal relationship with the university, such as a recognized employee group of the university, a registered student group or organization or an individual acting on behalf of the group or organization as well as an individual who is a currently enrolled student or current employee.

(9) **University property.** All buildings, grounds, or assets owned or controlled by the university and the streets, sidewalks, plazas, parking lots, and roadways within the boundaries of property owned or controlled by the university.

[Statutory Authority: RCW 28B.35.120(12). WSR 18-13-073, § 516-35-001, filed 6/15/18, effective 7/16/18.]

AMENDATORY SECTION (Amending WSR 18-13-073, filed 6/15/18, effective 7/16/18)

WAC 516-35-010 Use of university property—Notice. (1) Any non-university group or individual who desires to use a limited public forum area on a temporary basis for freedom of expression (~~((or))~~) and assembly ((in which more than fifty people are likely to assemble,)) must submit notice of planned use to the (~~((university police department and to the dean of students))~~) Western Washington University department of public safety not less than (~~((fifteen))~~) five business days prior to use, subject to limitations set forth in WAC 516-35-030. However, use may be permitted with less notice so long as the use does not interfere with any other function or university operations.

(2) University affiliates or university groups or individuals who desire to use university property or a limited public forum area on a temporary basis for freedom of expression or assembly must adhere to applicable policies and laws and are requested to provide notice to the (~~((university police department and dean of students))~~) Western Washington University department of public safety. If university affiliates or university groups or individuals intend to set up free-standing objects on university property, notice must be given as directed in WAC 516-35-030 (3) and (4).

(3) Submitted notices (~~((may))~~) shall include, but are not limited to, the following:

(a) The contact information for the persons or organizations, including the organization's name and its contact person's name, person's name, address, email address, and telephone number;

(b) The date, time, and location requested for use;

(c) The nature and purpose of the use;

(d) The estimated number of people expected to be involved, including participants, spectators, supporters, and detractors or others;

(e) A description and intended use of any object, free-standing or otherwise, that will be placed on university property including, but not limited to, furniture, hardware, props, vehicle, displays, sound amplification device, audio-visual device, or other objects; and

~~((e))~~ (f) Other information as may be reasonably requested.

[Statutory Authority: RCW 28B.35.120(12). WSR 18-13-073, § 516-35-010, filed 6/15/18, effective 7/16/18.]

AMENDATORY SECTION (Amending WSR 18-13-073, filed 6/15/18, effective 7/16/18)

WAC 516-35-020 Use of university property—Evaluation. (1) The president, or the president's designee, shall have the authority to accept, modify, or reject, in whole or in part, the planned use outlined or described in the notice submitted pursuant to this chapter.

(2) In evaluating a notice submitted pursuant to this chapter, the president, or the president's designee, may consider a variety of factors including, but not limited to, the following:

(a) Whether a university program or activity is scheduled at the location requested. First priority shall be given to the university program or scheduled activity;

(b) Whether the use is in connection with a university program or activity;

(c) Whether the intended use is compatible with the educational mission and objectives of the university.

(3) The president, or the president's designee, may specify reasonable fire, safety, law enforcement, sanitation, cleanup, insurance, and other risk- or impact-mitigating requirements for the use of university property. Charges may be applied in the event any of these requirements are deemed to have costs associated with them. ~~((The university will not provide utility connections or hookups.))~~

(4) Whenever the president, or the president's designee, rejects, either in whole or in part, a request for use of university property, the reasons for such rejection shall be stated in writing.

[Statutory Authority: RCW 28B.35.120(12). WSR 18-13-073, § 516-35-020, filed 6/15/18, effective 7/16/18.]

AMENDATORY SECTION (Amending WSR 18-13-073, filed 6/15/18, effective 7/16/18)

WAC 516-35-030 Use of university property—Exceptions, limitations, and termination of use. (1) The president, or the president's designee, may apply time, place, and manner exceptions to limit, relocate, reschedule, terminate, cancel, or prohibit the use of university property for freedom of expression activities to protect persons or property from harm and/or to prevent the disruption of university op-

erations including, but not limited to, violations of WAC 516-24-130, 516-52-020, or other laws or university policies.

(2) The use of university property for freedom of expression and assembly must comply with all requirements and limitations set forth in WAC 516-24-001 and 516-36-030.

(3) Any activity that involves the placement of furniture, hardware, prop, vehicle, display, sound amplification device, audio-visual device, or other free-standing object on university property for freedom of expression and assembly requires notice pursuant to WAC 516-35-010.

(a) Placed or free-standing objects that are not generally moveable or are of a size or nature that they may pose a personal safety risk, a risk to property, or block egress and traffic flow must have prior approval through a space reservation. To reserve university property, refer to chapter 516-36 WAC.

(b) Objects that are small, moveable by a single person, not permanent or do not need to be secured, and are lightweight; for example, small displays less than four feet in any dimension, folding tables, easels, or other similar object do not require a reservation to place on university property for a limited time and may be subject to other university imposed time, place, or manner restrictions.

(c) At least one person must be present at all times to attend to any placed object for the duration of use until completion of activity pursuant to subsection (6) of this section.

(4) In order to allow for the expression of a wide range of viewpoints and to allow the utilization of university property for a wide range of purposes, the use of university property for freedom of expression and assembly may be limited in duration to the following:

(a) Activities may not continue for longer than five calendar days from start to finish; and

(b) Activities are limited to 7:00 a.m. to 10:00 p.m. on any day due to the residential nature of campus.

(5) University employees, student groups, and university-affiliated groups may reserve outdoor space on campus for university-sponsored activities pursuant to chapter 516-36 WAC. If space is reserved for a university-sponsored activity, other persons and groups may be prohibited from engaging in freedom of expression and assembly in the reserved space. In such cases, a university representative may suggest another area on campus for freedom of expression and assembly.

(6) The group or individual utilizing university property for freedom of expression and assembly must return the university property to its original condition after the use and is responsible for the costs of cleanup and the costs to repair damages to the limited public forum area and other university property that arises from such use.

(7) The university will not provide utility connections or hook-ups.

(8) Nonuniversity groups and individuals may not use the interior of any facility for freedom of expression and assembly.

(9) Freedom of expression and assembly must otherwise be conducted in compliance with any other applicable university policies and rules, local ordinances, and state or federal law.

(10) **Exception - Open public meetings.** Nothing in these rules is intended to interfere with public participation in meetings of the university's governing board or associated student body that are required to be open to the public under the Open Public Meetings Act, chapter 42.30 RCW.

[Statutory Authority: RCW 28B.35.120(12). WSR 18-13-073, § 516-35-030, filed 6/15/18, effective 7/16/18.]

OTS-3633.1

AMENDATORY SECTION (Amending WSR 18-13-073, filed 6/15/18, effective 7/16/18)

WAC 516-36-001 Use of university property—General policy and ((purpose)) scope. Western Washington University is an educational institution provided and maintained by the people of the state of Washington in order to carry out its broad missions of teaching, research, and public service. A state agency is under no obligation to make its public property available to the community for private purposes, and the university generally reserves its property, buildings, and grounds for its mission-related activities, including: Instruction, research, assembly, student activities, and recreational activities related to education. However, the university makes property available for a variety of uses that are of benefit to the general public under the conditions set forth in these regulations if such general uses substantially relate to, or do not interfere with, university missions.

The purpose of these regulations is to establish procedures and reasonable controls for the use of university property by nonuniversity groups or individuals, university affiliates, university groups or individuals, or students, faculty, or staff who desire to use university property for personal, private, or nonuniversity group related activity.

Reasonable conditions may be imposed to regulate the timeliness of requests, to determine the appropriateness of space assigned, time of use, and to ensure the proper maintenance of the property.

[Statutory Authority: RCW 28B.35.120(12). WSR 18-13-073, § 516-36-001, filed 6/15/18, effective 7/16/18. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. WSR 90-10-042, § 516-36-001, filed 4/27/90, effective 5/1/90; Order 75-10, § 516-36-001, filed 11/10/75; Order 72-10, § 516-36-001, filed 11/17/72.]

AMENDATORY SECTION (Amending WSR 18-13-073, filed 6/15/18, effective 7/16/18)

WAC 516-36-004 Freedom of expression and assembly activities not covered. Use of university property for freedom of expression and assembly activities is governed by rules set forth in chapter 516-35 WAC. This chapter does not apply to those individuals or groups using university property for freedom of expression and assembly activities except where directed by chapter 516.35 WAC.

[Statutory Authority: RCW 28B.35.120(12). WSR 18-13-073, § 516-36-004, filed 6/15/18, effective 7/16/18.]

AMENDATORY SECTION (Amending WSR 18-13-073, filed 6/15/18, effective 7/16/18)

WAC 516-36-008 Definitions. As used in this chapter, the following words and phrases mean:

(1) **Business day.** Any day, Monday through Friday (excluding holidays), during which university offices are open.

(2) **Freedom of expression and assembly.** Any activity protected by the first amendment to the Constitution of the United States and Article I, sections 4 and 5 of the Washington state Constitution. Such activities may include, but are not limited to, informational picketing, petition circulation, distribution of information leaflets or pamphlets, speechmaking, demonstrations, rallies, noncontracted appearances of speakers, protests, meetings to display group feelings or sentiments, and other types of constitutionally protected assemblies to share information, perspective, or viewpoints.

(3) **Limited public forum areas.** Areas of campus available as spaces for freedom of expression and peaceable assembly as protected by the Constitution of the United States and the Washington state Constitution, subject to reasonable time, place, and manner restrictions. The use of limited public forum areas for freedom of expression and peaceable assembly activities is governed by chapter 516-35 WAC except for those activities identified in that chapter that require reservations. Limited public forum areas are identified in WAC 516-35-001. Limited public forum areas do not include property such as:

(a) Classrooms or academic buildings (~~conducting~~) utilized for scheduled educational programming with the exception that nothing herein shall be read to interfere between or with the academic freedom of the instructor and enrolled students to engage in educational programs;

(b) Reservable or scheduled property subject to the provisions of this chapter;

(c) Private administrative or academic offices;

(d) Lavatory or maintenance facilities;

(e) Roadways or sidewalks necessary to permit the free flow of pedestrian, vehicular, emergency responder, or maintenance traffic; or

(f) Any other university property, on a case-by-case basis, where the reasonable application of time, place, and manner restrictions render the location inappropriate for expressive activities.

(4) **Nonuniversity group or individual.** An individual or a collection of individuals who do not have a formal relationship with the university. The term also includes members of these groups who are individually affiliated with the university who desire to use university property for personal, private, or nonuniversity group related activities.

(5) **Space administrator.** A university employee, appointed by the president, or the president's designee, who has the authority and responsibility for a designated subset of university property to create and enforce policies and procedures for space use, delegate space approval authority, and are responsible for university space being used

in accordance with this chapter, chapter 516-35 WAC, and the university mission.

(6) **Space approval authority.** A university employee who has the authority, consistent with these regulations and approved campus policies and procedures, to review, approve, amend, or deny requests for rental or use of university property.

(a) The university shall maintain a list of the approving authorities.

(b) Requests for approval to lease space shall be governed by chapter 516-34 WAC.

(7) **Time, place, and manner.** Reasonable limitations on the exercise of expressive rights that are neutral as to the content of expression and leave open alternative channels of expression.

(8) **University.** Western Washington University.

(9) **University affiliate.** An entity that has a formal relationship with the university and also encompasses such entity's officers, agents, and employees. The term includes, but is not limited to, the office of the attorney general, contracted agencies, and 501 (c)(3) organizations with formal relationships to the university.

(10) **University group or individual.** An individual or collection of individuals that has a formal relationship with the university, such as a recognized employee group of the university, a recognized student group or organization, or an individual acting on behalf of the group or organization as well as an individual who is a currently enrolled student or current employee.

(11) **University property.** All buildings, grounds, or assets owned or controlled by the university and the streets, sidewalks, plazas, parking lots, and roadways within the boundaries of property owned or controlled by the university.

[Statutory Authority: RCW 28B.35.120(12). WSR 18-13-073, § 516-36-008, filed 6/15/18, effective 7/16/18.]

AMENDATORY SECTION (Amending WSR 18-13-073, filed 6/15/18, effective 7/16/18)

WAC 516-36-025 Scheduling and reservation practices—Duties of requestor. (1) The primary purpose of university property is to serve the university's instructional, research, and public service activities. However, when not required for scheduled university use, property may be available for rental by nonuniversity groups or individuals in accordance with current fee schedules and other relevant terms and conditions.

(2) No university property may be used by individuals or groups unless the property, including buildings, equipment, and land, have been reserved except as provided in chapter 516-35 WAC. Reservations may not be required in limited public forum areas if the intended use of the property would not cause cost to the university or impact scheduled university activity.

(3) Requests to use university property are made to the space approval authority, as defined in WAC 516-36-008(6) and in accordance with WAC 516-36-020.

(4) The space approval authority may deny the request to use university property when such use would violate any of the limitations

set forth in WAC 516-36-030 or where the requestor is unwilling to comply with university requirements for the use of property, as authorized by this chapter.

(5) The university may require an individual or organization to make an advance deposit, post a bond or obtain insurance to protect the university against cost or other liability as a condition to allowing use of any university property.

(6) When the university grants permission to an individual or organization to use its property it is with the understanding and on the condition that the individual or organization assumes full responsibility for any loss or damage resulting from such use and agrees to hold harmless and indemnify the university against any loss or damage claim arising out of such use.

(7) The university and/or government authorities may specify fire, safety, sanitation, and special regulations for activities occurring in, on or with university property. It is the responsibility of the user to obey those regulations, as well as to comply with other applicable university policies, procedures, rules, regulations, and state, local, and federal laws.

(8) When the university grants permission to an individual or organization to use its facilities, it is with the understanding and on the condition that the individual or organization is responsible to clean the facility and leave it in its original condition at the conclusion of its use or event. The facility may be subject to inspection by a representative of the university after the event. Reasonable charges may be assessed against the sponsoring organization for the costs of extraordinary cleanup or for the repair of the damaged property.

[Statutory Authority: RCW 28B.35.120(12). WSR 18-13-073, § 516-36-025, filed 6/15/18, effective 7/16/18.]

AMENDATORY SECTION (Amending WSR 18-13-073, filed 6/15/18, effective 7/16/18)

WAC 516-36-030 Limitations on use. The following limitations apply to all uses of any university property, unless specifically permitted by the university for special events:

(1) University property may not be used in ways which obstruct vehicular, bicycle, pedestrian, or other traffic or otherwise interfere with ingress or egress to the university, any university building or facility, or that obstruct or interfere with educational activities or other lawful activities on university grounds, university controlled property, or at university sponsored events unless approved by the president, or the president's designee.

(2) University property may not be used in ways that interfere with educational, research, or public service activities inside or outside any university building or otherwise prevent the university from fulfilling its mission and achieving its primary purpose.

(3) University property may not be used for the purpose of campaigning regarding a ballot proposition or by, for, or against candidates who have filed for public office, except that:

(a) This provision does not apply to candidates for Western Washington University student offices or student ballot propositions;

(b) University groups may sponsor candidate forums as well as issue forums regarding ballot propositions;

(c) Candidates for office and proponents or opponents of ballot propositions may rent university property as a nonuniversity group or individual on a short-term basis for campaign purposes to the same extent and on the same basis as may other individuals or groups;

(d) Candidates for office and proponents or opponents of ballot propositions may use the limited public forum areas using the procedures of chapter 516-35 WAC to the same extent and on the same basis as may other individuals or groups; and

(e) For informational purposes, a university group may invite a candidate or another political speaker to one of the meetings of its membership on university property, if it has complied with the scheduling procedures of WAC 516-36-025 and applicable university policy.

(4) University property may not be used in ways that create safety hazards or pose unreasonable safety risks to students, employees, invitees, or guests.

(5) University property may not be used for commercial purposes, including: Advertising, commercial solicitation, sales, or other activities to promote a product, except as allowed under WAC 516-36-040.

(6) University property may not be used in furtherance of or in connection with illegal activity.

(7) University property may not be used in such manner as to create a hazard or result in damage to university property.

(8) University property may not be used where such use would create undue stress on university resources (e.g., a request for a major event may be denied if another major event is already scheduled for the same time period, because of demands for parking, security coverage, etc.); use of limited public forum areas for freedom of expression and assembly must be in accordance with chapter 516-35 WAC and this chapter if applicable.

(9) Use of audio amplifying equipment or sound generation is permitted only in locations and at times that will not disturb the normal conduct of university operations. Advance permission by the president, or the president's designee, is required to use audio amplifying equipment or generate sound that may disturb the normal conduct of university operations.

(10) Alcoholic beverages may be served only as allowed under university policies. It is the responsibility of the event sponsor to obtain all necessary licenses from the Washington state liquor and cannabis board and adhere to their regulations, as well as all local ordinances, university rules, and regulations.

(11) No person may erect a tent or other shelter on university property or remain overnight on university property, including in a vehicle, trailer, tent, or other shelter, with the following exceptions:

(a) The use and occupancy of university housing in accordance with chapter 516-56 WAC;

(b) The use of property by a university employee or agent who remains overnight to fulfill the responsibilities of their position;

(c) The use of property by a university student who remains overnight to fulfill the responsibilities of their course of study;

(d) The use of property where overnight stays are specifically permitted in identified locations for attendees at special events designated by the university.

(e) The use of property during a university, local, state or federal declaration of an emergency as determined by the president, or the president's designee.

(12) Signs and posters and visual displays may be placed only at those locations authorized under, and in accordance with university policies.

(13) Handbills, leaflets, pamphlets, flyers, and similar materials may be distributed only in relation to university sanctioned activities or for purposes of freedom of expression. Materials may not be distributed in a manner that results in littering or requires university resources for disposal.

(14) Animals are only allowed on university property in accordance with WAC 516-52-010 and university policies.

(15) Smoking is not allowed in or on university property, except in accordance with chapter 70.160 RCW.

(16) Mopeds, Segways, skateboards, roller skates, roller blades, bicycles, and similar personal transportation devices may be used on campus in accordance with chapters 516-13 and 516-15 WAC.

[Statutory Authority: RCW 28B.35.120(12). WSR 18-13-073, § 516-36-030, filed 6/15/18, effective 7/16/18. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. WSR 90-10-042, § 516-36-030, filed 4/27/90, effective 5/1/90; Order 75-10, § 516-36-030, filed 11/10/75.]

OTS-3634.1

AMENDATORY SECTION (Amending WSR 18-09-049, filed 4/13/18, effective 5/14/18)

WAC 516-52-020 Weapons and armaments prohibited. (1) Definitions. As used in this section, the following words and phrases mean:

(a) Armor or armaments. Includes, but are not limited to, shields, body armor, tactical gear, tactical face (~~(masks)~~) coverings, and helmets.

(b) Firearm. A weapon or device from which a projectile or projectiles may be fired by an explosive such as gunpowder, whether loaded or unloaded.

(c) Weapon. Includes, but is not limited to, air guns, pellet guns, paint ball guns, or other pneumatic propellant devices, bows, crossbows, slingshots or other muscle powered projectile devices, daggers, swords, knives or other cutting or stabbing instruments with blades longer than three inches, clubs, bats, sand clubs, truncheons, metal knuckles, incendiary devices or materials, or any other objects or instruments apparently capable of producing bodily harm.

(2) Only such persons who are authorized to carry firearms, ammunition, or other weapons or armaments as duly appointed and commissioned law enforcement officers in the state of Washington, commissioned by agencies of the United States government, or authorized by contract with the university, shall possess firearms or other weapons or armaments issued for their possession by their respective law enforcement agencies or employers while on the campus or other universi-

ty-controlled property, including, but not limited to, residence halls.

(3) Other than the law enforcement officers or other individuals referenced in subsection (2) of this section, individuals seeking to bring a firearm or other weapon onto campus, university-owned property, or a university sponsored event must obtain prior written authorization at the university public safety department, which shall have sole authority to review and approve any such request and, if approval is granted, establish conditions to the firearm or weapon authorization.

(4) Members of the campus community and visitors who bring firearms or other weapons or armaments to campus without prior authorization must immediately remove them from university property or place the firearm(s), weapon(s), or armament(s) in the university provided storage facility. The storage facility is located at the university public safety department and is accessible (~~twenty-four~~) 24 hours per day.

(5) Possession of a valid concealed pistol license authorized by the state of Washington is not an exemption under this section. However, nothing in this section shall prevent an individual holding a valid concealed pistol license from securing their pistol in a vehicle as authorized under RCW 9.41.050.

(6) Except for those persons identified in subsection (2) of this section or under the circumstances described in subsection (3) or (4) of this section, possession of firearms, ammunition, fireworks, and explosives is prohibited on the university campus, university-owned property, and at university sponsored events. No one may possess fireworks or explosives unless certified or licensed to do so for purposes of conducting university-authorized activities, building construction or demolition.

(7) Some (~~weapons~~) items including, but not limited to, sports equipment, kitchen utensils, laboratory materials and equipment, personal protective equipment, safety training equipment, costume/theatrical masks, and props in campus theatre productions are permitted when used for the purpose for which they are intended. Use of weapons, armor, or armaments in a manner, under circumstances, and at a time and place that either manifests an intent to intimidate another or that warrants alarm for the safety of other persons or property, or in any way to avoid apprehension for a criminal act or acts is prohibited.

(8) Violations of this section are subject to appropriate disciplinary or legal action.

[Statutory Authority: RCW 28B.35.120(12). WSR 18-09-049, § 516-52-020, filed 4/13/18, effective 5/14/18; WSR 93-01-080, § 516-52-020, filed 12/14/92, effective 1/14/93; WSR 90-17-031, § 516-52-020, filed 8/9/90, effective 9/1/90.]