

3.3.23 Policy on Deadly Weapons

I. Purpose

In Kentucky Revised Statute (KRS) 237.115, the Kentucky General Assembly has explicitly recognized the authority of colleges and universities to regulate the possession of deadly weapons on any property owned or controlled by them, including the right to prohibit possession of such weapons by any person or entity using or enjoying said property or premises. This policy applies to all property and premises owned or controlled by KCTCS including off-campus facilities used for events controlled, sponsored, or managed by KCTCS.

Accordingly, through this policy KCTCS exercises the above right, consistent with KRS 237.115, to institute a general prohibition against deadly weapons on the property/premises due to safety and security concerns, as well as the right for KCTCS to make exceptions to the general prohibition in consideration of KCTCS operational needs and other related statutes.

This policy is applicable only in the Commonwealth of Kentucky. While participating in work-related travel to other states, all employees are responsible for knowing and complying with the laws pertaining to deadly weapons in those states. KCTCS accepts no liability for employees or other individuals who commit violations of deadly weapons laws in Kentucky or in other states.

II. Entities Affected

This administrative policy applies to all members of the KCTCS community, including faculty, staff, students, and visitors.

III. Definition of Deadly Weapon

For purposes of this policy, “deadly weapon” means:

1. Any weapons from which a shot, readily capable of producing death or other serious physical injury, may be discharged;
2. Any knife other than an ordinary pocket knife or hunting knife;
3. Any explosive device;
4. Any weapon of mass destruction;
5. Billy, nightstick, or club;
6. Blackjack or slapjack;
7. Nunchaku karate sticks;
8. Shuriken or death star; or
9. Artificial knuckles made from metal, plastic, or other similar hard material.

IV. Prohibitions

Except as provided in Subsection V of this policy, deadly weapons are prohibited on any property owned, leased, or controlled by KCTCS, including but not limited to the following: classrooms, laboratories, clinics, office buildings, residence halls, performance halls, museums, recreation facilities, farms and forests, parking lots and structures, vehicles owned, leased or rented by KCTCS, and all outdoor areas of the campus of any unit of KCTCS.

V. Exceptions

KCTCS has the right, expressly conferred by statute (KRS 237.115(1)), to control the possession of deadly weapons on any property owned or controlled (leased) by them. Deadly weapons are prohibited on all property and premises owned or controlled (leased) by KCTCS, with the following exceptions:

A. Legitimate Academic/Operational Exceptions

Possession of deadly weapons as part of legitimate academic, athletic, or work-related activities (e.g., law enforcement training).

B. Vehicle Exceptions

1. Possession of a deadly weapon by a person licensed to carry a concealed deadly weapon pursuant to KRS 237.110, if the weapon is contained in a private vehicle or a vehicle that is owned, leased, or rented by KCTCS, and is not removed from the vehicle (KRS 527.020(4)).
2. Weapons that are kept exclusively in a private vehicle (not owned, rented, or leased by KCTCS) and in an enclosed container, compartment, or storage space installed as original equipment in the motor vehicle by its manufacturer, including but not limited to a glove compartment, center console, or seat pocket, regardless of whether said container, storage space, or compartment is locked, unlocked, or does not have a locking mechanism (KRS 527.020(8)).

C. Specific Statutory Exceptions

1. Certain individuals who occupy specific legal status, pursuant to KRS 527.020*. These individuals are:
 - Peace Officers;
 - Certified court security officers in the discharge of their official duties;
 - United States mail carriers when actually engaged in their duties;
 - Agents and messengers of express companies, in the discharge of their official duties; and

- Police officers directly employed by state, county, city, or urban county governments.
2. The following persons, if they hold a license to carry a concealed deadly weapon, may carry a firearm or other deadly weapon at all times and at all locations within the Commonwealth (KRS 527.020)*:
- A Commonwealth's attorney or assistant Commonwealth's attorney,
 - A county attorney or assistant county attorney,
 - A justice or judge of the Court of Justice, and
 - A retired or senior status justice or judge of the Court of Justice.

D. Presidential Permissions

Possession of deadly weapons by a person specifically authorized to have such possession by the KCTCS President or college president/ceo, or their designee, but only if such person fully complies with any and all laws, regulations, and/or restrictions imposed upon such possession by the KCTCS President or college president/ceo, or their designee.

* Items C and D shall also apply to those specified individuals while on the premises of detention facilities, unless expressly permitted by the warden, jailer, or other person in charge of the facility, or his/her designee (KRS 527.020)

All other individuals, whether or not they possess a lawfully issued license or permit, can be prohibited from carrying a concealed deadly weapon by posting signs at the entrances to the properties which clearly identify them as restricted (KRS 237.115(1) and (2)).

VI. Violations

Individuals who possess deadly weapons in violation of this prohibition shall be directed and/or required to remove their weapons or themselves from KCTCS property or premises, with all appropriate legal actions (including arrest) being taken upon failure to comply.

Employees who possess deadly weapons in violation of the prohibition stated in this policy and/or in related statutes are guilty of misconduct and subject to corrective action under KCTCS policies and procedure, up to and including termination of employment and all other appropriate legal actions.

Students who possess deadly weapons in violation of this prohibition are guilty of violations of the Code of Student Conduct and are subject to disciplinary action under that Code, including expulsion from the KCTCS college.

VII. References and Related Materials

KRS 237.110 *License to carry concealed deadly weapon*

KCTCS ADMINISTRATIVE POLICIES AND PROCEDURES

KRS 237.115 *Construction of KRS 237.110 – Prohibition by local government units of carrying concealed deadly weapons in governmental buildings – Restriction on criminal penalties*

KRS 500.080 *Definitions for Kentucky Penal Code*

KRS 527.020 *Carrying concealed and deadly weapons*

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(SIGNED)
President, KCTCS 8-24-12
Date