



Eastern Kentucky University

Policy and Regulation Library

Administrative Regulation: 9.3.2ADR

Responsible Office(s): Public Safety

Effective: November 16, 2012

Next Review Date: Spring 2031

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Deadly Weapons and Dangerous Materials / Instruments on Campus

Statement

Eastern Kentucky University ("EKU") is committed to the safety of the University community and its visitors. The Kentucky General Assembly expressly recognizes the authority of state universities to control the possession of Deadly Weapons or Dangerous Materials/Instruments on property owned, leased, and controlled by state universities, while balancing the rights of individuals and the Second Amendment of the United States Constitution.

This regulation establishes Eastern Kentucky University's policy on Deadly Weapons and Dangerous Materials/Instruments on campus including extended campuses and all other property now or hereafter owned, leased, or controlled by Eastern Kentucky University, a Kentucky Revised Statutes §§ 237.109, 237.110, 237.115, 500.080, and 527.020 and all applicable controlling laws, statutes, and regulations.

Entities Affected

All EKU staff, faculty, students, contractors, vendors, volunteers, and visitors.

Regulation Background

This Regulation supersedes Eastern Kentucky University's prior policies, regulations, or statements on weapons on campus and the possession of Deadly Weapons and Dangerous Materials/Instruments on property owned, leased, or controlled by Eastern Kentucky University.

Procedures

Unless expressly exempt below, all persons are prohibited from possessing Deadly Weapons and Dangerous Materials/Instruments on all property owned, leased, or controlled by Eastern Kentucky University, including but not limited to all classrooms, laboratories, residence halls, clinics, office buildings, performance halls, athletics and recreation facilities, farms, forests and other natural areas, parking lots and structures, University owned, leased, or controlled vehicles, and all outdoor areas of the campus, including extended campuses and all other property now or hereafter owned, leased, or controlled by Eastern Kentucky University, of any unit of Eastern Kentucky University. This regulation applies to all persons who possess lawfully issued licenses or permits pursuant to Kentucky Revised Statute 237.110, to all persons who do not possess lawfully issued licenses or permits pursuant to Kentucky Revised Statute 237.110, and to all persons authorized to carry a concealed deadly weapon without a license pursuant to Kentucky Revised Statute 237.109.

Exemptions for Possession of Deadly Weapons

The following persons are exempt from this regulation in reference to Deadly Weapons by Kentucky Revised Statutes §§ 527.020, 237.109, 237.110, 237.115

1. Sworn police officers employed by the Eastern Kentucky University Police Department;
2. Sworn officers employed by other local, state, and federal public agencies authorized to possess Deadly Weapons in the course of his/her official duties;
3. Person(s) with or without a valid concealed and carry license, as authorized by KRS §§ 237.109 and 237.110, provided that the Deadly Weapon is stored in an enclosed container, compartment, or storage space installed as original equipment in a private motor vehicle by its manufacturer, . Any attempt to possess the Deadly Weapon outside of a private motor vehicle is a violation of this regulation. If applicable, the concealed and carry license of the holder of the Deadly Weapon shall be carried by the authorized person or kept at all times with the Deadly Weapon and must be produced immediately upon the request of the law enforcement officer. Failure to produce this document shall constitute a violation of this regulation; and
4. Persons who are specifically authorized by KRS 527.020 to carry concealed Deadly Weapons on or about their persons at all times and at all locations within the Commonwealth of Kentucky. For a complete list of persons authorized to carry concealed Deadly Weapons within the Commonwealth of Kentucky and the conditions for which the carrying of the Deadly Weapon is authorized, see KRS 527.020.

Other Exemptions

Eastern Kentucky University's Chief of Police may grant other exceptions at his/her discretion to this regulation for University authorized academic, athletic or work-related activity, or other activities determined to be in the best interest of the University. Any recognized University academic or administrative unit or organization or any individual sponsored by a recognized University academic or administrative unit or organization may request an exception to this regulation. A request for exception must be made in writing to the Chief of Police prior to the Deadly Weapon or Dangerous Material being possessed or stored as stated herein. Any approved exception to this regulation must be in writing with signature approval of the Chief of Police. The decision by the Chief of Police to approve or not approve an exception is final.

All exceptions shall clearly identify the Deadly Weapon or Dangerous Material, shall be granted for specified stated reasons, and shall be for a limited duration, in no event longer than the time period required to fulfill the purpose of the request.

The exception document and picture identification of the holder of the exception shall be carried and/or kept at all times with the possessor of the Deadly Weapon or Dangerous Materials/Instruments and must be produced immediately upon the request of law enforcement officers. Failure to produce these documents shall constitute a violation of this regulation.

Definitions

- **Dangerous Materials / Instruments:** Dangerous Materials/Instruments are defined to include, but not be limited to, any of the following:
 - Explosive device;
 - Fireworks, including sparklers and smoke devices;
 - Incendiary devices;
 - Toxic or poisonous chemicals or disease organisms;
 - Bomb;
 - Grenade;
 - Mine;
 - Rocket;
 - Tasers and stun guns;
 - Other similar device or materials and includes the unassembled components from which such device or any of the preceding can be made; and
 - Any replicas or look-alike Dangerous Materials/Instruments.
- **Deadly Weapon:** Defined to include, but not be limited to, any of the following:
 - A weapon of mass destruction or dangerous materials;

- Any weapon from which a shot, readily capable of producing death or other serious physical injury, may be discharged;
 - Any knife other than an ordinary pocket knife or hunting knife;
 - Billy, nightstick, or club;
 - Blackjack or slapjack;
 - Nunchaku karate sticks;
 - Shuriken or death star;
 - Artificial knuckles made from metal, plastic, or other similar hard material;
 - Any bow and arrow; and
 - Replica or look-alike Deadly Weapons.
- **Possession:** Actual physical possession of, or ability to exercise actual dominion or control over, a tangible object.
 - **University Property:** Property owned, leased, or controlled by Eastern Kentucky University.

Responsibilities

All members of the University community shall comply with this regulation and share in the responsibility for campus safety and security and adhering to this regulation. If any member of the University community is notified or becomes aware of the existence of a Deadly Weapon or Dangerous Material/Instruments on University Property, they are responsible for reporting it to Eastern Kentucky University Police. Failure to report the existence of Deadly Weapons or Dangerous Material/Instruments on campus to the Eastern Kentucky University Police is a violation of this regulation .

Violations of the Regulation

All violations of this regulation may be subject to all appropriate administrative and legal action, including any applicable provisions of the faculty, staff, and student handbooks and the Kentucky Penal Code. In addition, students, staff, and faculty violations are subject to disciplinary and corrective actions including but not limited to expulsion or termination from employment and other appropriate administrative and legal action. Others who possess Deadly Weapons or Dangerous Material/Instruments in violation of this regulation shall be directed to remove their Deadly Weapon or Dangerous Material or their Deadly Weapon or Dangerous Material/Instruments and themselves from the University's property or premises and shall be subject to other appropriate administrative and legal action.

Statutory or Regulatory References

KRS § 237.109
 KRS § 237.110
 KRS § 237.115
 KRS § 500.080

KRS § 527.020

KRS § 527.070 (Model Laboratory High School)

Mitchell v. University of Kentucky, 366 S.W.3d 895 (Ky. 2012)

Regulation Adoption Review and Approval

<u>Date</u>	<u>Entity</u>	<u>Action</u>
February 27 , 2026	University Counsel	Legal Revision
November 16, 2012	President	Approved Interim