

Subject: Weapons

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[Appendix A: State Board for Community College Weapons Regulation](#)

[Appendix B: Notice of Intent to Store Firearm Form](#)

1. Purpose

This policy addresses the possession of weapons by students and employees on college property, and by any person in college buildings and at college-sponsored sporting, entertainment, and educational events. It is consistent with the Weapons Regulation adopted by the State Board for Community Colleges, the policy of the Virginia Community College System, and the laws and regulations of the Commonwealth of Virginia.

2. Policy

Tidewater Community College (TCC) promotes a safe and secure environment in which to learn and work. The presence of weapons on college premises or at college-sponsored events is not conducive to maintaining such an environment. Thus, to the extent allowed by law, regulation, and VCCS policy, weapons are prohibited on college property and at college-sponsored events.

2.1. General

Possession or carrying of any weapon by any person, except a law-enforcement officer, is prohibited on college property in academic buildings, administrative office buildings, student centers, child care centers, dining facilities, and places of like kind where people congregate, or while attending any sporting, entertainment or educational events. Entry upon the aforementioned college property in violation of this prohibition is expressly forbidden.

Any individual in violation of this prohibition shall be directed to remove the weapon immediately. Failure to comply may result in a student conduct referral, an employee disciplinary action, or arrest.

2.2. Students

2.1.1. Students are prohibited from possessing or carrying a weapon while on college property, in a college vehicle, or while attending or participating in a college-sponsored event.

2.1.2. Students violating this policy shall be subject to disciplinary action as outlined in the *Student Handbook* and other college policies, as appropriate.

2.3. Employees

2.2.1. Employees are prohibited from possessing or carrying a weapon while on college property, in a college vehicle, attending a college-sponsored event, or engaged in college business.

2.2.2. Employees violating this policy shall be subject to disciplinary action up to and including termination and criminal prosecution using existing

policies and procedures including Section 3 of the *VCCS Policy Manual* or DHRM Policy 1.60, Standards of Conduct.

2.4. Exceptions

2.4.1. Law-Enforcement Officers

These prohibitions shall not apply to current sworn and certified local, state, and federal law-enforcement officers with proper identification.

2.4.2. Students and Employees

These prohibitions shall not apply to possession of a lawfully owned handgun, rifle, or shotgun when stored securely inside the vehicle of a student or employee. If a student or employee desires to store a handgun in a vehicle, he/she must hold a current, valid concealed handgun permit. Any firearm stored in a vehicle under this exception shall be unloaded and secured in a locked container, which may include the vehicle's glove compartment or trunk.

Any student or employee desiring to store a firearm in his/her vehicle shall provide written notice of such intent to the college official responsible for the location. Failure to provide such notice of intent in advance of introducing a firearm onto college property shall be considered a violation of this policy.

For a student or employee storing a handgun in his/her vehicle while on college property, the authorization to do so expires coincident with the concealed handgun permit. Possessing the weapon on campus after the concealed handgun permit expires is a violation of this policy.

2.4.3. College-Approved Exceptions

TCC's Director of Safety and Security, or his/her designee, may authorize in writing a person to possess, store, or use a weapon: (i) when used for educational or artistic instruction, display, parade, or ceremony sponsored or approved by the college (unloaded or disabled only and with other specified safeguards, if appropriate); or (ii) for any college-approved training, course, or class.

By virtue of its contract with the college, the armed guards of the armored transport company that services the college's business offices may carry their weapons on campus while in their vehicle and when transiting from that vehicle to the business office and back to the vehicle. Carrying their weapons anywhere else on campus is a violation of this policy.

2.5. Person Lawfully in Charge

College security officers, including TCC's Director of Safety and Security, and police officers acting pursuant to a mutual aid agreement or by concurrent

jurisdiction shall be lawfully in charge for the purpose of forbidding entry upon or remaining upon college property while possessing or carrying weapons in violation of these prohibitions.

3. Responsibilities

The Executive Vice President shall be responsible for developing and maintaining procedures that are consistent with this policy and that comply with applicable regulations, policies, and procedures of the Virginia Community College System and the laws and regulations of the Commonwealth of Virginia.

4. Procedures

The presence of any person possessing a weapon on college property or at a college-sponsored event will be reported immediately to TCC Security and to a campus/college official, e.g., campus provost, campus dean of student services, academic dean, or the college's Director of Safety and Security. Upon such notification, the following procedures will be implemented. These procedures do not apply to law-enforcement officers.

4.1. Acts/Threats of Violence

Any act of violence or immediate threat of violence must be reported immediately by calling 911 and then contacting TCC Security – when in doubt, call 911 and the call taker will evaluate the situation to determine an appropriate response.

4.2. Failure to Comply

In the event that a student, employee, or visitor fails to comply with the direction of a person lawfully in charge issued in accordance with the State Board for Community College Weapons Regulation or this policy, the local police will be contacted immediately for assistance in arresting and removing the person from the college property or college-sponsored event.

4.3. Weapon Observed

4.3.1. Non-Threatening

Any person observed to be carrying or possessing a weapon on college grounds who does not appear to be presenting a threat of violence will be approached by college security and asked to identify his/her relationship to the college – i.e., whether he/she is a student, employee, or visitor.

4.3.2. Possession by a Minor

In the event that the person is observed to be carrying a handgun or assault firearm and appears to be under the age of 18 years in the opinion of the college security officer, he/she shall be required to provide

proof of age. If the person refuses to or cannot provide proof of age, he/she shall be directed to depart college property immediately. If the person is under the age of 18, he/she shall be advised that it is unlawful for a minor to possess or transport such a weapon in the Commonwealth, except in the very limited circumstances delineated in the Code of Virginia § 18.2-308.7, none of which pertain on college property. The minor in possession of such a firearm shall be directed to depart college property immediately and a report of the incident filed with the local police.

4.4. Students and Employees

4.4.1. Vehicle Storage

A student or employee desiring to store a handgun, rifle, or shotgun in his/her vehicle while on college property will provide notice of such intent to the college official responsible for the location.¹ This notice shall be provided on the Notice of Intent to Store Firearm Form ([Appendix B](#)) in advance of introducing the weapon onto college property.² In the event that the student or employee desires to store a handgun in his/her vehicle, he/she shall personally deliver the form to the responsible college official and produce his/her concealed handgun permit for inspection by that official. Alternatively, the student or employee may send the Notice of Intent to Store Firearm Form to the responsible college official and attach a copy of his/her concealed handgun permit to the form. The “notice of intent” is not a “request for permission.”

Authorization to store a handgun in a vehicle on campus expires coincident with the expiration of the concealed handgun permit. If the student or employee desires to continue to store a handgun, he/she must submit an updated Notice of Intent to Store Firearm Form to the responsible college official, either producing a valid concealed handgun permit for inspection or attaching the permit to the form as described above.

Where TCC occupies space or offers classes within another entity’s facility, such as military bases/facilities, Old Dominion University’s (ODU) Tri-Cities Center or Virginia Beach Higher Education Center, public or

¹ The campus provost is the responsible official for his/her respective campus and associated off-campus locations. The Vice President for Workforce Development is the official responsible for the college’s Suffolk location (i.e., Regional Workforce Development Center, Central Receiving & Warehouse, District Buildings & Grounds Maintenance Facility, and Truck Driver Training Program facilities). The Executive Vice President is responsible for the Green District Administration Building and its associated parking garage space.

² The public parking garages used by students and employees in downtown Norfolk are not considered “college property.” Parking provided by the college at the Visual Arts Center, including in the County Street Garage, is considered “college property” for this purpose.

private schools, or other locations, the host entity's regulations and/or policies regarding weapons apply. By regulation, ODU does not generally permit weapons to be carried on its property by employees, students, volunteers, and invitees, including TCC students attending class or participating in other college activities.

An employee or student who is under the age of 18 years may not lawfully possess or transport a handgun or assault firearm in the Commonwealth except in the limited circumstances delineated in the Code of Virginia § 18.2-308.7, none of which pertain on college property. Thus, an employee or student who is a minor shall be notified that he/she may not lawfully store such a weapon in his/her vehicle while it is on college property.

4.4.2. Carrying or Possessing on College Property

Any student or employee who is reported or discovered to be carrying or possessing a weapon on college grounds or other property, in a college vehicle, or at a college-sponsored event will be directed to remove it immediately by a campus/college official or security officer. Removal may be accomplished by securely storing the weapon in the student's or employee's vehicle as delineated in section 2.4.2 above. The circumstances and identity of the person will be reported to the campus dean of student services (if the person is a student) or the supervisor (if the person is an employee), the campus provost or other supervising member of the President's Executive Staff, the Director of Safety and Security, and the Executive Vice President.

4.5. Visitors

4.5.1. College Grounds

Any person who has been determined to be a visitor and is observed to be carrying or possessing a weapon on college grounds shall be advised by college security staff that it is unlawful to enter any academic buildings, administrative office buildings, student centers, child care centers, dining facilities, or other places of like kind where people congregate, or to attend any college-sponsored sporting, entertainment, or educational events while carrying or possessing the weapon. He/she shall be further advised that this prohibition is embodied in a lawful regulation of the Virginia Community College System and is without regard to whether he/she holds a concealed handgun permit. The visitor will be advised that failure to comply with this regulation will result in college security contacting local police and requesting that the visitor be arrested.

College security staff shall continue to monitor the visitor's presence on college grounds until such time as he/she departs the grounds or securely stores the weapon in his/her vehicle.

4.5.2. Unlawful Conduct

The foregoing notwithstanding, it is unlawful to point, hold, or brandish any firearm or air- or gas-operated weapon or any object similar in appearance, whether capable of being fired or not, in such a manner as to reasonably induce fear in the mind of another. Further, it is unlawful to hold such a weapon in a public place in such a manner as to reasonably induce fear in the mind of another of being shot or injured. Touching the weapon is not required to violate this section. Rather, the relevant question is whether the weapon is exhibited or exposed with the intent to reasonably induce fear in others. [VCCS Counsel memorandum, "Regulation on Workplace Safety," January 25, 2013]

If, in the opinion of the campus provost or his/her designee or other college official responsible for the location, or college security, the visitor is acting unlawfully, he/she shall be directed to depart college property immediately and a report of the incident filed with the local police.

4.5.3. College Buildings and Events

Any person who has been determined to be a visitor and is observed to be carrying or possessing a weapon in a college academic building, administrative office building, student center, child care center, dining facility, or other place of like kind where people congregate, or while attending any college sporting, entertainment, or educational event shall be directed by college security staff to remove the weapon immediately. Removal may be accomplished by securely storing the weapon in the visitor's vehicle. The visitor shall be advised that this prohibition is embodied in a lawful regulation of the Virginia Community College System and is without regard to whether he/she holds a concealed handgun permit. The visitor will be further advised that failure to comply with this regulation will result in college security contacting local police and requesting that the visitor be arrested.

5. Definitions

Assault Firearm: any (i) semi-automatic centerfire rifle or pistol which expels single or multiple projectiles by action of an explosion of a combustible material and is equipped at the time of the offense with a magazine which will hold more than 20 rounds of ammunition or designed by the manufacturer to accommodate a silencer or equipped with a folding stock or (ii) shotgun with a magazine which will hold more than seven rounds of the longest ammunition for which it is chambered. [Code of Virginia § 18.2-308.7]

Brandish: to exhibit or expose in an ostentatious, shameless, or aggressive manner. [*Morris v. Commonwealth*, 269 Va. 127 (2005)]

College Grounds: any tract of land owned, leased, or controlled by the State Board for Community Colleges for a member college of the Virginia Community College System, or otherwise used by such member college.

College Property: any property owned, leased, or controlled by a member college of the Virginia Community College System and the administrative office of the Virginia Community College System; also includes property leased by third parties on college property, such as dining establishments, bookstores, etc.

Congregate: to collect into a group or crowd; to come together, usually for a specific purpose. ("Therefore, 'congregate' may not be construed to be any place where people might be present. Generally, if a building is a learning, working, or dining area, it is covered by the regulation. Events covered are diverse and include lectures, debates, concerts, games, film festivals, and exhibitions.) [VCCS Counsel memorandum, "Regulation on Workplace Safety," January 25, 2013]

Employee: any person holding full- or part-time employment with a member college of the Virginia Community College System or the administrative office of the Virginia Community College System, employees of contractors or vendors assigned to perform work at Tidewater Community College, any volunteer performing service for Tidewater Community College, and Veterans Affairs work-study students who are working at but not enrolled in courses at Tidewater Community College.

Law-Enforcement Officer: any official appointed pursuant to Article 3 (§ 15.2-1609 et seq.) of Chapter 16 and Chapter 17 (§ 15.2-1700 et seq.) of Title 15.2, Chapter 17 (§ 23-232 et seq.) of Title 23, Chapter 2 (§ 29.1-200 et seq.) of Title 29.1, or Chapter 1 (§ 52-1 et seq.) of Title 52 of the Code of Virginia or sworn federal law-enforcement officers.

Student: any person who is enrolled at a member college of the Virginia Community College System or member institution of the Virginia Tidewater Consortium for Higher Education or any other entity which conducts academic activity on college property; any person who has been admitted to a member college of the Virginia Community College System who is on college property to conduct student-related activity associated with enrollment, including, but not limited to, attending orientation, consulting with academic advisors or counselors, taking placement tests, paying tuition and fees.

Visitor: any individual who is not a student or employee, such as relatives, acquaintances, or strangers.

Weapon: (i) any pistol, revolver, or other weapon designed or intended to propel a missile of any kind by action of an explosion of any combustible material; (ii) any dirk, bowie knife, switchblade knife, ballistic knife, machete, razor, slingshot, spring stick, metal knucks, or blackjack; (iii) any flailing instrument consisting of two or more

rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, nun chuck, nunchaku, shuriken, or fighting chain; (iv) any disc, of whatever configuration, having at least two points or pointed blades which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart; or (v) any weapon of like kind to include, but not limited to, tasers. "Weapon" does not mean knives used for domestic purposes, pen or folding knives with blades less than three inches in length, or knives of like kind carried for use in accordance with the purpose intended by the original seller. [Code of Virginia § 18.2-308]

6. References

[State Board for Community Colleges Weapons Regulation](#)

[VCCS Policy Manual Section 3](#)

[Virginia DHRM Policy 1.60 Standards of Conduct](#)

[Virginia DHRM Policy 1.80 Workplace Violence](#)

7. Review Periodicity and Responsibility

The Executive Vice President shall review this policy annually on the anniversary of its approval and, if necessary, recommend revisions.

8. Effective Date and Approval

This revision of the policy is effective upon its approval by the College President on July 25, 2013.

Policy Approved:

Procedure Developed:

Edna V. Baehre-Kolovani, Ph.D.

Franklin T. Dunn

President

Executive Vice President

9. Review and Revision History

The initial version of this policy was approved September 4, 2007.

- Revision 1 is a complete re-write of the policy to be consistent with VCCS Policy 3.14.6, Workplace Violence Prevention and Threat Assessment Policy Guidelines.

Approved January 13, 2012 by President Deborah M. DiCroce.

- Revision 2 is a complete re-write of the policy to be consistent with the Regulation of Weapons adopted by the State Board for Community College on January 17, 2013.

Approved January 31, 2013 by President Edna V. Baehre-Kolovani.

- Revision 3
 - modifies the provision requiring students and employees desiring to store handguns in their vehicles on college property to provide a copy of their concealed handgun permit;
 - provides that the armed guards of the college's contracted armored transport company may carry their weapons on campus in their vehicle and while transiting to and from the campus business office; and
 - clarifies that the host entity's rules apply in locations where TCC offers classes in facilities owned/controlled by other entities.

Approved July 25, 2013 by President Edna V. Baehre-Kolovani.

APPENDIX A

**STATE BOARD FOR COMMUNITY COLLEGES
Weapons Regulations**

CHAPTER 10
REGULATION OF WEAPONS

8VAC95-10-10. Definitions.

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

"Police officer" means law-enforcement officials appointed pursuant to Article 3 (§ 15.2-1609 et seq.) of Chapter 16 and Chapter 17 (§ 15.2-1700 et seq.) of Title 15.2, Chapter 17 (§ 23-232 et seq.) of Title 23, Chapter 2 (§ 29.1-200 et seq.) of Title 29.1, or Chapter 1 (§ 52-1 et seq.) of Title 52 of the Code of Virginia or sworn federal law-enforcement officers.

"College property" means any property owned, leased, or controlled by a member college of the Virginia Community College System and the administrative office of the Virginia Community College System.

"Weapon" means (i) any pistol, revolver, or other weapon designed or intended to propel a missile of any kind by action of an explosion of any combustible material; (ii) any dirk, bowie knife, switchblade knife, ballistic knife, machete, razor, slingshot, spring stick, metal knucks, or blackjack; (iii) any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, nun chuck, nunchaku, shuriken, or fighting chain; (iv) any disc, of whatever configuration, having at least two points or pointed blades which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart; or (v) any weapon of like kind, to include but not limited to, tasers.

"Weapon" does not mean knives or razors used for domestic purposes, pen or folding knives with blades less than three inches in length, or knives of like kind carried for use in accordance with the purpose intended by the original seller.

8VAC95-10-20. Possession of weapons prohibited.

A. Possession or carrying of any weapon by any person, except a police officer, is prohibited on college property in academic buildings, administrative office buildings, student centers, child care centers, dining facilities and places of like kind where people congregate, or while attending any sporting, entertainment, or educational events. Entry upon the aforementioned college property in violation of this prohibition is expressly forbidden.

B. Any individual in violation of this prohibition will be asked to remove the weapon immediately. Failure to comply may result in a student conduct referral, an employee disciplinary action, or arrest.

8VAC95-10-30. Exceptions to prohibition.

A. The prohibition in 8VAC95-10-20 shall not apply to current sworn and certified local, state, and federal law enforcement officers with proper identification, nor shall it apply to possession of a weapon when stored securely inside the vehicle of properly permitted students and employees.

B. The chief of the college police department or head of security department, or his designee, may authorize in writing a person to possess, store, or use a weapon: (i) when used for educational or artistic instruction, display, parade, or ceremony sponsored or approved by the college (unloaded or disabled only and with other specified safeguards, if appropriate); or (ii) for any college-approved training, course, or class.

8VAC95-10-40. Person lawfully in charge.

Campus police officers or security, and other police officers acting pursuant to a mutual aid agreement or by concurrent jurisdiction, are lawfully in charge for the purposes of forbidding entry upon or remaining upon college property while possessing or carrying weapons in violation of this chapter.

APPENDIX B
TIDEWATER COMMUNITY COLLEGE
NOTICE OF INTENT TO STORE FIREARM FORM

From: _____ SIS/EMPL ID # _____

To: _____
College Official Responsible for Location

I intend to store a firearm in my personal vehicle while on college property at the following location: _____.

The type of firearm is: Handgun (copy of concealed handgun permit produced*)
 Rifle
 Shotgun

I understand that:

- I may not carry or possess any weapon on college property except the firearm(s) identified above which shall be stored securely in my personal vehicle at all times.
- Any firearm stored in a vehicle shall be unloaded and secured in a locked container, which may include the vehicle's glove compartment or trunk.
- The firearm may not be removed from the vehicle nor may the container in which it is stored be unlocked while the vehicle is on college property.
- Failure to provide advance notice of intent to store a firearm in my vehicle or to abide by the stipulations delineated above constitute a violation of college policy and subject me to appropriate sanctions, up to and including dismissal/termination.

Signature: _____ Date: _____

Concealed handgun permit: Attached Produced N/A Expires: _____
(Upon expiration, a valid permit must be produced in order to continue to store a handgun on campus.)

Acknowledged: _____ Date: _____
College Official Responsible for Location

* If the student or employee intends to store a handgun on college property and a copy of his/her concealed handgun permit is not attached to this form, the student or employee must personally produce the permit for the college official responsible for the location. That official's signature affirms that the permit was produced or is attached and its expiration date.