

Meeting No. 1,150

THE MINUTES OF THE BOARD OF REGENTS  
OF  
THE UNIVERSITY OF TEXAS SYSTEM

Pages 1 - 406

July 13, 2016

Austin, Texas

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OF  
THE UNIVERSITY OF TEXAS SYSTEM  
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MEETING NO. 1,150

WEDNESDAY, JULY 13, 2016.--The members of the Board of Regents of The University of Texas System convened at 9:35 a.m. on Wednesday, July 13, 2016, in the Board Room, Ninth Floor, Ashbel Smith Hall, 201 West Seventh Street, Austin, Texas, with the following participation:

ATTENDANCE.--

Present

Chairman Foster  
Vice Chairman Hicks  
Vice Chairman Hildebrand  
Regent Aliseda  
Regent Beck  
Regent Cranberg  
Regent Hall  
Regent Pejovich  
Regent Tucker  
Regent Joseph, Student Regent, nonvoting

In accordance with a notice being duly posted with the Secretary of State and there being a quorum present, Chairman Foster called the meeting to order in Open Session.

WELCOME TO STUDENT REGENT VARUN P. JOSEPH AND CONGRATULATIONS TO MR. PHILLIP B. DENDY, U. T. SYSTEMWIDE CHIEF COMPLIANCE AND RISK OFFICER.--Chairman Foster welcomed Student Regent Varun P. Joseph to his first in-person meeting of the Board of Regents. Regent Joseph is pursuing a Doctor of Dental Surgery degree at The University of Texas Health Science Center at San Antonio. He previously served as Chair of The University of Texas System Student Advisory Council.

Chairman Foster also congratulated Mr. Phillip B. Dendy as the new University of Texas Systemwide Chief Compliance and Risk Officer effective July 1, 2016. Mr. Dendy previously served as the Executive Director of Risk Management for the U. T. System and as Interim Systemwide Compliance Officer.

## AGENDA ITEM

### 1. U. T. System Board of Regents: Approval of Consent Agenda items

Chairman Foster noted the following related to the Consent Agenda:

- Item 3 is the approval of the appointment of Chancellor McRaven as a member of the U.S. Department of Defense Innovation Advisory Board. The Board is asked to make a finding that the Chancellor's service on the Advisory Board is of benefit to the State of Texas and The University of Texas System and that there is no conflict between the position and the System.
- A contract with PricewaterhouseCoopers to provide valuation services for certain investments held on behalf of the U. T. System and System institutions is at Item 6.
- We will defer Items 10 and 11 concerning projects for consideration by the Texas Legislature for Exceptional Item funding until later in the meeting. Chancellor McRaven, Deputy Chancellor Daniel, and Dr. Greenberg recommend the Board consider a request to add a University of Texas Southwestern Medical Center project received yesterday. A summary of that project has been distributed to members of the Board.

The Board then approved the Consent Agenda, with the exception of Items 10 and 11 on Exceptional Item funding for the U. T. System academic and health institutions. Items 10 and 11 were approved later in the meeting prior to adjournment. The Consent Agenda, as revised, is set forth on Pages 386 - 406.

In approving the Consent Agenda, the Board expressly authorized that any contracts or other documents or instruments approved therein may be executed by the appropriate officials of the respective U. T. System institution involved.

RECESS TO EXECUTIVE SESSION.--At 9:41 a.m., the Board recessed to Executive Session pursuant to *Texas Government Code* Sections 551.071, 551.072, 551.073, 551.074, and 551.076 to consider those matters listed on the Executive Session agenda.

RECONVENE IN OPEN SESSION.--The Board reconvened in Open Session at 11:15 a.m. to consider any action on Executive Session items as follows and to consider the following agenda items.

1a. U. T. System Board of Regents: Discussion with Counsel on pending legal issues

No action was taken on this item.

1b. U. T. System Board of Regents: Discussion and appropriate action regarding legal issues concerning implementation of Senate Bill 11 (Campus Carry)

No action was taken on this item.

1c. U. T. System Board of Regents: Discussion and appropriate action regarding legal issues concerning purchasing and procurement, including implementation of Senate Bill 20

No action was taken on this item.

1d. U. T. System Board of Regents: Discussion related to legal issues concerning procedures for addressing complaints under Title IX

No action was taken on this item.

1e. U. T. System Board of Regents: Discussion and appropriate action regarding pending legal issues in *Glass, Moore, and Carter v. State of Texas, University of Texas at Austin, et al.*

No action was taken on this item.

2a. U. T. System: Discussion and appropriate action regarding safety and security issues, including security audits and the deployment of security personnel and devices

No action was taken on this item.

2b. U. T. System Board of Regents: Discussion and appropriate action regarding safety and security issues, including security audits and the deployment of security personnel and devices, regarding implementation of Senate Bill 11 (Campus Carry)

No action was taken on this item.

3. U. T. Rio Grande Valley: Discussion and appropriate action to lease approximately 100,000 square feet of space located at 2300 East Dove Avenue, McAllen, Hidalgo County, Texas, from DHR Real Estate Management, L.L.C., for medical research, educational, and related uses

No action was taken on this item.

- 4a. U. T. Rio Grande Valley: Discussion and appropriate action regarding proposed negotiated gifts with potential naming features

Regent Aliseda moved that the Board authorize the Vice Chancellor for External Relations, the Chancellor or Deputy Chancellor, and the Presidents of The University of Texas Rio Grande Valley, The University of Texas at San Antonio, and The University of Texas Health Science Center at Houston, as appropriate, to conclude negotiations necessary to finalize, approve, and accept gifts and to finalize and execute an agreement with potential naming features for the benefit of the named institutions consistent with the terms and conditions outlined and recommended in Executive Session.

The motion was seconded by Regent Beck and carried unanimously.

- 4b. U. T. San Antonio: Discussion and appropriate action regarding proposed negotiated gifts with potential naming features

See Item 4a above for action taken on this item.

- 4c. U. T. Health Science Center - Houston: Discussion and appropriate action regarding proposed negotiated gifts with potential naming features

See Item 4a above for action taken on this item.

5. U. T. System: Discussion and appropriate action regarding individual personnel matters relating to appointment, employment, evaluation, compensation, assignment, and duties of presidents (academic and health institutions), U. T. System Administration officers (Executive Vice Chancellors and Vice Chancellors), other officers reporting directly to the Board (Chancellor, General Counsel to the Board, and Chief Audit Executive), members of the Board of Regents, and U. T. System and institutional employees

No action was taken on this item.

## AGENDA ITEMS

2. U. T. System: Review and possible action regarding institutional and U. T. System Administration campus carry rules, regulations, and provisions

The presidents of The University of Texas System institutions submitted each institution's rules, regulations, and other provisions regarding the carrying of handguns by license holders on campus for review by the Board of Regents with the recommendation that the Board not amend the provisions in whole or in part. Chancellor McRaven submitted U. T. System Administration's policy regarding the carrying of handguns by license holders at U. T. System Administration for review by the Board, with the recommendation that the Board not amend the provisions in whole or in part.

The rules, regulations, and other provisions are set forth on Pages 9 - 379 as provided to the Board on May 11-12, 2016, with the exception of The University of Texas Rio Grande Valley's policy that contained two minor modifications. The revised policy, distributed to members of the Board at the meeting, is set forth on Pages 107 - 114.

Senate Bill 11, as passed by the 2015 Texas Legislature, requires public universities to create rules allowing for the carrying of handguns by license holders on campus by August 1, 2016. The bill created *Texas Government Code* Section 411.2013, which permits the university presidents to establish reasonable rules, regulations, or other provisions that may not generally prohibit or have the effect of generally prohibiting license holders from carrying a handgun on the institution's campus. Under (d-2) of Section 411.2031, the Board must review the rules not later than the 90th day after the date the rules are established. The Board reviewed and discussed the policies on May 11-12, 2016, but took no action. A two-thirds vote of the full Board is required to amend the rules.

Following Board review, each president and the Chancellor will be responsible for formatting the rules and including the rules in the respective Handbooks of Operating Procedures. The presidents and the Chancellor are required by law to widely distribute the provisions to students, staff, and faculty and must include the rules prominently on the institution's website.

Chairman Foster noted that several requests had been received to address the Board regarding the campus carry policies, and he recognized the following speakers, who addressed primarily The University of Texas at Austin policy:

- Mr. Doug DuBois, Executive Director of the Texas State Rifle Association;
- First Sergeant C. J. Grisham, President of Open Carry Texas;

- Ms. Elyse Aviña, a student at The University of Texas at Austin; and
- Ms. Ana Lopez, also a student at U. T. Austin

Following remarks by Mr. Dubois, Chairman Foster asked if a person carrying a concealed weapon breaks the rules could be subject to criminal violation, and Mr. DuBois replied that if an office occupant has given notice that the office is off premises to conceal carry, and a licensee enters that premise, that is considered a criminal trespass and could be a violation of the law. Noting that concealed licensees are not supposed to divulge that they are carrying a concealed weapon, Mr. DuBois added that if upon entry of an office, the occupant asks if the licensee is carrying to please leave the office, that can be appropriate notice and can be withheld.

Chairman Foster called for any motions on the campus carry policies, and Vice Chairman Hildebrand made the following motion:

Motion by Vice Chairman Hildebrand

In the spirit of assuring the greatest possible safety and compliance, I offer the following motions:

I move that the Board, by a vote of at least two-thirds of the full Board, revise the U. T. Austin policy by removing the requirement that a license holder who carries a semiautomatic handgun on campus must carry it without a chambered round of ammunition.

I further move that the Board delegate to the Chancellor authority to review and determine that the final published campus rules and policies conform to the direction of the Board.

Regent Cranberg seconded the motion, and Chairman Foster called for any discussion. Chairman Foster said he is personally persuaded from the experts he has heard from, that there is more danger involved in moving bullets in and out of the chamber than leaving a gun loaded. He said he believes an empty gun is not a weapon, but an invitation to get oneself hurt, and he would support the motion.

Vice Chairman Hicks said he is also not convinced of the chambered round policy, but he would vote against the amendment in favor of supporting the work of the U. T. Austin Working Group.

Regent Tucker commented that the experts heard from are trained law professionals, and she finds it hard to go against the work of the Working Group. She said she would vote against the motion.

Regent Pejovich said she agrees with the motion, but would vote “no” because it does not address the matter of faculty offices and is incomplete. Chairman Foster encouraged her to consider making a separate motion to address that matter.

Regent Cranberg asked for a clarifying procedure to offer a motion on another aspect of the campus carry policies, and said he will offer his motion after discussion of the chambered round issue.

Regent Aliseda commented that one of the responsibilities of Board members is to look out for the safety and welfare of the students and faculty on each campus, and while he respects the work of the Working Group, he agrees with Chairman Foster that moving a round in and out of the chamber would be dangerous. Regent Beck echoed these comments and said the chambered round issue is a close call, but he would vote in favor of the motion.

Vice Chairman Hildebrand clarified that he offered the motion because the body of evidence received shows that it is inherently safer to not allow guns to be chambered or unchambered on campus. He added that he had removed the faculty office provision from the motion to allow more discussion on that matter, and Chairman Foster agreed that is a separate issue. Noting that the matter of faculty offices is a separate matter, Regent Pejovich said she is persuaded to vote in favor of Vice Chairman Hildebrand’s motion.

Chairman Foster then called for a vote on Vice Chairman Hildebrand’s motion. Vice Chairman Hicks and Regent Tucker voted against the motion, and Vice Chairman Hildebrand, Regent Aliseda, Regent Beck, Regent Cranberg, Regent Hall, Regent Pejovich, and Chairman Foster voted in favor, thus the motion passed the required two-thirds vote.

Regent Hall then made the following motion:

Motion by Regent Hall

I move that the Board, by a vote of at least two-thirds of the full Board, amend the institutional policies regarding concealed handguns on campus to ensure that there are no exclusion zones imposed on license holders within student housing, including dormitories and university-owned or operated apartments. This does not preclude regulations requiring storage or specifying the type of storage within a student residence when the handgun is not being carried by the license holder.

I also move to eliminate the U. T. Austin provision allowing employees to prohibit concealed carry in their individual offices at their discretion.

I further move that the Board delegate to the Chancellor authority to review and determine that the final published campus rules and policies conform to the direction of the Board.

Regent Pejovich seconded the motion. Chairman Foster and Vice Chairmen Hicks and Hildebrand explained why they would not support Regent Hall's motion.

In response to a question from Regent Hall, President Fenves explained that the intent of the policy was that an individual's prohibition of concealed carry in their individual office is a declaration of a gun-free zone, and he agreed to amend the policy to clarify that if necessary. In response to a question from Regent Aliseda, President Fenves stated that based on the work of the Working Group and consultation with counsel, he felt confident that U. T. Austin's policy is within the authority of the University under SB 11 and related statutes and court precedents.

Chairman Foster called for a roll call vote, and Regent Hall and Regent Pejovich voted in favor of the motion, with Vice Chairmen Hicks and Hildebrand, Regent Aliseda, Regent Beck, Regent Cranberg, and Regent Tucker voting against the motion. Regent Hall's motion failed.

Chairman Foster then called on Regent Cranberg for a motion.

Motion by Regent Cranberg

1st reading:

I further move that to provide better clarity as to which areas exclude handguns, protect the privacy of CCL holders, and to assure office occupants that any passed verbal notice is actually effective, the University policy would require a reasonably clear written signage associated with identification of gun-free zones.

Following discussion regarding whether a sign would need to comply with statutory size requirements, Chairman Foster asked Regent Cranberg to repeat his motion to ensure it was correctly captured.

2nd reading:

I further move that to provide better clarity as to which areas exclude handguns, protect the privacy of CCL holders, and to assure office occupants that any passed verbal notice is actually effective, the University policy require a reasonably clear sign be posted in front of such office.

Regent Hall seconded the motion, and President Fenves responded to related questions from Regents Hall, Beck, Cranberg, and Tucker and Vice Chairman Hildebrand.

Chairman Foster called for a roll call vote on Regent Cranberg's motion, and Regent Cranberg, Regent Pejovich, and Regent Hall voted in favor, with the other Board members opposing the motion. The motion failed six to three.



**The University of Texas System  
System Administration Policy**

**Policy: INT184**

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**1. Title**

Carrying of Handguns on a U. T. System Administration Campus

**2. Policy**

Sec. 1 Purpose. This policy governs the carrying of Handguns on a campus of U. T. System Administration as authorized by law, including *Texas Government Code* Section 411.2031, also known as the “Campus Carry Law.”

Sec. 2 Policy Statement. This policy of U. T. System Administration is to comply with Texas and Federal laws governing the carrying of Handguns on a System Administration campus and to maintain a safe and secure work environment in which employees can focus on work with minimal distraction.

Sec. 3 Possession of a Handgun on a System Administration Campus.

3.1 A person may not carry a Handgun on a System Administration campus unless the person holds a valid Handgun License.

3.2 Subject to compliance with this policy and law, a License Holder may carry a Concealed Handgun on a System Administration Campus except in an Exclusion Zone or where otherwise prohibited by state or federal law.

3.3 A License Holder is responsible for safeguarding the person’s Handgun at all time and shall take all necessary precautions to ensure that the Handgun is secured in a manner that is most likely to prevent theft, loss, damage, or misuse.

3.4 A License Holder shall carry the person’s Handgun in a holster that completely covers the trigger and the entire trigger guard

area. The holster must have sufficient tension or grip on the Handgun to retain it in the holster even when subjected to unexpected jostling.

3.5 Except for a Handgun stored in a vehicle as permitted by state law, a License Holder shall keep the Handgun on or about their person at all times. “On or about their person” means the Handgun (and any item such as a purse or backpack in which the Handgun is concealed) must be close at hand and within such distance that, without materially changing position, the License Holder can place a hand on it.

3.6 A License Holder shall conceal the Handgun at all times so that it is not partially or wholly visible to another person. The only exception is that the Handgun may be momentarily visible when in transition from the License Holder’s person to storage in the License Holder’s vehicle.

Sec. 4 Exclusion Zones. Enforcement of an Exclusion Zone requires effective notice to the License Holder. For that purpose, an Exclusion Zone should be demarcated with legally sufficient signage. If appropriate signage is not provided, persons on the premises may instead be provided with a legally sufficient written communication. The text of such a sign or written communication is prescribed by under *Texas Penal Code §30.06*.

Each of the following is an Exclusion Zone:

4.1 Leased Space – Any premises leased to a third party (Lessee) by System Administration (Lessor) from which the Lessee prohibits Handguns as permitted by law.

Any premises leased to System Administration (Lessee) by a third party (Lessor) from which the Lessor has excluded Concealed Handguns as permitted by law.

4.2 U. T. System Aircraft – Any aircraft owned or leased by System Administration that is used for passenger transportation.

Sec. 5 Reporting. A person who observes any violation of this policy should report the violation to The U. T. System Office of the Director of Police (ODOP). A License Holder whose Handgun is lost or stolen on a System Administration Campus shall immediately report the loss or theft to ODOP.

Sec. 6 Disciplinary Action. A System Administration employee who carries a Handgun in violation of this policy is subject to disciplinary action including removal, probation, suspension, dismissal, or termination.

### **3. Definitions**

U.T. System Administration Campus –All land and buildings owned or leased by System for use by System Administration. The term does not include land or buildings governed by the Campus Carry rules of a U. T. System academic or health-related institution.

Concealed Handgun – A Handgun the presence of which is not openly discernible to the ordinary observation of a reasonable person.

Exclusion Zone – Premises of a System Administration Campus where a License Holder may not carry a Concealed Handgun.

Handgun – A firearm that is designed, made, or adapted to be fired with one hand.

Handgun License – A license to carry a Handgun issued under *Texas Government Code* Chapter 411.

License Holder – Anyone with a Handgun License.

Premises – A building or portion of a building. The term does not include any public or private driveway, street, sidewalk or walkway, parking lot, parking garage, or other parking area.

**4. Relevant Federal and State Statutes**

[Texas Government Code § 411.2031, Carrying of Handguns by License Holders on Certain Campuses](#)

[Texas Penal Code § 30.06, Trespass by License Holder with a Concealed Handgun](#)

[Texas Penal Code § 30.07, Trespass by License Holder with an Openly Carried Handgun](#)

[Texas Penal Code § 46.03, Places Weapons Prohibited](#)

[Texas Penal Code § 46.035, Unlawful Carrying of Handguns by License Holder](#)

**5. Relevant System Policies, Procedures, and Forms**

none

**6. System Administration Offices Responsible for Policy**

Office of Risk Management

**7. Dates Approved or Amended**

**8. Contact Information**

Questions or comments about this policy should be directed to:

- [bor@utsystem.edu](mailto:bor@utsystem.edu)



THE UNIVERSITY of TEXAS SYSTEM  
FOURTEEN INSTITUTIONS. UNLIMITED POSSIBILITIES.

Office of the Chancellor  
601 Colorado Street  
Austin, Texas 78701  
512-499-4201  
WWW.UTSYSTEM.EDU

January 11, 2015

MEMORANDUM

To: Chancellor William H. McRaven  
Presidents, The University of Texas System

Dr. Vistasp M. Karbhari

Dr. Gregory L. Fenves

Dr. B. Hobson Wildenthal, *ad interim*

Dr. Diana S. Natalicio

Dr. W. David Watts

Dr. Guy Bailey

Dr. Ricardo Romo

Dr. Rodney H. Mabry

Daniel K. Podolsky, M.D.

David L. Callender, M.D.

Giuseppe N. Colasurdo, M.D.

William L. Henrich, M.D.

Ronald A. DePinho, M.D.

Kirk A Calhoun, M.D.

From: Concealed Carry Working Group

Subject: Recommendations Regarding Concealed Carry on Campuses

**Executive Summary**

The Texas Legislature recently passed Senate Bill 11, which permits license holders to carry concealed handguns in public university buildings beginning August 1, 2016. License holders must be at least 21 years old (unless active duty military or a veteran) and meet certain requirements. The law allows institution presidents to “establish reasonable rules” and to evaluate “the nature of the student population, specific safety considerations, and the uniqueness of the campus environment.” However, a president “may not establish provisions that generally prohibit or have the effect of generally prohibiting license holders from carrying concealed handguns on the campus of the institution.” The provisions established by the president take effect unless amended by the institution’s Board of Regents by not less than a two-thirds vote. Presidents may over time amend an institution’s rules, although amendments are subject to the same potential action by the Board of Regents.

Chancellor William H. McRaven  
Presidents, The University of Texas System  
January 11, 2016

To assist in the implementation process, a working group was formed that consists of at least one representative from each institution and representatives of U. T. System administration. The charge was to discuss the law and its interpretation, share information and perspectives, and develop recommendations for facilities common to many campuses. The guiding principles used by the working group were:

1. Follow the law.
2. Focus on safety.
3. Strive for a campus environment in which students, staff, and faculty can focus on their studies, research, and work with minimal distraction.

Decisions about rules, regulations, and exclusion zones are the responsibility of an institution's president. This report is advisory to presidents. The working group's objective was to facilitate discussion and to assist campus consultative groups and presidents as they evaluate their campus requirements. Recommendations are not intended to constitute a complete list of exclusion zones or areas to be considered by an institution's president.

Existing state laws exclude certain areas from concealed carry including schools, collegiate sporting events, and premises on which school sponsored activities are taking place. No further action appears to be necessary to exclude these from U. T. System campuses. The working group recommends that presidents consider, as a starting point, the following exclusion zones:

1. Areas for which state or federal law, licensing requirements, or contracts require exclusion exclusively at the discretion of state or federal government, or in which handguns are prohibited by an accrediting authority, such as child-care facilities.
2. Patient care areas, including those where mental health care services are provided.
3. Premises in or on which a ticketed sporting event is taking place.
4. Areas in which discharge of a handgun might cause widespread harm, such as laboratories with extremely dangerous chemicals, biologic agents, or explosive agents, or areas with equipment that is incompatible with metallic objects such as magnetic resonance imagining machines.



Chancellor William H. McRaven  
Presidents, The University of Texas System  
January 11, 2016

5. Animal care areas and vivaria in which protocols increase the risk of discharge or contamination of a concealed handgun, or its unanticipated separation from the license holder.

The working group offers comments on other issues that were discussed:

- Mixed use buildings. Buildings may have some excludable space. The decision about whether to exclude the entire building rather than just certain areas should be made on a case-by-case basis considering the practicality of limiting only certain areas.
- Notification. Notification that concealed handguns are not permitted in a building or area must be provided in writing, orally, or with prominent signage. The working group believes that the law ordinarily requires signage at the entrances to areas excluded by an institution (buildings or areas within a building). The working group noted that signage all over the place could create a false impression that concealed carry is common on campus and run counter to the goal of continuing the work of the university with as little distraction as possible.
- Handgun storage. The law does not require institutions to have handgun storage facilities – the law simply requires that a license holder be permitted to carry their handgun on or about their person. Institutions should take note that handgun storage facilities are not required elsewhere in Texas.
- Residential facilities. The law provides that institutions may establish rules for storage of handguns in dormitories or other residential facilities. Some people believe that this language reinforces an opinion that the intent of the law is to permit concealed carry in residential facilities. Others believe that the law empowers presidents to exclude concealed carry without limitation, other than the requirement that the president “may not establish provisions that generally prohibit or have the effect of generally prohibiting license holders from carrying concealed handguns on the campus of the institution.”
- Classrooms. Some people believe that the intent of the law is to allow concealed carry in classrooms (consistent with making concealed carry generally available on a campus). Others believe that the law authorizes presidents to exclude handguns from classrooms based on consideration of “the nature of the student population ... and the uniqueness of the campus environment.” The working group had a range of opinion about these differing perspectives and did not reach consensus.

Chancellor William H. McRaven  
Presidents, The University of Texas System  
January 11, 2016

### Introduction

In the 84<sup>th</sup> Regular Legislative Session, the Texas Legislature passed Senate Bill 11, which allows licensed individuals to carry concealed handguns on public university campuses, effective August 1, 2016. The law defines “campus” as all land and buildings owned or leased by an institution of higher education. By law, a license holder must be at least 21 years old (or be active military or a veteran), be a resident of Texas, meet other requirements such as no record of felony conviction, and be fully qualified under federal and state law to purchase a handgun. Per 18 USC § 922(g), aliens admitted to the U.S. under a nonimmigrant visa are prohibited from possessing, shipping, transporting, or receiving any firearm or ammunition. International students attending universities are typically in the U.S. with non-immigrant visas and therefore ineligible under federal law to possess any firearm or ammunition.

Senate Bill 11 permits institution presidents to exclude certain zones as follows:

*“After consulting with students, staff, and faculty of the institution regarding the nature of the student population, specific safety considerations, and the uniqueness of the campus environment, the president or other chief executive officer of an institution of higher education in this state shall establish reasonable rules, regulations, or other provisions regarding the carrying of concealed handguns by license holders on the campus of the institution or on premises located on the campus of the institution. The president or officer may not establish provisions that generally prohibit or have the effect of generally prohibiting license holders from carrying concealed handguns on the campus of the institution. The president or officer may amend the provisions as necessary for campus safety. The provisions take effect as determined by the president or officer unless subsequently amended by the board of regents or other governing board.”*

To facilitate the establishment of rules by presidents of U. T. System institutions, a working group was formed consisting of at least one representative from each institution and representatives of U. T. System administration (Appendix A). The charge to the working group was to discuss the law and its interpretation, share information and perspectives, and develop recommendations for facilities common to many campuses.



Chancellor William H. McRaven  
Presidents, The University of Texas System  
January 11, 2016

Each institution has unique programs, facilities, and operations. The observations and recommendations presented herein are advisory and are not intended to constitute a complete list of exclusion zones or areas to be considered for exclusion by an institution's president. The working group's objective was to facilitate discussion and to assist presidents as they evaluate their campus requirements.

Decisions about establishment of rules and exclusion zones are the responsibility of institution presidents. Senate Bill 11 requires that an institution's Board of Regents review the provisions established by a president within 90 days of establishment. The institution's Board of Regents may by not less than a two-thirds vote to amend those provisions. Over time, a president may revise rules; such revisions are also subject to amendment by the Board of Regents by not less than a two-thirds vote.

Coordinated and consistent policies, where appropriate, facilitate consistency in enforcement, which benefits both the campuses and holders of licenses to carry a concealed handgun.

### **Guiding Principles**

Three over-arching principles guided the working group:

1. Follow the law.
2. Focus on safety.
3. Strive for a campus environment in which students, staff, and faculty can focus on their studies, research, and work with minimal distraction.

Chancellor William H. McRaven  
Presidents, The University of Texas System  
January 11, 2016

### Locations Excluded by Law or Rule

The Texas Penal Code does not permit firearms and other specific weapons at the following locations relevant to issues of carrying concealed handguns on campuses:

- “on the physical premises of a school ..., any grounds or building on which an activity sponsored by a school ... is being conducted” (46.03(a)(1). The law does not define “school” for these purposes but the working group believes that a reasonable interpretation is pre-K through 12 as the meaning of “school.”
- “on the premises of any government court or offices utilized by the court” (46.03(a)(3)).
- “on the premises where a high school, collegiate, or professional sporting event or interscholastic event is taking place” (46.035(b)(2)).
- “on the premises of a hospital licensed under Chapter 241, Health and Safety Code” (46.035(b)(4)).
- “at any meeting of a government entity” (46.035(c)) “if the meeting is an open meeting subject to Chapter 551, Government Code, and the entity provided notice as required by that chapter” (amendment per HB 910).

The working group believes that because law excludes concealed carry from schools, collegiate sporting events, and school-sponsored activities, no further action is needed to exclude concealed handguns from these already-excluded locations.

As a matter of information, the working group understands that U. T. System hospitals are not licensed under Chapter 241 of the Health and Safety Code. Thus, the exclusion provided by the Texas Penal Code for hospitals is not directly applicable to U. T. System institutions, although by analogy and extension, U. T. System institutions might exclude their hospitals and other patient treatment locations.

There may be certain areas on some campuses where handguns are prohibited by federal law or other licensing requirements. It seems reasonable to provide an exclusion where required by law, licensing rules, or an accrediting authority.

Chancellor William H. McRaven  
Presidents, The University of Texas System  
January 11, 2016

### Recommended Exclusion Zones

The responsibility for establishing exclusion zones rests with an institution's president. The campus advisory groups, U. T. System Administration, and this report are advisory to presidents.

Certain areas are already excluded by law, e.g., schools and activities sponsored by schools, and, thus, apparently need not be specifically identified as exclusion zones by campus presidents. The working group did not attempt to develop a complete list of exclusion zones that institutions might want to consider. The working group recommends that presidents consider the following exclusion zones among others that might be unique to a particular campus:

1. **Areas for which state or federal law, licensing requirements, or contracts require exclusion exclusively at the discretion of the state or federal government, or in which handguns are prohibited by an accrediting authority.** The working group has not attempted to identify all such areas. Certain licensing agencies prohibit handguns, such as for nuclear research reactors. Certain contracts- required for hosting the administration of a college entrance examination- might require no handguns. Perhaps the main example of a type of facility in this category is:
  - **Child-Care Facilities.** Rules of the Texas Department of Family and Protective Services prohibit the possession of firearms on the premises of licensed facilities with before- or after-school care and for licensed child-care centers (40 TAC Secs. 744.2607 and 746.3707). However, because there is no enforcement mechanism in the Penal Code other than possibly suspension or revocation of the child-care center's license, the law may be viewed as not specifically prohibiting the carrying of concealed handguns in such locations. The working group believes that the exclusion of concealed carry on the premises of child-care facilities at U. T. System institutions is sensible and recommends that presidents consider excluding them.



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2. **Areas analogous to state law requirements that prohibit concealed handguns:**
  - **Patient care areas.** Section 46.035(b)(4) of the Penal Code excludes hospitals licensed under Chapter 241 – by analogy and extension, the working group recommends that patient care areas be excluded including hospitals, clinics, and mental health treatment areas. The working group suggests that “patient care area” could be restricted to patients for whom a formal record of treatment is maintained.
  - **Premises in or on which a ticketed sporting event is taking place.** Section 46.035(b)(2) of the Penal Code prohibits concealed handguns at collegiate sporting events. The working group recommends that by analogy and extension, any ticketed sporting event be excluded on U. T. System campuses, whether an intercollegiate event or not.
3. **Areas where discharge of a handgun might cause widespread harm, such as laboratories with extremely dangerous chemicals, biologic agents, or explosive agents, or equipment that is incompatible with metallic objects such as magnetic resonance imaging machines.** Training of concealed handgun license holders on safe use of handguns in such facilities is not practical. Accidental or purposeful discharge of a handgun in such areas could cause grave and catastrophic harm. Handguns are inappropriate in the vicinity of some types of equipment, e.g., magnetic resonance imaging equipment because of the very strong magnetic field present. Exclusion may be appropriate for these areas to ensure campus safety.
4. **Animal care areas and vivaria in which protocols increase the risk of discharge or contamination of a concealed handgun, or its unanticipated separation from the licensed holder.** Some animal care facilities have strict protocols for entering and exiting the facility, including requirements for protective clothing and sterile gloves. Animals may carry viruses and bacteria that can be pathogenic to humans, which may require careful control over objects that are brought into or leave a facility. In large animal care facilities, primates, if present, have the ability to grab and manipulate objects. The many safety risks associated with such facilities give cause to recommend that concealed handguns be excluded.

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### Discussion of Various Topics

Working group discussions touched on many topics of interest. Key elements from these discussions are summarized as follows.

Mixed-Use Buildings. Many buildings have mixed use in terms of potential exclusion zones. The question is: when is the proportion of excluded area sufficiently large to warrant exclusion of the whole building? The working group offers the following observations:

- If a small number of rooms or a small fraction of assignable space in a building is subject to exclusion, only the rooms or areas that qualify for exclusion could be excluded. Appropriate notice such as signage needs to be provided for those rooms or areas that are excluded.
- If a significant fraction of the building in terms of number of rooms or assignable space is subject to exclusion, or if the excludable space is not separable from other space, then as a matter of practicality, the whole building could be excluded. Appropriate notice such as through signage must be provided for the building.
- There is a “gray area” in which the excludable space within a building is neither minimal nor obviously dominant. The decision of whether to exclude the entire building should be made on a case-by-case basis, based on how practical it is to exclude only certain rooms or areas of the building.

Some spaces have mixed use in terms of when space is used for certain purposes. For example, some areas are excluded only when a ticketed sporting event is taking place. Thus, signage indicating exclusion may need to be temporary and removable in some cases.

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Requirement for Holster. Senate Bill 11 authorizes presidents to establish reasonable rules. One concern expressed within the working group is the potential for a handgun to discharge accidentally when carried in a purse or backpack. One requirement that UT Austin is considering that the working group recommends for consideration by all presidents is a safety requirement that could something similar to the following:

- “A license holder who carries a handgun on campus must carry it in a holster that completely covers the trigger and the entire trigger guard area. The holster must have sufficient tension or grip on the handgun to retain it in the holster even when subjected to unexpected jostling.”

The working group believes that SB 11 provides authority for presidents to establish such a requirement, which would minimize the potential for accidental discharge if the handgun is jostled about or if the purse or backpack is dropped.

Notification and Signage. Section 30.06 of the Texas Penal Code describes general requirements for notification where concealed carry is not permitted. The law states that, “a person receives notice if the owner of the property or someone with apparent authority to act for the owner provides notice to the person by oral or written communication.” The written communication must state the following:

- "Pursuant to Section 30.06, Penal Code (trespass by holder of license to carry a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (concealed handgun law), may not enter this property with a concealed handgun".

Written communication may be conveyed in one of two ways:

- A card or other written document that contains the language above, or
- Signage in both Spanish and English displayed in a conspicuous manner clearly visible to the public, with contrasting colors and block letters at least one inch in height.

The best option for informing the public of exclusion at ticketed events such as sporting events might be the printing of exclusion information on the back of the ticket. In situations where an individual must review and sign a form (such as a consent form signed by parents for their children), written notification might be provided on the form.



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No notification is required by statute for schools or school-sponsored activities. License holders are expected to know that these areas are excluded without specific notification.

Oral notification is a permitted means of notification under the law. Although oral notification may be impractical in regards to entry to many areas, there may be certain areas or situations in which oral notification is effective. Moreover, Section 30.06 also criminalizes remaining on property after being advised that concealed handguns are not permitted; that is an example of a situation when oral notice becomes practical.

The working group addressed the question of whether signage is needed on each excluded building or excluded area, or whether a few generic signs at strategic locations would suffice. The prevailing legal opinion is that signage must be on each building or area within a building, in large part because the law requires the signage to state, "... may not enter this property with a concealed handgun." If there were only a few generic signs on campus, "this property" would seem to imply the whole campus. Even if "this property" pointed to specific buildings or areas within a building, the requirements of the law for signage displayed in a "conspicuous manner" with large-block letters seems to require signage at the entrance to excluded buildings or areas within a building.

Residential Facilities. Senate Bill 11 provides that, "An institution of higher education ... may establish rules, regulations, or other provisions concerning the storage of handguns in dormitories or other residential facilities that are owned or leased and operated by the institution and located on the campus of the institution."

On-campus housing takes many forms across U. T. System institutions, including residences in which one or more people live in a single room, multi-room units that may have a common living room area and several bedrooms, and apartments. Students are the dominant occupants of residential facilities, but in some cases faculty and staff members live in university owned or leased residential facilities. Some U. T. System institutions host summer camps for children and house the children in residence halls.

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The working group addressed the question of whether the law permits exclusion of concealed carry in residential facilities. Two opinions were expressed. One opinion is that most legislators who supported SB 11 intended for concealed handguns to be permitted in dormitories and residential facilities, and that the language of the statute allowing storage in residential settings reinforces this view. However, the law also says that presidents may take into account “the nature of the student population, specific safety considerations, and the uniqueness of the campus environment”; thus, if a campus has residential facilities for which exclusion is judged by a president to be appropriate, one might opine that the law permits exclusion.

Because residential facilities cover such a broad spectrum of circumstances across U. T. System institutions, no across-the-board recommendations are offered.

The working group discussed whether an individual could request a roommate who is not a license holder for residential facilities that permit concealed carry. Such a request is problematic because a license holder is not compelled to respond to an inquiry about status as a licensed carrier except when the query comes from a law enforcement officer. The working group suggests that campuses that wish to provide an opportunity for residents to self-select a non-license holder as a roommate be asked to indicate on the residential application form something along the lines of, “I voluntarily disclose that I am not licensed to carry a concealed handgun, and I request a roommate who has made this same voluntary disclosure.”

Handgun Storage Facilities. The law permits license holders to carry their concealed handgun on or about their person, but it does not compel institutions to provide or allow storage of handguns when the licensees do not have the handgun on or about their person. The working group could not identify any legal requirement to provide storage, nor could it identify any restriction on an institution’s authority to prohibit storage. Should an institution choose to permit storage of handguns within university buildings, the establishment of minimum storage requirements is reasonable. If a particular campus chooses to provide for handgun storage, the working group notes that issues of safety, security, accessibility, and privacy will likely need to be addressed.



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Classrooms. The working group discussed the subject of excluding concealed handguns from classrooms. Different schools of thought were expressed. One opinion is that the law intends if not outright requires allowance of concealed carry in classrooms through the requirement that rules may not “have the effect of generally prohibiting license holders from carrying concealed handguns on the campus of the institution.” Meeting this requirement might be a challenge especially if the classroom exclusion is coupled with the exclusion of concealed handguns broadly or in numerous buildings. In addition, several legislators have said that the intent of the law is to allow concealed carry in classrooms.

Some members of the working group expressed the opinion that a president has the latitude and authority to establish rules that prohibit concealed handguns from classrooms. The law allows presidents to establish reasonable rules taking into consideration “the nature of the student population, specific safety considerations, and the uniqueness of the campus environment.” From this point of view, a decision to exclude concealed handguns from classrooms appears to be allowable under the law. Some legislators have expressed the opinion that institution presidents have ultimate authority over campus carry policy, including decisions about classrooms.

The working group members discussed the varying points of view, but did not reach consensus. Ultimately, the decision is up to each institution president, subject to potential amendment by the U. T. System Board of Regents.

The working group members agree that excluding concealed handguns from classrooms would introduce complicating questions such as:

- Is it feasible to exclude classrooms without excluding the entire building that contains classrooms?
- Would exclusion of classrooms have the effect of generally prohibiting license holders from carrying concealed handguns on the campus?
- If classrooms are excluded, must one consider handgun storage lockers for times when students are in class?
- Would the signage that might be required give people the false impression that concealed handguns are widespread on campus and run counter to the objective of striving for a campus environment in which students, staff, and faculty can focus on their studies, research, and work with minimal distraction?

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Leased Space. Senate Bill 11 permits the carry of concealed handguns on the premises of campuses, and defines campus as “all land and buildings owned or leased by an institution of higher education.” The law does not expressly distinguish between property “leased” as a lessor (in which the higher education institution owns the property but leases it to a third party for other uses) or “leased” as a lessee (in which the higher education institution does not own the property but leases it for university use). The common meaning of “campus” would include only the geographic boundaries of the buildings and grounds used for university purposes, and there is no indication of a legislative intent to include property outside those boundaries that is owned by the university but leased to a third party for other uses.

For property within the boundaries of a campus, such as campus bookstore, a lessee may have property rights under the lease. However, in some cases a private entity may not have private property rights, such as might be the case for a food-service provider in a dining hall, because they are an agent of the university providing a service that the university could provide.

There is no indication that the legislature intended the campus carry legislation to override private property rights. In fact, the Senate author of the legislation made the point during debate that private institutions of higher education were given an opt-out because of respect for private property rights. Even for property within the geographic boundaries of a campus, it seems reasonable to conclude that private property rights are paramount. Section 30.06 of the Penal Code allows an entity (other than a governmental entity) to exclude concealed carry by giving notice, usually through signage. In addition, 411.203, Government Code, provides that the licensing statute does not limit the right of a private employer to prohibit concealed carry license holders from carrying on the premises of the business. AG Op. No. DM-363 determined that an employer could restrict the carrying of concealed handguns on property it controls by posting notice.



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The power of the lessee on the campus to exclude concealed handguns is, of course, subject to the terms of the lease. Assuming that the lease is silent on the subject, the working group believes the lessee may have the power to exclude concealed handguns without regard to the exclusion zones adopted by the campus, provided adequate notice is given, for example, via signage. By this same token, if the university leases space from a private entity and that entity wishes concealed carry to be excluded, the president of an institution appears to be on solid ground in establishing the leased space as an exclusion zone on the basis of the preference of the private property owner.

Parking areas are expressly different. Section 46.035 of the Penal Code, by means of defining “premises,” has always permitted licensed concealed carry on public or private parking lots, garages, or other parking areas. Parking facilities are especially important to a licensee because the licensee’s handgun may be stored in a locked vehicle. It appears that SB 11 does not change that, so the private operator of a parking facility on space leased from a university likely lacks the authority to exclude concealed handguns under any circumstances. However, some parking garages have retail space, often leased to a private entity that has nothing to do with parking, such food service. In such situations, where there is no parked car in the leased space, it may be possible to consider exclusion.

Formal Hearing Areas. Section 46.03(a)(3) of the Penal Code excludes “any government court or offices utilized by the court.” By analogy and extension, an institution could exclude any facility used as a hearing room that operates similar to a court, i.e., where an individual or panel is designated under institutional policy to adjudicate the rights or privileges of a student or an employee of the institution. This does not cover a non-hearing environment such as processing of forms or claims. There are many nuances and complications regarding such interpretation, such as what constitutes a formal hearing. The working group recommends that this potential type of exclusion be handled at the institutional level, considering the unique circumstances at each campus. It may help to clarify in an institution’s rules which hearings are excluded for concealed carry.

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Areas in which Sponsored Activities Are Conducted for Persons under 18 years of Age Who Are Not Enrolled at the Institution. Section 46.03(a)(1) of the Penal Code prohibits the carrying of handguns on “any grounds or building on which an activity sponsored by a school ... is being conducted.” All U. T. System institutions host events for school-age children. If the activity is sponsored by a school, the carrying of handguns is automatically excluded per 46.03(a)(1) of the Penal Code. Nothing further is required from an institution to exclude concealed carry for activities sponsored by a school. No specific notification is required under the law, although an institution might consider signage stating something to the effect of, “School-Sponsored Activity in Progress.”

Numerous events occur on campuses that are not sponsored by a school but, rather, are sponsored by the higher education institution or by others. By analogy and extension, events for children sponsored by or conducted in coordination with the institution could be considered for exclusion of concealed handguns. However, institutional discretion will likely be needed to determine which sponsored events rise to a level appropriate for exclusion. Institutions may choose to exclude concealed carry for parents, employees, or volunteers working with the children on a sponsored event while on campus. Exclusion may not be practical for everyone on campus during the transit of children from one location on campus to another, or for informal gatherings such as lunch in a cafeteria.

Sponsored events cover such a broad array of potential activities that no blanket recommendations are appropriate, except as required by law for school sponsored events. The working group recommends that each institution consider possible exclusion for times and locations when non-school-sponsored events are taking place for persons under the age of 18 who are not enrolled on campus.

Temporal Exclusions. Senate Bill 11 allows presidents to establish rules, and these could be for certain times. For example, an area might be excluded only when there is a ticked sporting event. The working group did not discuss broader temporal exclusions, such as during final exam week and would note the significance of notification requirements.

The group briefly discussed the special case of a situation in which a student is not allowed to bring anything into the classroom besides a pencil (no purses, backpacks, hats, etc.) when a test is given. The question raised is: may the institution exclude concealed handguns? No definitive answer was provided, but the issue raised reinforces the unique circumstances of college campuses.



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Reporting Requirements. Senate Bill 11 requires a report to the legislature each even-numbered year that “describes [the institution’s] rules, regulations, or other provisions regarding the carrying of concealed handguns on the campus of the institution; and ... explains the reasons the institution has established those provisions.” The reporting requirements to the legislature appear not to require a building-by-building accounting but, rather, a more general description.

For institutional reports to the Board of Regents regarding exclusion zones, campuses are expected to explain which areas have been excluded and why, and are not expected to provide a building-by-building explanation. Further consideration will be given to guidelines for institutions in reporting to the Board of Regents.

Violations. The working group discussed how to handle violations of concealed carry provisions. If a person is believed to have improperly displayed a handgun or carried a handgun into a location where concealed carry is not permitted, the campus police should be contacted. The question of what further penalties might be permissible was discussed and the following guidance developed:

- The licensing statute, Chapter 411, Government Code, effectively requires that the handgun be “concealed,” meaning that the gun’s presence is “not openly discernable to the ordinary observation of a reasonable person.” Similarly, Section 46.035, Penal Code, on unlawful carry by a licensed holder, prohibits intentional display of the handgun in plain view of another person in a public place as well as possession, whether or not concealed, in specific areas.
- Sections 46.03 and 46.035 address which violations are criminal. Both sections include “state of mind” requirements, and these state of mind requirements vary. Under section 46.03, it is a crime to “intentionally, knowingly, or recklessly” carry a handgun into in a place designated by that section as an exclusion zone (e.g., a pre-K through 12 school). Under section 46.035, however, it is a crime for a license holder to “intentionally” carry a concealed handgun into an area excluded under the rules and regulations established by a university, provided proper notice is given. With regard to the open display of a handgun on campus, section 46.035 makes it a crime for a license holder to “intentionally or knowingly” display the handgun in plain view of another person on a university campus. Texas Penal Code § 6.03 assigns particular meaning to the terms “intentionally,” “knowingly,” and “recklessly.” Under section 46.035, however, license holders do not commit a crime if they mistakenly bring a concealed handgun into an exclusion zone –

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(e.g., if the holder forgot they had the gun with them). As explained below, however, individual institutions may provide that any violation of their concealed carry rules and regulations constitutes a sanctionable offense under their institutional rules.

- Section 411.2031, Government Code, as added by SB 11, expressly authorizes an institution “to establish reasonable rules ... regarding the carrying of concealed handguns by license holders on the campus,” with specific regard to “safety considerations” and “campus safety.” Violations of campus rules about how to carry or store handguns may be acts subject to disciplinary action by an institution.
- Under Section 46.02, Penal Code, which prohibits the carrying of certain weapons “on or about” a person, Texas courts have held that “on or about” includes “the area nearby, close at hand, convenient of access, and within such distance of the party so that, without materially changing his position, the party could get his hand on it” and to include a portfolio or purse [Contreras v. State, 853 S.W. 2d 694 (Tex. App. Houston (1<sup>st</sup> Dist.), 1993)] The working group was not able to identify any cases under Sec. 46.035, Penal Code, that have specifically considered the meaning of “on or about” in the context of that Penal Code provision governing unlawful carry by a concealed handgun holder.
- The following language is offered to campuses for consideration as they establish rules:
  - "License holders bear the responsibility for safeguarding their handguns at all times, and must take all necessary precautions to ensure their handguns are secured in a manner that is most likely to prevent theft, loss, damage or misuse. License holders affiliated with [institution] who fail to use reasonable care in securing their handguns or acts negligently are subject to disciplinary action, up to and including termination or non-renewal of appointment, or dismissal from [institution]."



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- “A license holder fails to use reasonable care when he/she does not exercise the care which a reasonable or prudent person would exercise in similar circumstances, or takes action which a reasonable or prudent person would not take. Failing to secure or control a backpack or purse with a handgun at all times on the [institution’s] campus would be considered a failure to use reasonable care.”

Institutional Rules. Institutions may wish to modify certain institutional rules and procedures in an effort to minimize any ambiguity regarding concealed carry. For example, an institution might exclude concealed carry from a room in which a formal hearing under a specific provision in the code of student discipline and conduct. Such specific provisions might remove any possible ambiguity about whether a certain type of hearing is meant to constitute a formal proceeding for which concealed carry is not allowed.

Communications and Training. Once campus rules are established, there may be an important role for the U. T. System and the campuses to play in sharing information related to communicating to campus communities and training of individuals.

### Concluding Remarks

The members of the concealed carry working group benefited from the sharing of information, discussion of the law and its interpretation, and sharing of best practices taking place at each campus. In developing these recommendations, the working group recognized that the law empowers each institution president to make appropriate provisions. The working group hopes that these observations and recommendations will assist campus presidents.

The working group stands ready to assist the System and institution presidents as needed or desired, and will be happy to answer questions or address additional issues.

DED/jlb

cc: Raymond S. Greenberg, M.D., Ph.D.  
Dr. Steven W. Leslie

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January 11, 2016

## APPENDIX A

### Members of the Concealed Carry Working Group

#### Institutions

- U. T. Arlington: John Hall, Vice President for Administration
- U. T. Austin: Steven Goode, JD, Professor, Law
- U. T. Dallas: Alex Piquero, Professor, Criminology
- U. T. El Paso: Gary Edens, Vice President for Student Affairs
- U. T. Permian Basin: Teresa Sewell, Senior Associate Vice President for Student Affairs
- U. T. Rio Grande Valley: Ben Reyna, Associate Vice President for Security and Campus Affairs
- U. T. San Antonio: Kathy Funk-Baxter, Vice President for Business Affairs, and also Steve Barrera, Chief of Police
- U. T. Tyler: Tammy Cowart, JD, Associate Professor, Business Law
- U. T. Health – Houston: George Stancel, Executive Vice President for Academic and Research Affairs
- U. T. Medical Branch – Galveston: Michael Ainsworth, MD, Vice Dean for Academic Affairs, School of Medicine
- U. T. M. D. Anderson – Max Weber, JD, Associate Vice President and Deputy Chief Compliance Officer
- U. T. San Antonio HSC – Michael Parks, Chief of Police, and Dr. Jacqueline Lee Mok, Vice President for Academic, Faculty, and Student Affairs
- U. T. Southwestern – Charles Ginsburg, MD, Senior Associate Dean
- U. T. Tyler HSC – Robert Cromley, Chief of Police

#### U. T. System Administration

- Committee Chair: David E. Daniel, Deputy Chancellor
- Office of the Chancellor: Jana Pankratz, Executive Director
- Director of Police: Michael Heidingsfield
- Government Relations: Barry McBee, JD, Vice Chancellor and Chief Governmental Relations Officer, and Steve Collins, JD, Associate Vice Chancellor for Government and Special Counsel for Governmental Relations and Special Counsel to the Office of General Counsel
- Board of Regents: Kristy Orr, JD, Associate General Counsel
- Office of General Counsel: Tamra English, JD, Assistant General Counsel
- Office of Academic Affairs: Wanda Mercer, Associate Vice Chancellor
- Office of Health Affairs: Patrick Francis, Associate Vice Chancellor
- Risk Management: Patrick Durbin, Assistant Director, Risk Control
- External Relations: John Morton, Senior Communications Writer





## Draft Policy 12-500

### CONCEALED CARRY AND WEAPONS ON CAMPUS

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#### Contents

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  - II. Policy
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  - VIII. Dates Approved or Amended
  - IX. Contact Information
- 

#### I. **Title**

Concealed Carry and Weapons on Campus

#### II. **Policy**

A. The University of Texas at Arlington is committed to providing a safe and secure learning, working, and living environment. To this end, the University prohibits the use, possession, display or storage of any firearms, other lethal or non-lethal weapons, simulated weapons, explosives, or fireworks on the University campus. Individuals who observe a violation of this policy are required to report the incident immediately to the University of Texas at Arlington Police Department (“UTAPD”) so that it can be documented and properly investigated. UTAPD can be contacted at (817) 272-3003 for emergencies and (817) 272-3381 for non-emergencies. UTAPD will forward potential violations of this policy to the Office of Human Resources or Office of Student Conduct as applicable.

#### B. Exceptions:

1. Licensed peace officers may carry authorized weapons on the University Campus.
2. Within Scope of University Employment or Work. This Policy permits lawful possession, use and storage of Other Lethal and Non-Lethal Weapons, and Fireworks to the extent such possession falls within the scope of a person’s employment at the University. For example, this Policy does not prohibit the authorized possession, use and storage of radioactive materials or rockets in connection with laboratory research, or the authorized possession, use and storage of knives in connection with food preparation or consumption; or the

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authorized use, possession and storage of saws or shearing devices by Facilities Management employees or contractors.

3. Public Ceremonies, Parades and Theatrical Performances. This Policy permits the lawful possession, use and storage of Simulated Firearms or Other Lethal or Non-lethal Weapons by participants in any University-sponsored public ceremony, parade, athletic program, ROTC training, Color Guard Ceremonies or theatrical performance (e.g., stage props), provided that previous permission has been obtained from University Police.
4. Pursuant to Subchapter H, Chapter 411 of the Texas Government Code, individuals licensed by the state to carry a concealed handgun (License Holder) may carry a concealed handgun in approved areas on the University Campus beginning August 1, 2016. The following restrictions will apply:
  - a. This exception applies only to handguns; therefore, rifles and other weapons are still prohibited on the University Campus with the exception of weapons permitted under Section B.1.
  - b. The University will not provide storage for handguns on the University Campus.
  - c. License Holders in University housing must safely secure or store their firearms to prevent tampering or theft in accordance with University housing requirements. Roommates in University Housing may select a preference for a roommate who agrees not to possess a firearm on the University Campus; however, the University will make no guarantee to fulfill any request.
5. Exclusionary areas are set forth in Appendix A. Subchapter H, Chapter 411 of the Texas Government Code gives the presidents of public universities the ability to designate gun-free zones on their campuses. The University has identified exclusionary areas based on applicable laws and regulations, the general makeup of the campus population in those areas, safety considerations, and unique and material characteristics of those areas. The Texas Government Code 411.2031(d-1) and the Texas Penal code 30.06 require notice to be given regarding areas where license holders may not carry. Signage will be provided for these areas, using required wording and format.

C. Training and Awareness

1. In order to improve general campus safety regarding weapons on campus, the University will:
  - a. Maintain a website providing information on the use and prohibition of weapons on campus, including concealed carrying of handguns.

- b. Provide educational materials for students, staff, and faculty regarding active shooter situations.
- c. Post in a number of prominent locations a concise compilation of campus-carry information and FAQs.

D. Violations and Penalties

1. Suspected violations of law are required to be reported to the UTAPD or other law enforcement agencies and may result in criminal penalties. A license holder is bound by state and federal law and may face criminal or civil penalties for violation of those statutes. Violations of law will be investigated by the UTAPD.
2. Reports of staff or faculty violating this policy will be investigated by the Office of Human Resources and individuals subject to discipline, which may include disciplinary actions up to and including termination of employment for employees under the University's Human Resources policies and procedures.
3. Reports of students violating this policy will be investigated by the Office of Student Conduct and individuals subject to discipline under the Code of Student Conduct which may include disciplinary actions up to and including expulsion.
- 4.
5. Violations include, but are not limited to:
  - a. Carrying any weapon on the University Campus, unless specifically allowed by state or federal law or under this policy.
  - b. In compliance with Texas Penal Code 46.035(a-1), a license holder may not carry a partially or wholly visible handgun on the University Campus. Handguns must be carried on the person. Handguns must be in holsters that completely cover the trigger guard area and that can withstand any unexpected movement from jostling, falling, etc.
  - c. Causing an intentional, inadvertent or accidental discharge of a firearm that is not justified in the use of force or deadly force.
  - d. Using, or threatening to use, a weapon in a threatening or hostile manner.
6. Penalties: A person who fails to comply with the rules and the regulations prescribed by the University may be subject to University discipline and may also be in violation of the Texas Penal Code. Alleged violations of the Texas Penal Code will be investigated by UTAPD. Investigations of policy violations and criminal violations may run concurrently or separately. The lack of any finding of criminal activity does not preclude the University from finding a violation of policy.

Persons in violation of any lawful order to remove a weapon or to leave the University Campus are subject to arrest by UTAPD.

- E. Reporting: Not later than September 1st of each even-numbered year, the University shall submit a report to the legislature and appropriate committees that describe all provisions regarding the carrying of concealed handguns on the campus of the institution. The report will contain the rationale for the University's current provisions.

### III. Definitions

**Firearm:** Any device, regardless of its name, that is designed to expel a projectile by the action of an explosion, expansion of gas or escape of gas; any imitation, facsimile, or replica firearm; and any firearm that has been rendered inoperative.

**Fireworks:** Include, but are not limited, to firecrackers, skyrockets, rockets, roman candles, cherry bombs, sparklers, toy cannons or toy guns in which explosive materials are used, fire balloons, or other devices containing any combustible or explosive substance used to propel another object.

**Handgun:** Any firearm that is designed made or adapted to be fired with one hand.

**License Holder:** An individual in possession of a current license issued or recognized by the State of Texas to carry a concealed handgun.

**Simulated Weapon:** Any object made in resemblance of or as a substitute for a Handgun, Firearm, or Other Lethal or Non-Lethal Weapon. Easily identifiable toys, such as brightly colored or clear water guns, are excepted from this Policy. Possession of imitation or replica Firearms on University premises or at University activities or events are prohibited except as specifically authorized by University Police.

**Summer Camp:** A university sanctioned program with specific objectives designated for middle school and/or high school students and which utilizes university facilities that may include housing, dining, classroom, meeting and recreation space.

**University Campus:** All land and buildings owned or leased by the University.

**Other Lethal or Non-Lethal Weapon:** Any object or substance that ordinarily could result in or are readily capable of inflicting a wound, causing injury or incapacitation, including without limitation all firearms, BB guns, air guns, pellet guns, zip guns, paint guns, flare guns, stun guns, clubs, slingshots, blackjacks, artificial knuckles, swords, sabers, daggers, machetes, hatchets, crossbows, longbows, knives of all types (except for knives used as common eating utensils and knives with a blade five and one-half inches or less and designed for personal use) ice picks, nunchucks, throwing stars, batons, nightsticks, billy clubs, and imitations, facsimiles or replicas of all of the above, chemicals such as mace, tear gas, or oleoresin capsicum, but excluding normally available over-the-counter self-defense repellents.

### IV. Relevant Federal and State Statutes

Texas Government Code Chapter 411.

Texas Penal Code Chapter 46

V. **Relevant UT System and Institutional Policies, Procedures, and Forms**

HOP Policy 9 Student Conduct and Discipline

University Procedure 3-27 Discipline and Discharge Policy

University Campus Carry FAQs (pending)

University of Texas at Arlington Police Department Policy and Procedure (pending)

VI. **Who Should Know**

All members of the campus community, including students, staff, faculty, visitors, contractors, prospective students, and the parents of students and prospective students.

VII. **UT Arlington Officer(s) Responsible for Policy**

The Office of Compliance and Legal Affairs

VIII. **Dates Approved or Amended**

Pending

IX. **Contact Information**

All questions regarding this policy should be directed to the Office of Compliance and Legal Affairs.

## APPENDIX A

Areas of the UTA where carrying a concealed handgun is prohibited include the following exclusion zones:

- a. Locations providing counseling and health services, which include the Social Work Building B, Counseling and Psychological Services on the third floor of Ransom Hall, and the Student Health Services Building.
- b. Locations providing childcare for minor children, which include the Transforming Lives Child Development Center.
- c. Locations primarily used for NCAA, UIL or professional sports events, which include the College Park Center, Maverick Stadium, Allan Saxe Field, and Clay Gould Ballpark.
- d. The Testing Services Office located in University Hall.
- e. The Maverick Activities Center (MAC).
- f. The Physical Education Building (PEB)
- g. University-owned residence halls when being used for summer camps.
- h. Designated locations where formal disciplinary and grievance actions are conducted. Specific locations will be identified and designated for these disciplinary and grievance hearings.
- i. Other exclusionary areas may include leased spaces on the University Campus as determined by the lessee, including Centennial Court Apartments, Follet Bookstore, and restaurants/shops/office space in the College Park District.
- j. When a polling place for public elections is located on University premises, the area will be restricted during Election Day and while early voting is in progress.
- k. On a case-by-case basis, any location, or specific time period the University President determines creates a unique situation that poses a threat to the safety of the campus community.

**The University of Texas at Arlington**  
**Senate Bill 11 - Campus Carry Draft Recommendations**

Specific Building/Location	Information/Background	Applicable Laws and Regulations	Makeup of Campus Population	Safety Considerations	Unique Environment
<b>General Policy Recommendations</b>					
No on-Campus Storage for Weapons Will be Provided by UTA	Senate Bill 11 does not require a university to provide storage for firearms. The Texas Government Code requires a handgun be stored in a manner such that a child would not be at risk of accidental injury. The Texas Penal Code provides guidance on acceptable methods to secure a firearm.	Senate Bill 11	All license holders must meet requirements established by the Texas Government Code to obtain their licenses, including training on how to safely store and secure their firearms.	Providing storage increases the time and frequency spent handling a firearm, thus increasing the risk of accidental discharges, ability for others to identify license holders, and possibility of theft of firearms, as storage locations would be generally well-known.	The 1995 Concealed Handgun License legislation and the new open carry legislation provide the foundation for Senate Bill 11. They do not require that storage be provided for license holders.
<b>Recommended as an Exclusionary Area: Locations Providing Counseling and Health Services</b>					
Social Work Building—Complex B	The Center for Clinical Social Work provides behavioral and mental health services/interventions for vulnerable children and adults (including veterans) who are often suffering from PTSD, ADHD, and other mental health challenges. The Center conducts research-based intervention services and diagnosis, and provides individual/group mental health and substance abuse counseling.	The Texas Penal Code provides an exclusion for the carrying of firearms on the premises of hospitals licensed under Chapter 241 of the Texas Health and Safety Code. The Penal Code also prohibits firearms on any grounds or building in which a school-sponsored activity is being conducted.	Services are provided to the public, many of whom are school-age children as the Center contracts with many local independent school districts to serve their students and the students' families. Social workers and social work students provide these services.	Services are provided to children and adults who are experiencing mental and behavioral health problems including stress, anxiety, PTSD, depression, anger issues, ADHD, and substance abuse. Clients can exhibit anger, aggression, abuse, and violence toward the social workers, students, themselves, or others, thus creating concerns for the health and safety of all involved.	Client treatment areas in this location are equivalent to those excluded in the referenced legislation.
Ransom Hall—Third Floor	Counseling and Psychological Services (CAPS) provides services to address mental and behavioral health problems. CAPS also provides counseling and psychotherapy, psychological evaluation and assessment, and other services.	The Texas Penal Code provides an exclusion for the carrying of firearms on the premises of hospitals licensed under Chapter 241 of the Texas Health and Safety Code.	Services are available to all students currently enrolled at UTA and are provided by licensed counselors, social workers, and psychologists.	Services are provided to students who are experiencing mental and behavioral health problems including stress, anxiety, depression, anger issues, and suicidal thoughts. Patients can exhibit anger, aggression, abuse, and violence toward staff or themselves, creating concerns for the health and safety of students, faculty, and staff.	Patient treatment areas in this location are equivalent to those excluded in the referenced legislation.

**The University of Texas at Arlington**  
**Senate Bill 11 - Campus Carry Draft Recommendations**

Specific Building/Location	Information/Background	Applicable Laws and Regulations	Makeup of Campus Population	Safety Considerations	Unique Environment
Health Services Building	Health Services is an ambulatory health care facility that provides primary health care and includes a general medicine clinic, pharmacy, laboratory, radiology department, counseling and psychology services (psychiatry), women's health clinic, immunization clinic, and a health promotion and substance abuse prevention office. Emergency evaluations by psychiatric staff, counseling, and psychological services are also provided.	The Texas Penal Code provides an exclusion for the carrying of firearms on the premises of hospitals licensed under Chapter 241 of the Texas Health and Safety Code.	Services are available to all students currently enrolled at UTA and are provided by psychiatrists, psychiatric nurse practitioners, and psychiatry residents.	Services are provided to students who are experiencing mental and behavioral health problems including stress, anxiety, depression, anger issues, and suicidal thoughts. Patients can exhibit anger, aggression, abuse, and violence toward staff or themselves, creating concerns for the health and safety of students, faculty, and staff.	This location is equivalent to those excluded in the referenced legislation.
<b>Recommended as an Exclusionary Area: Location Providing Childcare for Minor Children</b>					
Transforming Lives Child Development Center	This space is owned by UTA and leased to the Center for Transforming Lives. The Center provides child care services, to include before- and after-school care, at this facility.	The Texas Department of Family and Protective Services prohibits the possession of firearms at licensed child care centers and at facilities with before- or after-school care.	This facility serves small children, from infants to school-age children. The Center serves the public, including children of students, faculty, and staff.	Given the population served, there are significant concerns about a child having the ability to access a firearm.	This location is a state-licensed child care center. Firearms are prohibited by law at this facility.



**The University of Texas at Arlington**  
**Senate Bill 11 - Campus Carry Draft Recommendations**

Specific Building/Location	Information/Background	Applicable Laws and Regulations	Makeup of Campus Population	Safety Considerations	Unique Environment
<b>Recommended as an Exclusionary Area: Locations Primarily Used for NCAA, UIL or Professional Sports Events</b>					
College Park Center (CPC)	This facility is home to NCAA women's volleyball, women's basketball, and men's basketball teams; the WNBA Team—Dallas Wings; and several UIL State spirit competitions.	The Texas Penal Code prohibits a firearm on the premises where a high school, collegiate, or professional sporting event or interscholastic event is taking place.	UTA students, faculty, and staff attend or participate in events and practices, as does the general public.	For safety purposes, the Penal Code, NCAA, WNBA, and UIL all prohibit the possession of weapons at facilities hosting designated events. The majority of events held at this location are NCAA, WNBA, or UIL events or practices.	Large capacity NCAA, professional sports, and UIL events are hosted at this venue. These events require safety and security plans to be in place to provide a safe environment. UTA Police are onsite for most events.
Maverick Stadium	This location is home to NCAA men's and women's track and field teams; hosts numerous UIL football, track and field, and marching band events each year; and is the host site for Texas State Special Olympic Summer Games.	The Texas Penal Code prohibits a firearm on the premises where a high school, collegiate, or professional sporting event or interscholastic event is taking place.	UTA students, faculty, and staff attend or participate in events and practices at the venue, as does the general public. Many high school and other school district students also attend or participate in practices and events.	For safety purposes, the Penal Code, NCAA, and UIL all prohibit the possession of weapons at facilities hosting designated events. The majority of events held at this location are NCAA or UIL events or practices.	Large capacity NCAA and UIL events are hosted at this venue. These events require safety and security plans to be in place to provide a safe environment. UTA Police are onsite for most events.
Allan Saxe Field and Clay Gould Ballpark	These locations are home to NCAA baseball and softball teams. Numerous UIL baseball and softball games also take place here.	The Texas Penal Code prohibits a firearm on the premises where a high school, collegiate, or professional sporting event or interscholastic event is taking place.	UTA students, faculty and staff attend or participate in events and practices at the venue, as does the general public. Many high school and other school district students also attend or participate in practices and events.	For safety purposes, the Penal Code, NCAA, and UIL all prohibit the possession of weapons at facilities hosting designated events. The majority of events held at this location are NCAA or UIL events or practices.	Large capacity NCAA and UIL events are hosted at this venue. These events require safety and security plans to be in place to provide a safe environment. UTA Police are onsite for most events.

**The University of Texas at Arlington**  
**Senate Bill 11 - Campus Carry Draft Recommendations**

Specific Building/Location	Information/Background	Applicable Laws and Regulations	Makeup of Campus Population	Safety Considerations	Unique Environment
<b>Recommended as an Exclusionary Area: Locations with Special or Unique Uses</b>					
Maverick Activities Center (MAC) and Physical Education Building (PEB)	The MAC houses a gymnasium, indoor/outdoor basketball/volleyball courts, raquetball/badminton courts, gameroom, table tennis, climbing wall, locker rooms, classrooms, and offices. Over 1800 intramural sport and sport club competitions, intercollegiate wheelchair basketball competitions, and youth sporting competitions are held at the MAC. The indoor/outdoor swimming pools and classrooms are located in the PEB. High school swim teams regularly use the pools during their season for practices/events.	The Texas Penal Code prohibits a firearm on the premises where a high school, collegiate, or professional sporting event or interscholastic event is taking place. The Government Code requires that license holders carry their firearms on or about their person, and that they cannot display their firearms in plain view of the public.	The locations are available to all UTA students, faculty, and staff. They are also available to the public and are utilized by independent school districts and other organizations that host K-12 events.	For safety purposes, the Penal Code and UIL prohibit the possession of weapons at facilities hosting designated events. Most participants in the various athletic activities would have a difficult time complying with Government Code requirements to keep their firearm on or about their person and concealed from view. Changing in locker rooms would complicate this further and result in exposure of the firearm. It would also require additional handling of the firearm, increasing the possibility of an accidental discharge.	These locations are multi-use facilities, host a range of activities, and serve a diverse population. Many events or activities are governed by the Penal Code, while others are not. It would be impossible to effectively communicate to license holders all situations where they would be in violation of the law, placing them in a position of incurring criminal or administrative sanctions.
Summer Camps (May - August) in University-Owned Residence Halls	Approximately 5,000-6,000 summer camp participants and 250 UTA students reside in on-campus, UTA-owned residence halls during the summer, with many of the summer campers being in grades K-12.	Senate Bill 11 allows a university to establish rules, regulations, or other provisions concerning the storage of handguns in dormitories or other residential facilities that are owned/leased and operated by the institution and located on the campus. The Texas Penal Code prohibits a firearm on the premises where a high school or interscholastic event is taking place.	The majority of summer camp participants are in grades K-12.	During fall and spring semesters, license holders in university-owned housing must have their firearms on or about their person, or they must safely secure or store their firearms to prevent tampering or theft. During the summer semesters, the majority of housing occupants are K-12 students. This population and the activities these minors participate in are the same or similar to those governed by the Penal Code.	UTA Housing and Residence Life will provide UTA summer students residing in a university-owned residence hall housing options where campus carry is allowed.

**The University of Texas at Arlington**  
**Senate Bill 11 - Campus Carry Draft Recommendations**

Specific Building/Location	Information/Background	Applicable Laws and Regulations	Makeup of Campus Population	Safety Considerations	Unique Environment
Single Location (TBD)—Formal Hearings—student conduct, employee disciplinary, faculty and student grievance and appeal	These hearings can be controversial and generate a range of emotions including anger, frustration, irritation, disappointment, resentment, bitterness, and hostility.	Senate Bill 11 allows the University President to identify areas where concealed handguns are prohibited. The Texas Penal Code prohibits firearms on the premises of any government court. Formal disciplinary hearings and grievance actions can be similar to court proceedings.	UTA faculty, staff and students will utilize this location for formal hearings.	Removal or elimination of handguns in an environment that has the potential to become emotionally charged.	Hearing proceedings are not unlike those associated with court hearings, in which handguns are not allowed in accordance with the Texas Penal Code.
The Testing Center—Davis Hall	Testing for admissions, credit by exam, licensing, proficiency, petition for credit, and Texas Success Initiatives. Requirements and policies of many of the testing companies prohibit personal items and/or specifically prohibit weapons in the Testing Center.	Senate Bill 11 allows the University President to identify areas where concealed handguns are prohibited.	Testing is available to UTA students, non-UTA college students, K-12 students, and the general public.	Contractual requirements of the testing companies prohibit personal items and/or specifically prohibit weapons in the Testing Center are the foundation for this recommendation.	Research will continue to explore the policies and requirements of the testing companies. Final recommendations will be made in the near future.

Exemption Process for Unique Situations—Senate Bill 11 allows the University President to identify areas where concealed handguns are prohibited. New dynamics or changes in facility usage, a specific event, temporary circumstances, unique or unforeseen circumstances, case law, and other subtleties may pose a safety threat to students, faculty, staff, or visitors. The University will develop a policy to address these situations or circumstances.

Leased Spaces—The UT System Office of General Counsel's interpretation of "leased spaces" includes leases on the main campus to external parties. Examples include Centennial Court Apartments (CLV), Follett Bookstore, and Shops at College Park. SB 11 defines a campus as all land and buildings owned and leased by an institution of higher education. The Penal Code allows an entity (other than a government agency) to exclude concealed carry by giving sufficient notice. UTA's legal counsel will review current leases to determine the rights afforded to each party.

A roommate selection process for UTA students seeking a non-license holder roommate will be developed for UTA-owned and -operated, on-campus residence halls.

**Handbook of Operating Procedures**  
**The University of Texas at Austin**  
*(Draft)*



**Policy Number:** 8-1060

**Policy Title:** Campus Concealed Carry

**Policy Contents:**

- Policy Statement
- Reason for Policy
- Scope & Audience
- Definitions
- Website (for policy)
- Contacts
- Responsibilities & Procedures
- Forms & Tools
- FAQs
- Related Information
- History

**Effective Date:** August 1, 2016

**Responsible Executive Sponsor:**  
Vice President for University Operations

**Responsible Policy Owner:**  
Associate Vice President for Campus Safety and Security

## Campus Concealed Carry

### I. Policy Statement

The University of Texas at Austin ("University") is committed to providing a safe environment for students, employees, University affiliates, and visitors, and to respecting the right of individuals licensed to carry a handgun in the state of Texas. Individuals licensed to carry may do so on campus except in locations and at activities prohibited by law or by this policy. The carrying of any handgun by an unlicensed person or the open carry of a handgun is not permitted in any place at the University.

### II. Reason for Policy

Texas Government Code, [Section 411.2031](#) entitles license holders (individuals licensed to carry a handgun) to carry concealed handguns on the campus of an institution of higher education. Texas Government Code Section 411.2031 also authorizes the president of a university to enact reasonable rules and regulations regarding the concealed carry of handguns on campus, so long as the rules do not generally prohibit or have the effect of generally prohibiting license holders from carrying concealed handguns on campus. This policy memorializes the rules and regulations enacted by the president regarding the carrying of concealed handguns by license holders on campus or University owned property.

Texas Penal Code, [Section 46.03](#), strictly forbids the open carry of a handgun at institutions of higher education.



### III. Scope & Audience

This policy applies to all students, employees, University affiliates, and visitors of the University while on campus or University owned property. This policy does not apply to commissioned peace officers as defined in Texas Code of Criminal Procedures, [Article 2.12](#).

### IV. Definitions

**Campus:** All land and buildings owned or leased by the University.

**Concealed Carry:** The Texas Department of Public Safety defines a concealed handgun as a handgun not openly discernable to the ordinary observation of a reasonable person.

**Handgun or Pistol:** A handgun is any firearm that is designed, made, or adapted to be fired with one hand. This characteristic differentiates handguns as a general class of firearms from long guns such as rifles and shotguns (which usually can be braced against the shoulder). The most common types of handguns carried by license holders are semi-automatic pistols and to a lesser degree revolvers.

**Formal Hearing:** A formal hearing is a meeting or other proceeding in which a party is pursuing a complaint, charge, grievance, appeal or other administrative process, and the other party is responding to the complaint, charge, grievance, appeal or other administrative process. A hearing officer, administrative officer, committee, hearing panel, or similar administrative body, either during or subsequent to the hearing, decides the outcome or makes recommendations through an official process as outlined in the *Handbook of Operating Procedures*, Institutional Rules on Student Services and Activities, or Regents' Rules.

**License Holder:** A person licensed to carry a handgun under Chapter 411 of the Texas Government Code.

**"On or about their person":** Means a person licensed to carry a handgun must carry a handgun in a manner that the handgun is close enough to the license holder that he or she can reach it without materially changing position.

**Revolver:** A revolver is a repeating handgun which has a revolving cylinder containing multiple chambers and at least one barrel for firing.

**Semi-automatic pistol:** A semi-automatic pistol uses the energy of the fired cartridge to cycle the action of the firearm and advance the next available cartridge into position for firing. One round fires each time the trigger of a semi-automatic pistol is pulled, and it uses a magazine to store and feed rounds into the chamber.

### V. Website (specific to this policy)

<http://www.policies.utexas.edu/policies/hop/8-1060>

**VI. Contacts**

Department	Phone Number	Website
Campus Safety and Security	512-471-5767	<a href="http://www.utexas.edu/campus-life/safety-and-security">http://www.utexas.edu/campus-life/safety-and-security</a>

**VII. Responsibilities & Procedures**

**A. General Safety**

1. Texas Penal Code, [Section 46.035\(a-1\)](#) provides that a license holder may not carry a partially or wholly visible handgun on campus premises or on any University driveway, street, sidewalk or walkway, parking lot, parking garage, or other parking area. License holders who carry a handgun on campus must carry it concealed and on or about their person at all times or secure their handgun in a locked, privately-owned, or leased motor vehicle. The only exception to this policy is for license holders who reside in University Apartments or staff whose employment responsibilities require them to reside in University housing. Only these license holders may store their handgun in a gun safe that meets the requirements set forth in this policy.
2. A license holder who carries a handgun on campus must carry it in a holster that completely covers the trigger and entire trigger guard area. The holster must have sufficient tension or grip on the handgun to retain it in the holster even when subjected to unexpected jostling.
3. A license holder who carries a semi-automatic handgun on campus must carry it without a chambered round of ammunition.
4. Where permitted by this policy, a gun safe used by a license holder must:
  - a. be large enough to fully contain all firearms placed in it and provide for secure storage;
  - b. have exterior walls constructed of a minimum 16-gauge steel;
  - c. have a high-strength locking system consisting of a mechanical or electronic combination or biometric lock, and not a key lock; and
  - d. be physically secured inside the license holder’s residence in a manner which conforms to Division of Housing and Food Service policy.

**B. Housing**

1. The following rules apply to the concealed carry of handguns in University housing.
  - a. with three exceptions, the concealed carry of handguns is prohibited in all on-campus residence halls except for University Apartments. Those exceptions are as follows:
    - i. For on-campus residence halls, the carrying of a concealed handgun by a license holder is permitted in common areas such as lounges, dining areas, and study areas.



- ii. A resident's family member who is a license holder may carry on or about their person while visiting. Residents are also responsible for ensuring their guests comply with all rules and regulations contained in this policy.
    - iii. Staff members whose employment responsibilities require them to be in University housing and are license holders are permitted to carry a concealed handgun on or about their person while present in University housing for business purposes.
  - b. License holders who reside in University Apartments or staff whose employment responsibilities require them to reside in University housing must store their handguns either in a locked, privately-owned or leased motor vehicle, or in a gun safe in the residence that meets the requirements set forth in Section VII(A)(4) of this policy. License holders are also responsible for ensuring their guests comply with all rules and regulations.
2. Housing contracts of the Division of Housing and Food Service provide that a violation of any University rules regarding the carrying or storage of firearms is grounds for termination of the housing contract.

#### C. Offices

1. The occupant of an office to which the occupant has been solely assigned and is not generally open to the public is permitted, at the occupant's discretion, to prohibit the concealed carry of a handgun in that office. An occupant who chooses to exercise this discretion must provide oral notice that the concealed carry of a handgun in the occupant's office is prohibited. In addition, if the occupant's duties ordinarily entail meeting people who may be license holders, the occupant will make reasonable arrangements to meet them in another location.
2. The concealed carry of handguns is prohibited in areas in which formal hearings are being conducted pursuant to the *General Information Catalog* ("GIC"), Chapter 11, Student Discipline and Conduct; Board of Regents' *Rules and Regulations*, Rule 31008 Termination of a Faculty Member; and the Handbook of Operating Procedures ("HOP") HOP 2-2310, Faculty Grievance Procedure, or HOP 5-2420, Policies and Procedures for Discipline and Dismissal of Employees. Notice conforming to Texas Penal Code, [Section 30.06](#) will be provided.
3. To the extent possible, office space within areas where concealed carry is not permitted pursuant to state law or another provision of this policy will be made available on a scheduled basis to faculty and staff who do not have offices to which they are solely assigned. These spaces can be used by faculty or staff preferring to conduct these conferences in a gun-exclusion zone.

#### D. Events

1. The University is often the site of pre-K-12 school-sponsored activities, such as field trips. When a pre-K-12 school-sponsored activities is conducted at a particular locations, the carrying of handguns is prohibited. A sign reading "Pre-K-12 school-sponsored activity in progress" will be posted during these activities.
2. Texas Penal Code, [Section 46.0135\(b\)\(2\)](#) excludes license holders of handguns from carrying a handgun where a high school, collegiate, or professional sporting event or inter-scholastic event is taking place, unless the license holder is a participant in an event where a handgun will be used. Notice will be given for all collegiate sporting events. If possible, for ticketed sporting events this notice will be given by means of a written communication on the back of, or appended to, the ticket. Vendors and others who are permitted to enter the premises without a ticket will be provided written notice through other means.
3. The concealed carry of handguns is prohibited on premises in which a ticketed sporting event is taking place. Notice conforming to Texas Penal Code, Section 30.06 will be provided.
4. Designated individuals who work in a campus program for minors must, as a condition of their participation, agree not to carry a concealed handgun on the grounds or in buildings where the program is conducted. Parents of attendees must also agree, as a condition of their child's participation, not to carry a concealed handgun on the grounds or in buildings where the program is conducted. "Campus Program for Minors" is defined in [HOP 3-1710](#), Youth Protection Program. Notice conforming to Texas Penal Code, Section 30.06 will be provided.

#### E. Patient Care

The concealed carry of handguns is prohibited in patient-care areas, including those areas in which professional mental health services are provided. This prohibition includes not only traditional patient care facilities, but also research labs and other research areas where and when, as part of a research program, patient care is delivered by or under the supervision or direction of a licensed health care provider. Notice conforming to Texas Penal Code, Section 30.06, will be provided.

#### F. Laboratories

1. The concealed carry of handguns is prohibited in areas where the discharge of a firearm might cause great harm, such as laboratories with extremely dangerous chemicals, biologic agents, or explosive agents, and areas with equipment that are incompatible with metallic objects, such as magnetic resonance imaging machines.
2. The concealed carry of handguns is prohibited in animal-research facilities and other animal-care and animal-use locations in which protocols regulating entrance and exit ways create a risk that a concealed handgun will accidentally discharge, be



contaminated, or be separated from a license holder. Notice conforming to Texas Penal Code, Section 30.06 will be provided.

G. Other Exclusion Zones

1. Texas Penal Code, Section 46.03(a)(2) excludes license holders from carrying a handgun on the premises of a polling place on the day of an election or while early voting is in progress. A sign will be posted at any polling place located on campus from the commencement of early voting through Election Day that reads either "Polling Place" or "Vote Here".
2. Texas Penal Code, Section 46.03(a)(3) excludes license holders from carrying a handgun on the premises of any government court or offices utilized by the court, unless pursuant to written regulations or written authorization of the court. A sign will be posted at the entrance to any courtroom and associated offices on campus whenever in use by a federal, state, or local judge for official business.
3. Texas Penal Code, Section 46.035(b)(1) excludes license holders from carrying a handgun in the premise of a business permitted or licensed under designated chapters of the Texas Alcoholic Beverage Code, [Section 104.06](#), if the business derives 51 percent or more of its income from the sale or service of alcoholic beverages for on-premises consumption. Any premise on campus meeting the requirements of Texas Penal Code, Section 46.035(b)(1) will provide notice in accordance with Texas Government Code, Section 411.204.
4. The concealed carry of handguns by license holders is prohibited in areas for which state or federal law, licensing requirements, or contracts require exclusion solely at the discretion of the state or federal government, or are required by a campus accrediting authority. Where appropriate, signage will conform to the overriding federal or state law requirements. Otherwise, notice conforming to Texas Penal Code, Section 30.06 will be provided.
5. The carrying of any firearm, including a concealed handgun carried by a license holder, is prohibited on the UT Tower observation deck and in those immediate areas secured by The University of Texas at Austin Police Department ("UTPD") in advance of any public or private tour. Notice conforming to Texas Penal Code, Section 30.06 will be provided.
6. Gun-exclusion zones created by state law as well as those created by this policy may sometimes comprise only a portion of a building. In some instances, it may not be feasible to exclude concealed handguns only from the designated exclusion zones. The following factors and principles will govern the implementation of these rules and regulations in those buildings in which some, but not all parts are designated as exclusion zones.

Governing factors:

- The percentage of assignable space or rooms in a building that are designated as exclusion zones.
- The extent to which the area(s) designated as exclusion zones are segregable from other areas of the building.
- The extent to which use of the building, and hence its status as an exclusion zone, varies from day-to-day or week-to-week.

Governing principles:

- If a small number of rooms or a small fraction of assignable space in a building is subject to exclusion, only the rooms or areas that qualify for exclusion should be excluded. Appropriate signage must be posted for excluded rooms or areas.
- If a significant fraction of the total building in terms of number of rooms or assignable space is subject to exclusion, or if the excludable space is not segregable from other space, then as a matter of practicality, the whole building will be excluded. Appropriate signage must be posted for any such building.

H. Discipline

1. The University has amended the *General Information Catalog*, Appendix C, [Section 11-404\(a\)](#), General Misconduct of the Institutional Rules on Student Services and Activities; and [HOP 8-1010](#), Prohibition of Campus Violence to provide that causing the accidental discharge of a firearm is conduct subject to disciplinary action.

I. Education

1. The University has developed and posted a Campus Concealed Carry FAQ (refer to Sec. IX).
2. The University has developed training materials particular to the University on responding to an active shooter situation. The material is covered in Compliance Training Module: CW 122: A Safe Workplace; employees and University affiliates are encouraged to complete this module. Students are encouraged to complete training on how to respond to an active shooter situation.
3. The University has developed materials to educate and inform parents of University students and prospective students about campus carry and implementation.

J. Process and Appeal

A student, or a member of the faculty or staff of the University may appeal a decision regarding the implementation of a policy contained herein to the Campus Safety and Security Committee/associate vice president for campus safety and security for consideration. A further appeal of the decision of the Campus Safety and Security Committee/associate vice president for campus safety and security may be made to the



vice president for university operations. The vice president for university operations may approve, reject, or modify the decision in question, or may submit the issue to the Campus Safety and Security Committee/associate vice president for campus safety and security for reconsideration. The decision of the vice president for university operations to approve, reject, or modify a decision is final.

Additional policies or exclusion areas not provided for in this policy will not be the subject of or considered as a matter of appeal. In accordance with Texas Government Code, Section [411.2031](#), the president is authorized to enact reasonable rules and regulations regarding the concealed carry of handguns on campus.

**VIII. Forms & Tools**

None

**IX. Frequently Asked Questions**

<https://campuscarry.utexas.edu/faq>

**X. Related Information**

Texas Government Code, [Section 411.204](#)

Texas Government Code, [Section 411.2031](#) (Senate Bill 11)

Texas Penal Code, [Section 30.06](#)

Texas Penal Code, [Section 46.03\(a\)\(2\)](#)

Texas Penal Code, [Section 46.03\(a\)\(3\)](#)

Texas Penal Code, [Section 46.035\(a-1\)](#)

Texas Penal Code, [Section 46.035\(b\)\(1\)](#)

Texas Penal Code, [Section 46.035\(2\)](#)

Texas Code of Criminal Procedures, [Article 2.12](#)

Board of Regents' [Rule 31008](#) - Termination of a Faculty Member

[HOP 2-2310](#) – Faculty Grievance Procedure

[HOP 3-1710](#) – Youth Protection Program

[HOP 5-2420](#) – Policies and Procedures for Discipline and Dismissal of Employees

[HOP 8-1010](#) – Prohibition of Campus Violence

[General Information Catalog, Appendix C: Institutional Rules on Student Services and Activities](#)

[General Information Catalog, Appendix C, Chapter 11 – Student Discipline and Conduct](#)

[General Information Catalog, Appendix C, Chapter 11, Section 11-404\(a\) – General Misconduct Compliance](#)

Training Module: CW 122: A Safe Workplace

## **XI. History**

Last review date: Month 2016

Next scheduled review date: Month, Year



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The University of Texas at Austin

# Campus Carry Policies and Implementation Strategies

February 17, 2016

## CAMPUS CARRY POLICIES

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### **POLICY STATEMENT | NO. 1**

**License holders who carry a handgun on campus must carry it on or about their person at all times or secure their handgun in a locked, privately-owned or leased motor vehicle. The only exception to this is that license holders who reside in University Apartments or who are staff whose employment responsibilities require them to reside in University housing may store their handguns in a gun safe in accordance with the requirements set forth in Policy Statement No. 17. In compliance with Texas Penal Code §46.035(a-1), a license holder may not carry a partially or wholly visible handgun on campus premises or on any university driveway, street, sidewalk or walkway, parking lot, parking garage, or other parking area.**

**Finding:** This policy is reasonable and intended to increase safety by those carrying handguns. This policy does not have the effect of generally prohibiting license holders from carrying concealed handguns on campus. The adoption of this policy is consistent with current law and is within the authority granted to university presidents.

**Implementation Strategy and Criteria:** The university will implement this policy by providing informational postings in catalogs, advisories, and in training. The university will include this policy in appropriate informational and recruitment materials and websites. Consistent with Policy Statement No. 19, this policy will be included in the Handbook of Operating Procedures and Rules on Student Services and Activities (General Information Catalog).

The meaning of *on or about their person* means that a person may carry a handgun in a manner that the handgun must be close enough to the license holder that he or she can grasp it without materially changing position. This definition will be clearly articulated in all informational postings, advisories, and training.

### **POLICY STATEMENT | NO. 2**

**A license holder who carries a handgun on campus must carry it in a holster that completely covers the trigger and the entire trigger guard area. The holster must have sufficient tension or grip on the handgun to retain it in the holster even when subjected to unexpected jostling.**

**Finding:** This policy is reasonable and intended to increase safety by those carrying handguns and to reduce the possibility of accidental discharges. This policy does not have the effect of generally prohibiting license holders from carrying concealed handguns on campus. The adoption of this policy is within the authority granted to university presidents.

**Implementation Strategy and Criteria:** The university will implement this policy by providing informational postings in catalogs, advisories, and in training. The university will include this policy in appropriate informational and recruitment materials and websites. Consistent with Policy Statement No. 19, this policy will be included in the Handbook of Operating Procedures and Rules on Student Services and Activities (General Information Catalog).

### **POLICY STATEMENT | NO. 3**

**A license holder who carries a semiautomatic handgun on campus must carry it without a chambered round of ammunition.**

**Finding:** This policy is reasonable and designed to reduce the possibility of accidental discharges. Although training and safety features in many semiautomatic handguns may greatly reduce the potential of accidental discharges, there are no requirements in the law that semiautomatic handguns contain these features, and there is no assurance that semiautomatic handguns carried on campus will have these features. This policy, therefore, further reduces the possibility of an accidental discharge while on campus.

Texas Government Code §411.2031(d-1) provides that the president of an institution can adopt reasonable rules, regulations, or other provisions to address specific safety considerations after consultation with the university community. This policy is reasonably designed to address the specific safety concerns related to the accidental discharge of semiautomatic handguns, regardless of the safety features, which were identified by the Campus Carry Policy Working Group. Moreover, this policy does not have the effect of generally prohibiting license holders from carrying concealed handguns on campus. The adoption of this policy is within the authority granted to university presidents.

## CAMPUS CARRY POLICIES

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**Implementation Strategy and Criteria:** The university will implement this policy by providing informational postings in catalogs, advisories, and in training. The university will include this policy in appropriate informational and recruitment materials and websites. Consistent with Policy Statement No. 19, this policy will be included in the Handbook of Operating Procedures and Rules on Student Services and Activities (General Information Catalog).

### **POLICY STATEMENT | NO. 4**

**In its website posting of rules and regulations regarding campus carry, the University should post a list of places that are commonly the site of pre-K-12 school-sponsored activities. When a pre-K-12 school-sponsored activity is being conducted at a particular location, a sign reading “Pre-K-12 school-sponsored activity in progress” should be posted there.**

**Finding:** This policy is reasonable and designed to ensure that handguns are not in areas where children’s activities are taking place. This policy does not have the effect of generally prohibiting license holders from carrying concealed handguns on campus. The adoption of this policy is consistent with Texas Penal Code §46.03(a)(1) and is within the authority granted to university presidents.

**Implementation Strategy and Criteria:** Pre-K-12 school-sponsored programs will be surveyed throughout campus to determine existence of these activities and to ensure appropriate signage at each facility is provided. Each program will ensure appropriate notice is posted and included in websites and other appropriate informational materials.

### **POLICY STATEMENT | NO. 5**

**Texas Penal Code §46.03(a)(2) excludes license holders of handguns from carrying a handgun on premises of a polling place on the day of an election or while early voting is in progress. A sign should be posted at any polling place located on campus from the commencement of early voting through Election Day that reads either “Polling Place” or “Vote Here.”**

**Finding:** This policy is reasonable and designed to ensure that handguns are not in areas where polling is taking place. This policy does not have the effect of generally prohibiting license holders from carrying concealed handguns on campus. The adoption of this policy is consistent with Texas Penal Code §46.03(a)(2) and is within the authority granted to university presidents.

**Implementation Strategy and Criteria:** UT Austin maintains one polling place approved by the Travis County Clerk where these activities take place. The university will post appropriate notice and include statements on the website and in other appropriate informational materials.

### **POLICY STATEMENT | NO. 6**

**Texas Penal Code §46.03(a)(3) excludes license holders of handguns from carrying a handgun on the premises of any government court or offices utilized by the court, unless pursuant to written regulations or written authorization of the court. A sign should be posted at the entrance to a courtroom and associated offices whenever they are being used by a federal, state, or local judge for official business.**

**Finding:** This policy is reasonable and designed to ensure that handguns are not in areas where federal, state, or local judges are conducting official business. This policy does not have the effect of generally prohibiting license holders from carrying concealed handguns on campus. The adoption of this policy is consistent with Texas Penal Code §46.03(a)(3) and is within the authority granted to university presidents.

**Implementation Strategy and Criteria:** UT School of Law maintains one courtroom with associated chambers and offices in the Connally Center for Justice. The university will post appropriate notice and include statements on the website and in other appropriate informational materials.

### **POLICY STATEMENT | NO. 7**

**Texas Penal Code §46.035(b)(1) excludes license holders of handguns from carrying a handgun in the premise of a business that has a permit or license**

## CAMPUS CARRY POLICIES

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issued under designated chapters of the Texas Alcoholic Beverage Code, if the business derives 51 percent or more of its income from the sale or service of alcoholic beverages for on-premises consumption. Any premises on campus that meets the requirements of TPC §46.035(b)(1) must provide notice in accordance with Texas Gov't Code §411.204.

**Finding:** The carrying of handguns in areas where alcohol is consumed presents a significant safety risk. This policy is reasonable and implements the existing law regarding certain areas where alcohol is consumed. This policy does not have the effect of generally prohibiting license holders from carrying concealed handguns on campus. The adoption of this policy is consistent with Texas Penal Code §46.035(b)(1) and is within the authority granted to university presidents.

**Implementation Strategy and Criteria:** There are currently several locations on campus where alcohol is sold and consumed. The university will identify these existing and future locations and provide the required notice.

### **POLICY STATEMENT | NO. 8**

**Texas Penal Code §46.035(b)(2) excludes license holders of handguns from carrying a handgun where a high school, collegiate, or professional sporting event or interscholastic event is taking place, unless the license holder is a participant in the event and a handgun is used in the event. Notice should be given for all collegiate sporting events. If possible, for ticketed sporting events this notice should be given by means of a written communication on the back of, or appended to, the ticket. Vendors and others who are permitted to enter the premises without a ticket should be provided written notice through other means.**

**Finding:** Campus locations where sporting events take place are unique environments that require specific safety considerations. This policy is already recognized under Texas Penal Code §46.035(b)(2). This policy is reasonable and designed to ensure the safety in these unique environments where often large crowds gather and, in certain venues, the sale of alcohol may be approved. This policy does not have the effect of generally prohibiting license holders from carrying

concealed handguns on campus. The adoption of this policy is consistent with existing law and is within the authority granted to university presidents.

**Implementation Strategy and Criteria:** There are many locations on campus where sporting events are undertaken. The university will identify these locations and activities and work with the Athletics Department to provide the required notice. The university will include information and notice in appropriate informational materials and websites.

### **POLICY STATEMENT | NO. 9**

**The concealed carry of handguns should be prohibited in areas for which state or federal law, licensing requirements, or contracts require exclusion exclusively at the discretion of the state or federal government, or are required by a campus accrediting authority. Where appropriate, signage must conform to the overriding federal or state law requirements. Otherwise, notice conforming to Texas Penal Code §30.06 must be provided.**

**Finding:** There are locations on campus where other law, licensing requirements, or contracts under state or federal authority prohibit license holders from carrying a handgun in these locations. These policies are reasonably designed to minimize risk by considering safety, security and other special circumstances unique to those locations. This campus policy does not have the effect of generally prohibiting license holders from carrying concealed handguns on campus. The adoption of this campus policy is consistent with existing state and federal law and is within the authority granted to university presidents.

**Implementation Strategy and Criteria:** There are locations and programs on campus where these activities are undertaken. The university will identify these locations and activities, and provide the required notice. The university will include information and notice in appropriate informational materials and websites.

### **POLICY STATEMENT | NO. 10**

**The concealed carry of handguns should be prohibited in patient-care areas, including those in which professional mental health services are provided.**



## CAMPUS CARRY POLICIES

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**Finding:** The carrying of handguns in patient-care areas, including those in which professional mental health services are provided, presents a significant safety risk to health care providers, patients and others in those patient areas. Campus locations where these activities take place are unique environments that require specific safety considerations. This policy is already recognized under Texas Penal Code §46.035(b)(4) for hospitals licensed under Chapter 241 of the Texas Health and Safety Code. Similarly, this policy is extended to those areas on campus and is reasonable and designed to ensure safety in these similarly unique environments. This policy does not have the effect of generally prohibiting license holders from carrying concealed handguns on campus. The adoption of this policy is within the authority granted to university presidents.

**Implementation Strategy and Criteria:** There are locations on campus where these activities are undertaken. “Patient-care area” under this policy means those locations that involve patients for whom a formal record of treatment is maintained. The campus will identify these locations and activities and provide the required notice. The university will include information and notice in appropriate informational materials and websites.

### **POLICY STATEMENT | NO. 11**

**The concealed carry of handguns should be prohibited on premises in which a ticketed sporting event is taking place.**

**Finding:** Texas Penal Code §46.035(b)(2) prohibits the possession of handguns at high school, collegiate, and professional sporting events. However, the university hosts ticketed sporting events that are collegiate sporting events. Sporting events are unique environments that require specific safety considerations. Similarly, this policy is reasonable and necessary to ensure safety in these unique environments. This policy does not have the effect of generally prohibiting license holders from carrying concealed handguns on campus. The adoption of this policy is within the authority granted to university presidents.

**Implementation Strategy and Criteria:** There are many locations on campus where these ticketed sporting

events take place. The campus will identify these locations and activities, and work to provide the required notice. The campus will include information and notice in appropriate informational materials and websites.

### **POLICY STATEMENT | NO. 12**

**The concealed carry of handguns should be prohibited in areas in which formal hearings are being conducted pursuant to Chapter 11 (Student Discipline and Conduct) of the Institutional Rules on Student Services and Activities (General Information Catalog, App. C); Regents Rule 31008 (Termination of a Faculty Member); Handbook of Operating Procedure 2-2310 (Faculty Grievance Procedure); or Handbook of Operating Procedure 5-2420 (Policies and Procedures for Discipline and Dismissal and Grievance of Employees).**

**Finding:** Texas Penal Code §46.03(a)(3) prohibits the concealed carry of handguns “on the premises of any government court or office utilized by the court.” Existing law designates areas where rights and privileges are being heard and adjudicated as unique environments that require specific safety considerations. Similarly, this policy is reasonable and necessary to ensure safety in these unique environments. This policy does not have the effect of generally prohibiting license holders from carrying concealed handguns on campus. The adoption of this policy is within the authority granted to university presidents.

**Implementation Strategy and Criteria:** There are several locations on campus where these activities are undertaken. The campus will identify activities covered under Chapter 11 (Student Discipline and Conduct) of the Institutional Rules on Student Services and Activities (General Information Catalog, App. C); Regents Rule 31008 (Termination of a Faculty Member); Handbook of Operating Procedure 2-2310 (Faculty Grievance Procedure); or Handbook of Operating Procedure 5-2420 (Policies and Procedures for Discipline and Dismissal and Grievance of Employees) to indicate that such hearings are areas where license holders are prohibited from carrying concealed handguns. The campus will include information and notice in formal hearing notices, appropriate informational materials and websites.

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### **POLICY STATEMENT | NO. 13**

**The concealed carry of handguns should be prohibited in areas where the discharge of a firearm might cause great harm, such as laboratories with extremely dangerous chemicals, biologic agents, or explosive agents, and areas with equipment that is incompatible with metallic objects, such as magnetic resonance imaging machines.**

**Finding:** Handgun license holders are generally not trained on the safe use of weapons in areas where an accidental or intentional discharge might cause great harm such as laboratories with hazardous chemicals, gases, or biological agents. Such a discharge of a weapon could have grave and catastrophic consequences. Moreover, handguns are inappropriate in the vicinity of some types of equipment, such as equipment containing powerful magnets. This policy is reasonable and addresses specific safety considerations necessary to ensure safety in these unique environments. This policy does not have the effect of generally prohibiting license holders from carrying concealed handguns on campus. The adoption of this policy is within the authority granted to university presidents.

**Implementation Strategy and Criteria:** There are many locations and activities on campus that require these specific safety considerations. The campus will identify and prohibit the carrying of concealed handguns from these areas. The campus will provide the required notice along with information in appropriate materials and websites.

### **POLICY STATEMENT | NO. 14**

**The concealed carry of handguns should be prohibited in animal-research facilities and other animal-care and animal-use locations in which protocols regulating ingress and egress create a risk that a concealed handgun will accidentally discharge, be contaminated, or be separated from a license holder.**

**Finding:** Because of the unique and particularly sensitive environments under which research involving animals is undertaken, animal research, care and use areas have strict protocols for entering and exiting these facilities, including clothing and other protective requirements. Compliance with these protocols may

increase risks of weapon discharge, contamination or unanticipated separation of a handgun from the license holder. As such, handguns are inappropriate in these specialized facilities. This policy is reasonable and addresses specific safety considerations necessary to ensure safety in these unique environments. This policy does not have the effect of generally prohibiting license holders from carrying concealed handguns on campus. The adoption of this policy is within the authority granted to university presidents.

**Implementation Strategy and Criteria:** There are several animal-research locations on campus that require these specific safety considerations. The campus will identify and prohibit the carrying of concealed handguns from these areas. The campus will provide the required notice along with information in appropriate materials and websites.

### **POLICY STATEMENT | NO. 15**

**Counselors, staff, and volunteers who work in a campus program for minors must, as a condition of their participation, agree not to carry a concealed handgun on the grounds or in buildings where the program is conducted. Parents of attendees must also agree, as a condition of their child's participation, not to carry a concealed handgun on the grounds or in buildings where the program is conducted. "Campus program for minors" is defined in HOP 3-1710.**

**Finding:** Texas Penal Code §46.03(a)(1) prohibits the concealed carry of handguns in pre-K-12 schools and on the grounds or in buildings where a school-sponsored activity is being conducted. The carrying of handguns in areas where children under the age of 18 participate in a campus program for minors presents similar safety concerns. Because of this, campus locations where these activities take place are unique environments that require specific safety considerations. This policy is extended to those areas on campus, is reasonable and designed to ensure safety in these unique environments. This policy does not have the effect of generally prohibiting license holders from carrying concealed handguns on campus. The adoption of this policy is within the authority granted to university presidents.

**Implementation Strategy and Criteria:** Because of the nature of the locations where each of these

## CAMPUS CARRY POLICIES

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activities is undertaken, signage providing notice may be impractical. The campus will work with the Office Compliance Services Youth Protection Program Manager to identify these programs and notice be accomplished by means of contractual arrangements with persons most likely to be in contact with the minor participants. HOP 3-1710 defines “campus program for minors” as “[a]ny program or camp held on University premises that offers recreational, athletic, religious, or educational activities to minors, or one that is University sponsored. This excludes programs for University-enrolled students under the age of 18.” The campus will include information and notice in appropriate informational materials and websites.

### **POLICY STATEMENT | NO. 16**

The following rules should apply to the concealed carry of handguns in University housing.

- (a) With three exceptions, the concealed carry of handguns should be prohibited in all on-campus residence halls. The concealed carry of handguns should, however, be permitted in University Apartments.
- (b) The first exception for on-campus residence halls is that the concealed carry of handguns should be permitted in common areas such as lounges, dining areas, and study areas. The second exception is that a resident’s family members should be permitted to carry a concealed handgun on or about their person while visiting. The third exception is that staff members whose employment responsibilities require them to be in University housing should be permitted to carry a concealed handgun on or about their person while present in University housing for business purposes.
- (c) License holders who reside in University Apartments or who are staff whose employment responsibilities require them to reside in University housing must store their handguns either in a locked, privately-owned or leased motor vehicle or in a gun safe that meets the requirements set forth in Policy Statement No. 17. License holders are also responsible for ensuring that their guests comply with all such rules and regulations.

**Finding:** UT Austin’s residence halls are unique with a large number of students under the age of 21 residing in shared space. The characteristic that all of on-campus residence halls share bedrooms presents a special danger that accidental loss, theft, or misuse by roommates or others that is an unacceptably high risk. The nature of the student population in residence halls requires specific safety consideration for on-campus residence halls. An overwhelming majority of students reside in off-campus facilities, especially those who are at least 21 years old, the minimum age for a person to obtain a license to carry.

Texas Gov’t Code §411.2031(3)(d) allows universities to establish rules regarding the storage of handguns in university residence halls and housing. This policy is such a rule in that it regulates where and how handguns may be stored in some housing and prohibits storage in other housing. The policy provides for exceptions that permit license holders to carry or store handguns in certain housing, such as University Apartments. Because most students do not reside in on-campus residence halls and these broad exceptions, this policy does not have the effect of generally prohibiting license holders from carrying concealed handguns on campus. The adoption of this policy is within the authority granted to university presidents.

**Implementation Strategy and Criteria:** The campus will work with the Division of Housing and Food Service to identify the on-campus residence hall areas to which this policy applies and define the public areas and circumstances where license holders will be permitted to carry a concealed handgun. The campus will include information and notice in appropriate informational materials and websites and update housing contracts to reflect these policies.

### **POLICY STATEMENT | NO. 17**

A gun safe that is used by a license holder must:

- (a) be large enough to fully contain all firearms placed in it and provide for secure storage;
- (b) have exterior walls constructed of a minimum 16-gauge steel;
- (c) have a high-strength locking system consisting of a mechanical or electronic combination or biometric lock, and not a key lock; and

## CAMPUS CARRY POLICIES

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**(d) be physically secured inside the license holder's residence in a manner that conforms to Division of Housing and Food Service policy.**

**Finding:** Properly securing handguns is critical to campus safety and security. This policy is designed to ensure that an unattended handgun is securely stored. Texas Gov't Code §411.2031(3)(d) allows universities to establish rules regarding the storage of handguns in university residence halls and housing, and this policy is such a regulation.

This policy does not have the effect of generally prohibiting license holders from carrying concealed handguns on campus. The adoption of this policy is consistent with existing law and is within the authority granted to university presidents.

**Implementation Strategy and Criteria:** The campus will work with the Division of Housing and Food Services to develop policies for the acquisition and use of gun safes consistent with this policy. The campus will include information and notice in appropriate informational materials and websites and update housing contracts to reflect these policies.

### **POLICY STATEMENT | NO. 18**

**The occupant of an office to which the occupant has been solely assigned and that is not generally open to the public should be permitted, at the occupant's discretion, to prohibit the concealed carry of a handgun in that office. An occupant who chooses to exercise this discretion must provide oral notice that the concealed carry of a handgun in the occupant's office is prohibited. In addition, if the occupant's duties ordinarily entail meeting people who may be license holders, the occupant must make reasonable arrangements to meet them in another location at a convenient time.**

**Finding:** Traditionally, the occupant of an office is vested with substantial control over his or her space if the occupant has been solely assigned to that office and the space is not generally open to the public. This situation already exists in many offices on campus, so it is appropriate to continue this practice for faculty members, students and staffers solely assigned an office.

This policy is designed to preserve the uniqueness of the campus environment and to address specific safety considerations expressed by faculty members, staffers and students. Faculty, staff and student offices have traditionally been places where members of the university community can have open dialogue on academic, research, performance or disciplinary matters. With the introduction of handguns into these environments, many faculty members, students and staffers have expressed concerns that permitting the carrying of handguns in offices will inhibit open dialogue especially when discussing difficult and sensitive issues with peers, students and others. Others have expressed the belief that introducing handguns into environments where matters of performance or discipline are discussed may heighten the risk of gun violence. Permitting the occupant with sole control over an office to limit access will preserve what many consider crucial to the uniqueness of the campus environment.

This policy does not have the effect of generally prohibiting license holders from carrying concealed handguns on campus. The adoption of this policy is consistent with existing law and is within the authority granted to university presidents.

**Implementation Strategy and Criteria:** The campus will develop a practice guide for the implementation of this policy. The guide will include that for an occupant of an office who elects to exclude a person with a concealed handgun from that office, notice be given verbally and reasonable arrangements made to meet the license holder in another location.

### **POLICY STATEMENT | NO. 19**

**The University should amend Sec. 11-404(a) (Student Discipline and Conduct – General Misconduct) of the Institutional Rules on Student Services and Activities (General Information Catalog, App. C); Handbook of Operating Procedure 5-2420(III)(B) (Policies and Procedures for Discipline and Dismissal and Grievance of Employees – Conduct Which is Subject to Disciplinary Action); and Handbook of Operating Procedure 8-1010(I) (B) (Prohibition of Campus Violence) to provide that causing the accidental discharge of a firearm is conduct subject to disciplinary action.**

## CAMPUS CARRY POLICIES

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**Finding:** The foregoing policy statements are designed to comply with the law while also providing for campus safety and security by reducing the possibility of accidental discharge. The purpose of this policy is that anyone who causes the accidental discharge of a handgun may be subject to university discipline.

This policy does not have the effect of generally prohibiting license holders from carrying concealed handguns on campus. The adoption of this policy is consistent with existing law and is within the authority granted to university presidents.

**Implementation Strategy and Criteria:** The campus will amend codes of conduct, catalogs, and operating procedures consistent with this policy. The campus will provide information and notice in appropriate informational materials and websites.

### POLICY STATEMENT | NO. 20

The Division of Housing and Food Service should include in its housing contracts that violation of any University rules regarding the carrying or storage of firearms in University housing is grounds for terminating the housing contract.

**Finding:** Compliance with housing policies will further provide for safety and security in university housing. This policy is designed to make certain that a housing contract holder's violation of any rule regarding the carrying or storing of a firearm in university housing may result in termination of the housing contract.

This policy does not have the effect of generally prohibiting license holders from carrying concealed handguns on campus. The adoption of this policy is consistent with existing law and is within the authority granted to university presidents.

**Implementation Strategy and Criteria:** The campus will work with the Division of Housing and Food Service to amend housing contracts to reflect this policy. The campus will provide information and notice in appropriate informational materials and websites.

### POLICY STATEMENT | NO. 21

Exclusion zones created by TPC §§46.03 and 46.035 as well as by the rules and regulations enacted under S.B. 11 may sometimes comprise only a portion of a building. In some instances it may not be feasible to exclude concealed handguns only from the designated exclusion zones. The following factors and principles should govern the implementation of these rules and regulations in those buildings in which some, but not all parts are designated as exclusion zones.

#### Governing factors:

- The percentage of assignable space or rooms in a building that are designated as exclusion zones.
- The extent to which the area (or areas) designated as exclusion zones are segregable from other areas of the building.
- The extent to which use of the building, and hence its status as an exclusion zone, varies from day-to-day or week-to-week.

#### Governing principles:

- If a small number of rooms or a small fraction of assignable space in a building is subject to exclusion, only the rooms or areas that qualify for exclusion should be excluded. Appropriate signage needs to be posted for rooms or areas that are excluded.
- If a significant fraction of the total building in terms of number of rooms or assignable space is subject to exclusion, or if the excludable space is not segregable from other space, then as a matter of practicality, the whole building should be excluded. Appropriate signage needs to be posted for any such building.

**Finding:** The campus consists of many mixed-use facilities with complex functions and use patterns. Developing a formulaic or categorical policy could not ensure compliance with the law and take full account of the uniqueness of the campus environment. This policy is designed to provide a practical approach to determine exclusion policies in mixed-use facilities.



## CAMPUS CARRY POLICIES

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This policy does not have the effect of generally prohibiting license holders from carrying concealed handguns on campus. The adoption of this policy is consistent with existing law and is within the authority granted to university presidents.

**Implementation Strategy and Criteria:** The campus will consider mixed-use buildings on a case-by-case basis, but under no circumstances will the implementation of a rule or regulation have the general effect of prohibiting license holders from carrying concealed handguns on campus. The campus will provide information and notice in appropriate informational materials and websites.

### **POLICY STATEMENT | NO. 22**

**The University should develop training materials particular to UT Austin on how to respond to an active shooter situation. These should be incorporated in the CW 122: A Safe Workplace training module, and all faculty and staff should be required to complete this module. All students should also be required to complete training on how to respond to an active shooter situation.**

**Finding:** While gun violence in schools and college campuses occurs at an alarming frequency, the introduction of handguns to university buildings further complicates active shooter situations and especially a law enforcement response. This policy is designed to provide students, faculty members and staffers with training on how to respond to an active shooter situation.

This policy does not have the effect of generally prohibiting license holders from carrying concealed handguns on campus. The adoption of this policy is consistent with existing law and is within the authority granted to university presidents.

**Implementation Strategy and Criteria:** The campus will work with the UT Police Department and others to develop training materials and procedures particular to UT Austin on how to respond to an active shooter situation. All faculty members, staffers and students will be required to complete the training.

The UT Police Department, in collaboration with other law enforcement agencies, will review its active shooter

response protocols to take into account the possibility that license holders of concealed handguns may be present in university buildings during active situations.

### **POLICY STATEMENT | NO. 23**

**The University should develop and post in a prominent place a detailed Campus Carry FAQ.**

**Finding:** The change in law permitting license holders to carry a concealed handgun in university buildings poses many questions that will face members of the university community. Detailed, comprehensive and accurate information is important for those in the university community to understand the law and how it affects daily activities on campus. This policy is intended to provide students, faculty members and staffers access to information about the relevant law and campus policies and procedures.

This policy does not have the effect of generally prohibiting license holders from carrying concealed handguns on campus. The adoption of this policy is consistent with existing law and is within the authority granted to university presidents.

**Implementation Strategy and Criteria:** The campus will develop and make readily available a detailed list of frequently asked questions (FAQ) about campus carry. The FAQ will be posted on campus websites and updated as necessary to ensure relevancy.

### **POLICY STATEMENT | NO. 24**

**The University should develop materials to educate and inform parents of UT students and prospective students about campus carry and how it is being implemented.**

**Finding:** The change in law permitting license holders to carry a concealed handgun in university buildings is of great interest to parents of students and prospective students. This policy is intended to provide parents and prospective students with information about campus carry and how it is being implemented on the UT Austin campus.

This policy does not have the effect of generally prohibiting license holders from carrying concealed



## CAMPUS CARRY POLICIES

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handguns on campus. The adoption of this policy is consistent with existing law and is within the authority granted to university presidents.

**Implementation Strategy and Criteria:** The campus will work with the UT Office of Admissions and the Texas Parents Association to develop these materials. These materials will be made available in appropriate informational materials and websites.

### **POLICY STATEMENT | NO. 25**

**To the extent possible, office space within gun-exclusion zones should be made available on a scheduled basis to faculty and staff who do not have offices to which they are solely assigned. These spaces can be used for conferences that faculty or staff would prefer to conduct in a gun-exclusion zone.**

**Finding:** Faculty members and staffers often are faced with conducting difficult and sensitive meetings with peers, students and others. The presence of a handgun in those situations may exacerbate anxieties and tensions for those involved in those meetings. This policy addresses significant concerns raised by faculty members and staffers through the Working Group process by making suitable office space, in an already designated gun-exclusion area, available to faculty members and staffers not having offices to which they are solely assigned.

This policy does not have the effect of generally prohibiting license holders from carrying concealed handguns on campus. The adoption of this policy is consistent with existing law and is within the authority granted to university presidents.

**Implementation Strategy and Criteria:** The campus will work to identify locations on campus where handguns are excluded by other law or policy where office space is suitable and available for use for this purpose. The campus will develop use policies and scheduling procedures to ensure usage is temporary and limited. A location identified for this purpose cannot be the primary basis for a gun-exclusion zone. These materials will be made available in appropriate informational materials and websites.

## UT DALLAS POLICY

**Title:** Carry of Concealed Handguns

### **Policy**

#### Sec. 1 General Policy Statement

Senate Bill 11 (SB 11) of the 84th Texas Legislature permits individuals holding concealed handgun licenses to carry their weapons onto the campus and into the general buildings of the publicly governed institutions of higher education in Texas. The fundamental goals of this policy are to ensure compliance with the spirit and letter of SB 11 in a manner consistent with other relevant laws, and to ensure the continuation of the current calm, constructive and positive social and intellectual environment that characterizes UT Dallas.

#### Sec. 2 Applicability

This policy applies to all persons on property owned or leased by UT Dallas and goes into effect on August 1, 2016.

#### Sec. 3 Responsibilities of Individuals Carrying Concealed Handguns

Sec. 3.1 Concealment. The licensed carrier of a handgun must ensure that a casual observer be unable to notice or detect that a handgun is being carried. This is a fundamental aspect of the law and of our recommended policy. Individuals who violate the condition of concealment at any time, either by deliberately or inadvertently allowing their handgun to be seen or by letting its presence be noticeable by inadequate concealment, aka “printing,” are in violation of this policy and may be subject to discipline.

Sec. 3.2 Security. The licensed carrier is responsible for maintaining complete practical control of the handgun at all times, so that it is either on the licensee’s person or is immediately accessible from a purse or other analogous personal accessory that is continually under the direct control of the licensee. The only alternative to these conditions is that a gun be stored appropriately, as required in Section 3.4.

Sec. 3.3 Safety. The handgun must be carried in a holster that completely covers the trigger and trigger guard area and provides sufficient adhesion on the gun so that the gun will not fall out of the holster when the gun or the carrier is subject to abrupt motions or impacts.

Sec. 3.4 Storage. The university will make no provisions for storage of handguns. Licensed carriers must have their weapons on their persons constantly or have them stored in a securely locked personal vehicle or, if they are resident in a university-owned apartment, stored in an approved storage locker.

#### Sec. 4 Consistency with other Laws

The operations of the university are dynamic and fluid. In most instances, buildings and rooms have different utilizations at different hours, days, weeks and semesters. It is incumbent upon

## UT DALLAS POLICY

licensed carriers to be informed and cognizant about the many restrictions and limitations that various laws impose upon the unrestricted carrying of concealed weapons in various situations, and that licensed carriers rigorously adhere to these conditions without being guided constantly by impractical or intrusive warnings. Some of the most important of these restrictions include:

- a. Presence of School Children. The nature of our university is that school children can and will appear at unscheduled times in any almost any location, whether in groups of escorted tours, as subjects of study or treatment, in transit to childcare areas, or as visitors, alone or with families. There is no practical way to warn about or to demark areas of campus where such occurrences will or will not happen. Licensed carriers should avoid areas in which school children are present as prescribed by their training and existing law.
- b. Sporting Events. The carrying of concealed weapons is prohibited at intermural, intramural, and club sporting events held on UT Dallas premises, whether held under the sponsorship of UT Dallas or of some external organization, and whether the event is ticketed or not. This prohibition is in accord with the Texas Penal Code §46.035(b)(2). This prohibition will be noted on the tickets for ticketed events.
- c. Patient Care Facilities. Various rooms and areas of university buildings function as facilities for consulting with and treating patients. Consistent with Texas Penal Code §46.035(b)(4), these areas will be marked clearly to designate their functions, and individuals carrying concealed weapons will be excluded from them.
- d. Hearing Facilities. Various rooms and areas of university buildings function from time to time as facilities for disciplinary hearings or for mediation sessions. When so used, these areas will be marked clearly to designate their functions, and it is incumbent upon the individuals carrying concealed weapons not to enter these areas.

### Sec. 5 Exclusion Zones

The essential core facilities of the university, including classrooms, multi-person administrative offices, individual faculty offices, libraries, and advisement and testing facilities, will all be accessible to individuals carrying concealed weapons in accord with their licenses and the law.

Various laws pertaining to concealed handguns make their presence in some university facilities intrinsically inappropriate or illegal. These facilities shall be designated as “exclusion zones.” For these buildings, entry will be forbidden to students, employees, and visitors who are carrying concealed handguns. Notice conforming to Texas Penal Code §30.06 will be provided for these “exclusion zones” as appropriate.

- a. Callier Center-Dallas and Callier Center-Richardson. The predominant mission of the Callier Center is to assist and improve the functioning of pre-school and school-age children with challenges of speech, hearing, and behavior. Since licensed concealed handguns are not permitted in the vicinity of school children, and also in treatment facilities, the buildings and enclosed grounds of both facilities are to be designated as exclusion zones.

## UT DALLAS POLICY

- b. Center for BrainHealth. Along with research activities in neuroscience and psychology, the staff of the Center also treat patients, from school children to military veterans to the elderly. Entry into the building is by card access and is monitored by security personnel during working hours. Accordingly, the Center for BrainHealth building is to be designated as an exclusion zone.
- c. Natural Science and Engineering Research Laboratory (NSERL)/Bioengineering and Sciences Building (BSB). A variety of regulations restrict the presence of firearms in the vicinities of biological agents, research animals, volatile and/or explosive agents, and elaborate, highly sensitive, large equipment installations. UT Dallas operates a large science and engineering research complex, the individual components of which are known as the Natural Sciences and Engineering Research Laboratory (NSERL) and the Bioengineering and Sciences Building (BSB). These buildings are contiguous and interconnected and feature badge-only access monitored by security personnel. The activities that are carried out in this complex involve one or more of the above features that are acknowledged as inimical to the discharge of a firearm. Hence, the entire, integrated, secure facility known as NSERL and BSB is to be designated as an exclusion zone.
- d. Housing. UT Dallas operates two types of housing facilities for its students:
  - Dormitories. These buildings house freshman students, whose ages range almost exclusively from 17 to 19. Other than military veterans, individuals under the age of 21 cannot be licensed handgun carriers. In keeping with this law, and to maintain equity between our under-age students and visitors, the five freshman dormitory buildings and the contiguous dining and recreational facilities are to be designated as exclusion zones.
  - Apartments. Apartment units provide housing from one to several individuals and are occupied by upper-level undergraduate students and graduate students. Licensed handgun carriers living in these apartments are permitted to possess their handguns in the premises of their individual housing units, subject to the general restrictions on concealed carry in public areas and subject to the condition that the handguns be stored in an approved safe, personally provided by the owner when not carried on the person of the owner.

### Sec. 6 Noncompliance

Failure to comply with this policy may result in criminal prosecution and discipline in accordance with applicable procedures up to and including termination of employment.

### Sec. 7 Amendment of Provisions as Necessary for Campus Safety

As provided by law, the President may, at his/her discretion, amend the provisions of this policy as necessary for campus safety, which shall take effect as determined by the President unless subsequently amended by the Board of Regents.

**The University of Texas at Dallas**  
**SB 11 – Campus Carry Draft Recommendations**

**Background**

Senate Bill 11 (SB 11) permits individuals holding concealed handgun licenses to carry their weapons onto the campus and into the general buildings of the publicly governed institutions of higher education in Texas. Passed by the 84th Texas Legislature and signed into law by Governor Abbott, SB 11 takes effect on August 1, 2016. Recognizing the complex nature of the operations of institutions of higher education and the extensive network of other laws pertaining to handguns, SB 11 also permits presidents of these publically governed institutions to propose to their governing boards policies that would implement SB 11 while complying with the many other laws and public policies that pertain to carrying handguns in Texas.

This document presents the recommendation of the president of The University of Texas at Dallas to The Board of Regents of The University of Texas System for the policy under which the University (UT Dallas) will comply with SB 11. The details of this policy are based on an intensive process of consultation and discussion carried out during the autumn of 2015 under the leadership of Dr. Alex Piquero, Ashbel Smith Professor of Criminology at UT Dallas. That process included weekly meetings of a campus working group representing students, staff, faculty, security personnel, and administrators, as well as a large campus-wide town hall meeting and inputs through a campus carry email address.

The policy recommendations that emerged from this process have two fundamental goals. One goal is to ensure compliance with the spirit and letter of SB 11 in a manner consistent with other relevant laws. The second goal, equally important, is to ensure the continuation of the current calm, constructive and positive social and intellectual environment that characterizes UT Dallas.

Our studies and deliberations on this issue provided very considerable evidence that the fundamental material facts regarding the presence of handguns on campus will not change markedly as a result of implementing policies in compliance with SB 11. Only a fraction of the general population currently is licensed to carry concealed handguns (approximately 4%), and large contingents of the university community are not eligible, because of age or national origin, to be so licensed. In addition, given the substantial practical difficulties of participating in university activities while adhering to the rigorous constraints governing the carrying of a concealed handgun, it is quite plausible that many licensed carriers will not choose to carry handguns to campus.

Since our analysis is that the substantive changes in the material facts regarding the presence of handguns in the normal functioning of UT Dallas activities will be minor, our policy is formulated so as to minimize those elements of compliance that would create perceptions to the contrary. University life can and will continue in its traditional free and open spirit of inquiry and debate, and the policy developed to comply with SB 11 has been formulated to maintain this environment.



## **Fundamental Policy Elements**

### **1. Responsibilities of individuals carrying concealed handguns in and on university premises**

- a. **Concealment:** The relevant law, consistent with avoiding the intimidation, incitement, and harassment that can result from the open carrying of handguns, stipulates that the licensed carrier of a handgun must ensure that a casual observer be unable to notice or detect that a handgun is being carried. This is a fundamental aspect of the law and of our recommended policy. Individuals who violate the condition of concealment at any time, either by deliberately or inadvertently allowing their handgun to be seen or by letting its presence be noticeable by inadequate concealment, aka “printing,” is in violation of our recommended policy and will be subject to university discipline.
- b. **Security:** The licensed carrier is responsible for maintaining complete practical control of the handgun at all times, so that it is either on the licensee’s person or is immediately accessible from a purse or other analogous personal accessory that is continually under the direct control of the licensee. This stipulation is a fundamental aspect of our recommendations and is, of course, intended to preclude the danger of the licensee losing control of the weapon. The only alternative to these conditions is that a gun be stored appropriately. There are two storage options. Individuals driving to campus may store their guns out of sight in their locked vehicles. Residents of university apartments can store their guns in personally provided, legally approved, storage lockers in their rooms, conditional upon adherence to the concealment requirements.
- c. **Safety:** The handgun must be carried in a holster that completely covers the trigger and trigger guard area and provides sufficient adhesion on the gun so that the gun will not fall out of the holster when the gun or the carrier is subject to abrupt motions or impacts. As with the security condition, this condition is obviously intended to minimize the threat of the licensee losing control of the gun because of it being dislodged.
- d. **Storage:** The university will make no provisions for storage of handguns. Licensed carriers must have their weapons on their persons constantly or have them stored in a securely locked personal vehicle or, if they are resident in a university-owned apartment, stored in an approved storage locker. The concept of university-provided common storage facilities on campus is contradictory to the principle of concealed carry, given that it is impossible to transfer a weapon from one’s person to a storage facility without revealing the presence of the weapon.

### **2. Consistency with other pertinent laws**

Our interpretation of the spirit and letter of SB 11 is that the members of the university community who desire to exercise their rights as conveyed in this law should be able to do so with minimal constraints while they pursue the essentials of their education or their employment. As such, our recommendations are formulated to ensure that the typical university citizen who wishes to exercise the right of carrying a concealed handgun on campus be able to do so while

also being able to function fully in the role of employee or student, or, in appropriate circumstances, visitor. Hence, the essential core facilities of the university, including classrooms, multi-person administrative offices, individual faculty offices, libraries, and advisement and testing facilities, will all be accessible to individuals carrying concealed weapons in accord with their licenses and the law.

At the same time, the recommended UT Dallas policy imposes serious obligations upon these individuals. Our policy is based on the assumption that licensed handgun carriers are informed and cognizant about the many restrictions and limitations that various laws impose upon the unrestricted carrying of concealed weapons in various situations, that they rigorously adhere to these conditions, and that they be subject to university disciplinary procedures when violations occur.

The operations of the university are dynamic and fluid. In most instances, buildings and rooms have different utilizations at different hours, days, weeks and semesters. Hence, our policy makes it incumbent upon licensed carriers to avoid violating these restrictions without being guided constantly by impractical or intrusive warnings. Some of the most important of these restrictions include:

- a. Presence of school children: The nature of our type of university is that school children can and will appear at unscheduled times in almost any location, whether in groups of escorted tours, as subjects of study or treatment, in transit to childcare areas, or as visitors, alone or with families. There is no practical way to warn about or to demark areas of campus where such occurrences will or will not happen. Hence, it is incumbent upon the individual carrying a concealed weapon to avoid areas in which school children are present.
- b. Sporting events: The carrying of concealed weapons is prohibited at intermural, intramural, and club sporting events held on UT Dallas premises, whether held under the sponsorship of UT Dallas or of some external organization. This prohibition is in accord with the Texas Penal Code §46.035(b)(2). This prohibition will be noted on the tickets for ticketed events, and university policy will state clearly that the prohibition extends to non-ticketed events as well. The law and our policy are based on the general recognition that competitive sporting events can generate volatile emotions and antagonisms.
- c. Patient care facilities: Various rooms and areas of university buildings function as facilities for consulting with and treating patients. Consistent with Texas Penal Code §46.035(b)(4), these areas will be marked clearly to designate their functions, and individuals carrying concealed weapons will be excluded from them.
- d. Hearing facilities: Various rooms and areas of university buildings function from time to time as facilities for disciplinary hearings or for mediation sessions. When so used, these areas will be marked clearly to designate their functions, and it is incumbent upon the individuals carrying concealed weapons not to enter these areas.

### 3. Exclusion Zones

Various laws pertaining to concealed handguns make their presence in some university facilities intrinsically inappropriate or illegal. These facilities shall be designated as “exclusion zones.” For these buildings, entry will be forbidden to students, employees, and visitors who are carrying concealed handguns.

- a. Callier Center-Dallas and Callier Center-Richardson: The predominant mission of the Callier Center is to assist and improve the functioning of pre-school and school-age children with challenges of speech, hearing and behavior. Since licensed concealed handguns are not permitted in the vicinity of school children, and also in treatment facilities, the buildings and enclosed grounds of both facilities are to be designated as exclusion zones.
- b. Center for BrainHealth: Along with research activities in neuroscience and psychology, the staff of the center also treat patients, from school children to military veterans to the elderly. Entry into the building is by card access and is monitored by security personnel during working hours. Accordingly, the Center for BrainHealth building is to be designated as an exclusion zone.
- c. Natural Science and Engineering Research Laboratory/Bioengineering and Sciences Building: A variety of regulations restrict the presence of firearms in the vicinities of biological agents, research animals, volatile and/or explosive agents, and elaborate, highly sensitive, large equipment installations. UT Dallas operates a large science and engineering research complex, the individual components of which are known as the Natural Sciences and Engineering Research Laboratory (NSERL) and the Bioengineering and Sciences Building (BSB). These buildings are contiguous and interconnected and feature badge-only access monitored by security personnel. The activities that are carried out in this complex involve one or more of the above features that are acknowledged as inimical to the discharge of a firearm. Hence, the entire, integrated, secure facility known as NSERL and BSB is to be designated as an exclusion zone.
- d. UT Dallas operates two types of housing facilities for its students:

Dormitories: Approximately 2,200 beds are available in five dormitory buildings. These buildings house freshman students, whose ages range almost exclusively from 17 to 19. Other than military veterans, individuals under the age of 21 cannot be licensed handgun carriers. In keeping with this law, and to maintain equity between our under-age students and visitors, the five freshman dormitory buildings and the contiguous dining and recreational facilities are to be designated as exclusion zones.

Apartments: Approximately 2,800 beds are available in apartment units that provide housing from one to several individuals and are occupied by upper-level undergraduate students and graduate students. Licensed handgun carriers living in these apartments are permitted to possess their handguns in the premises of their individual housing units, subject to the general restrictions on concealed carry in public areas and subject to the

condition that the handguns be stored in an approved safe, personally provided by the owner, when not carried on the person of the owner.

- e. The President of The University of Texas at Dallas may amend the university's policy as necessary for campus safety so as to include specific times and/or other locations where the carrying of concealed handguns is prohibited.

# Concealed Handguns and Weapons Policy

**Section:** IX: Environmental Health and Safety

**Chapter:** 10

**Date Updated:**

## 10.1 Policy

10.1.1 Pursuant to Subchapter H, Chapter 411 of the Texas Government Code, individuals licensed by the State to carry a concealed handgun (License Holder) may carry a concealed handgun in approved areas on the University Campus beginning August 1, 2016.

10.1.2 The use, possession, display or storage of all other weapons, simulated weapons, explosives, or fireworks on the University Campus is prohibited and subject to appropriate disciplinary and/or criminal sanctions.

10.1.3 Individuals who observe a violation of this policy are required to report the incident immediately to the University Police Department (UTEPPD) at 915-747-5611 or 911. UTEPPD will investigate the incident and when applicable forward potential violations to the University's Office of Human Resources or Office of Student Conduct and Conflict Resolution (OSCCR).

## 10.2 Exceptions

10.2.1 Licensed peace officers may carry authorized weapons on the University Campus.

10.2.2 License holder, as defined by Subchapter H, Chapter 411 of the Texas Government Code, may carry a concealed handgun in approved areas on the University Campus beginning August 1, 2016. The following restrictions will apply:

10.2.2.1 Exclusion Areas are set forth in Appendix A. In accordance with Subchapter H, Chapter 411 of the Texas Government Code, the University has identified exclusionary areas based on applicable laws and regulations, the general makeup of the University population in those areas, safety considerations, and any unique and material characteristics of those areas. The Texas Government Code Section 411.2031(d-1) and the Texas Penal Code Section 30.06 require notice to be given regarding the areas where license holders may not carry. Signage will be provided for these areas, using the required wording and format.

10.2.2.2 Certain events throughout the year where concealed handguns are prohibited due to the unique nature of the activity. Events must be approved by the President and must fully comply with the reporting and notification requirements set forth in Texas Government Code Section 411.2031(d-1).



### **10.3 Storage**

10.3.1 The University will not provide storage for handguns on the University Campus.

10.3.2. At all times, the responsibility of maintaining ownership and control of a concealed handgun rests with the license holder.

10.3.3. Individuals are responsible for knowing where their handguns are at all times and which areas on campus are exclusion zones.

10.3.3. Existing lockers, cabinets, closets and furnishings are property of UTEP and shall not be used to store a handgun.

10.3.4. When not in the direct possession of the license holder, handguns must be concealed and locked in the owner's private automobile or safely stored by other means.

10.3.5. To prevent tampering or theft, licensed holders with private dormitory rooms in Miner Village are required to store handguns in personally owned gun lockers or in their private automobiles.

### **10.4 Communication and Training**

10.4.1 In order to improve general campus safety regarding weapons on campus, the University will:

- a. Provide educational materials for students, staff, and faculty regarding active shooter situations.
- b. Post in prominent locations a concise compilation of campus-carry policy information and FAQs.
- c. Provide awareness of available mental health assistance through an enhanced web presence and other types of publicity.
- d. Provide faculty and staff with additional training and professional development in the areas of conflict resolution, student conduct and classroom management.

### **10.5 Violations and Penalties**

10.5.1 Reports of staff or faculty violating this policy will be forwarded to the Office of Human Resource for review. Employees who have violated this policy may be subject to discipline, up to and including dismissal, under the University's applicable policies and procedures.

10.5.2 Reports of students violating this policy will be forwarded to OSCCR for review. Students who have violated this policy may be subject to discipline, up to and including suspension and/or expulsion, under the Student Code of Conduct.

10.5.3 Relevant University policies and procedures will include provisions to address these violations as necessary. Violations include but are not limited to:

- a. Carrying any weapon on the University Campus, unless specifically allowed by state or federal law or this policy;
- b. Carrying a partially or wholly visible handgun on the University Campus;

- c. Causing an intentional, inadvertent or the accidental discharge of a firearm that is not justified in the use of force or deadly force.;
- d. Using, or threatening to use, a weapon in a threatening or hostile manner.

10.5.4 A person who fails to comply with the policies, rules and regulations prescribed by the University may be subject to University discipline and may also be in violation of the Texas Penal Code.

10.5.5 Alleged violations of the Texas Penal Code will be investigated by UTEPPD. Investigations of University policy violations and criminal violations may run concurrently or separately. The lack of finding of criminal activity does not preclude the University from finding a violation of University policy.

## **10.6 Reporting**

No later than September 1 of each even-numbered year, the University shall submit a report to the legislature and appropriate committees that describes all provisions regarding the carrying of concealed handguns on the University Campus. The report will contain the rationale for the University's current provisions.

## **10.7 Definitions**

10.7.1 Handgun: Any firearm that is designed, made or adapted to be fired with one hand.

10.7.2 Concealed Handgun: A handgun, the presence of which is not openly discernable to the ordinary observation of a reasonable person.

10.7.3 License Holder: An individual in possession of a current license issued or recognized by the State of Texas to carry a concealed handgun.

10.7.4 University Campus: All land and buildings owned or leased by the University.

10.7.5 Weapon: Any object or substance designed to inflict a wound, cause injury, or incapacitate, including without limitation all firearms, BB guns, air guns, pellet guns, zip gun, switchblade knives, knives with a blade over five and one-half inches and other illegal knives or clubs prohibited by statute. Chemicals such as mace, tear gas, or oleoresin capsicum, but excluding normally available over-the-counter self-defense repellents. Possession of chemical repellants labeled for police use only or for law enforcement use only are restricted to law enforcement.

10.7.5 Exclusionary Areas: Areas for which policy, rule, law or regulation requires exclusion of Weapons or in which any Weapons are prohibited.

**APPENDIX A**

**EXCLUSIONARY AREAS**

Areas of the University Campus where carrying a concealed handgun is prohibited include the following:

<b>EXCLUSION AREAS</b>	<b>UTEP LOCATION</b>
Areas for which federal law requires exclusion or in which weapons are prohibited by an accrediting authority.	<ul style="list-style-type: none"> <li>• University Heights Early Learning Center, 315 W. Schuster</li> <li>• On-campus voting locations organized by governmental agencies</li> </ul>
Patient care areas, including those where mental health care services are provided. Texas Penal Code 46.035(b)(2) excludes hospitals licensed under Chapter 241 – by analogy and extension.	<ul style="list-style-type: none"> <li>• Student Health Center, Union East Building</li> <li>• University Counseling Center, Union West Building</li> <li>• College of Health Sciences Clinics                             <ul style="list-style-type: none"> <li>– Speech, Language and Hearing Clinics (lab and waiting room)</li> <li>– Community Rehabilitation Program Clinics (lab and waiting room)</li> </ul> </li> </ul>
Area where a high school, collegiate, professional sporting event or interscholastic event is taking place.	Facilities impacted while an event is taking place include, but are not limited to the following: <ul style="list-style-type: none"> <li>• Sun Bowl Stadium</li> <li>• Don Haskins Center</li> <li>• Kidd Field</li> <li>• Memorial Gym</li> <li>• University Field</li> <li>• Helen of Troy Softball Complex</li> </ul>
Animal-care areas where protocols regulating ingress and egress create a risk that a concealed handgun will accidentally discharge, contaminate or separate from a license holder.	<ul style="list-style-type: none"> <li>• Biosciences Building Vivarium</li> <li>• Psychology Building, Animal Holding Area</li> <li>• Biology Building, Animal Holding Area</li> </ul>
Laboratories required to comply with NFPA 45 (National Fire Protection Association, Code 45) regulations that are hazard risk classification 2 or higher. Other areas to be excluded include rooms with NMR units, rooms with natural gas lines 2 inches of diameter or greater AND with an open flame, and areas where compressed gas cylinders are used or stored in support of campus operations.	Laboratories within the following buildings that meet exclusion zone criteria: <ul style="list-style-type: none"> <li>• Biology Building</li> <li>• Bioscience Research Building</li> <li>• Campbell Building</li> <li>• Chemistry and Computer Science Building</li> <li>• Engineering Building</li> <li>• Fox Fine Arts Center</li> <li>• Geological Sciences Building</li> <li>• Health Sciences and Nursing Building</li> <li>• Physical Sciences Building</li> <li>• Psychology Building</li> </ul>

<p>Laboratories or research facilities where interaction with the body makes it difficult for individuals to conceal a handgun or where wearing a handgun would disrupt physical exertion or the study of the body.</p>	<p>Laboratories or research facilities within the following buildings that meet exclusion zone criteria:</p> <ul style="list-style-type: none"> <li>• Campbell Building</li> <li>• Health Sciences Building</li> <li>• Larry K. Durham Center</li> <li>• Ross Moore Building</li> </ul>
<p>Student Assessment Areas and Testing Centers when nationally sanctioned tests (e.g. ACT, SAT, TOEFL, CLEP, THEA IBT, TExES) are being administered that prohibit the carrying of a firearm under the rules of the testing organization.</p>	<ul style="list-style-type: none"> <li>• Student Assessment and Testing examination rooms, Academic Advising Center</li> <li>• Other rooms or facilities on campus when national testing is taking place</li> </ul>
<p>A room in which a formal hearing and/or tribunal is held in accordance with the following UTEP Handbook of Operating Procedures:</p> <ol style="list-style-type: none"> <li>1) Section II. Student Affairs, Chapter 1. Student Discipline and Conduct, 1.5 Hearing Process;</li> <li>2) Section III. Academic Affairs, Chapter 4. Academic Policies and Faculty Personnel Matters, 4.15 Grade Review Process;</li> <li>3) Section III. Academic Affairs, Chapter 4. Academic Policies and Faculty Personnel Matters, 4.4.2. Termination.</li> </ol> <p>Allowed under Texas Penal Code 46.03 as a conflict resolution area.</p>	<p>Room would be identified in writing in official summons and/or correspondence with impacted parties and would only be in effect during the time of the hearing.</p>
<p>Special events produced by external agents, whose contracts specifically ban handguns or weapons in the arena during a performance. Notification of concealed carry limitations must be communicated during the time of ticket purchase.</p>	<p>Facilities impacted while an event is taking place include, but are not limited to the following:</p> <ul style="list-style-type: none"> <li>• Sun Bowl Stadium</li> <li>• Don Haskins Center</li> <li>• Magoffin Auditorium</li> <li>• Memorial Gymnasium</li> <li>• Union Cinema</li> </ul>
<p>Properties owned or leased by the University which have existing tenant leases prohibiting weapons.</p>	<ul style="list-style-type: none"> <li>• UTEP Graduate Business Center, Chase Building,</li> </ul>
<p>Student housing where individuals live in shared space.</p>	<ul style="list-style-type: none"> <li>• Miner Heights Student Housing Complex</li> <li>• Miner Canyon Student Housing Complex</li> </ul>
<p>A mixed-use residence where the authorized resident resides.</p>	<ul style="list-style-type: none"> <li>• The Hoover House</li> </ul>



THE UNIVERSITY OF TEXAS AT EL PASO

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# Campus Concealed Carry Task Force Report



## BACKGROUND

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On June 13, 2015, Governor Greg Abbott signed into law a bill (S.B. 11) allowing license holders to carry concealed handguns on public university campuses in the state of Texas. The legislation, which goes into effect August 1, 2016, provides an opportunity for individual campuses to develop rules, policies and practices associated with the law's implementation. Included in the law is the opportunity for campuses to identify exclusion areas where concealed carry will not be allowed.

At UTEP, a Campus Concealed Carry Task Force was convened during the fall 2015 semester. Membership on the Task Force, presented below, included a broad campus cross-section of students, faculty and staff. Compared with task forces at other UT System institutions, UTEP's is the largest and has the largest faculty representation.

### **Chair:**

Gary Edens, Student Affairs

### **Faculty/Administrative Representatives:**

Vince Burke, College of Liberal Arts  
Marc Cox, College of Science  
Jim Holcomb, College of Business Administration  
Mark Lusk, College of Health Sciences  
Elias Provencio-Vasquez, School of Nursing  
Bess Sirmon Taylor, Graduate School  
Michael Smith, College of Liberal Arts  
John Wiebe, Provost's Office  
Patricia Witherspoon, College of Liberal Arts

### **Staff Representatives:**

Ben Carnevale, Staff Council  
Ryan Holmes, Office of Student Conduct and  
Conflict Resolution  
Catie McCorry Andalis, Office of Student Life  
Greg McNicol, Facilities Services  
Arizve Ochoa-Retana, Human Resources  
Jorge Vazquez, Special Events  
Cliff Walsh, University Police

### **Student Representatives:**

Roberto Dominguez  
Diamond Martinez  
Hector Quintero  
Nadia Rivas  
Sheryl Rodriguez

### **Parent Representative:**

Isabel Sanchez, UTEP Parent Association

### **Ex-Officio Representatives:**

Richard Adatao, President's Office  
Lee Ann Koehler, Legal Affairs  
Robert Moss, Environmental Health and Safety

The Task Force was charged with identifying campus spaces where concealed handguns should be excluded; developing policies and communication strategies associated with educating the campus and visitors about the new law; and recommending safety and enforcement practices that will ensure the rights of all campus constituents.

Throughout the process, the Task Force made every effort to be transparent, inclusive and diligent. A website, [www.utep.edu/campuscarry](http://www.utep.edu/campuscarry), was launched in September 2015 and to date has been accessed more than 2,169 times. Feedback was also solicited through [campuscarry@utep.edu](mailto:campuscarry@utep.edu) which has garnered 144 emails from students, faculty and staff. Three campus forums were held at which more than 250 members of the campus community contributed suggestions and raised concerns. Additional conversations and presentations were conducted for the Administrative Forum (comprising all department chairs, directors and executive leadership), Faculty Senate, Residence Life, Student Government Association, Deans, Assistant & Associate Deans and the College of Liberal Arts. All suggestions, recommendations and concerns were compiled and shared with Task Force members on a weekly basis. Media coverage was extensive and helped promote the open forums while simultaneously informing the local community about the law's purpose and parameters.

### CONCEALED CARRY

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The Texas Department of Public Safety defines a concealed handgun as a handgun, the presence of which is not openly discernable to the ordinary observation of a reasonable person. This same definition will be utilized at UTEP. At all times, the handgun must be on or about the license holder's body or secured and concealed safely.

### EXCLUSION ZONES

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A large part of the Task Force's work involved the identification of concealed carry exclusion zones on the UTEP campus. Whenever applicable, existing legislative requirements, penal code or accreditation standards were utilized to identify exclusion zones. Feedback from the campus community also yielded a significant number of recommendations, all of which were considered by the Task Force.

Given the passionate arguments on both sides of the concealed carry debate, it is not surprising that strong opinions were heard from both ends of the exclusion zone spectrum. Many individuals expressed heartfelt concerns related to the addition of concealed handguns in classrooms, laboratories and campus study spaces. Their recommendation was to make them exclusion zones. On the other end, many individuals wanted no restrictions associated with their right to carry a concealed handgun and asked the Task Force to limit the number of exclusion zones, and to allow concealed carry in classrooms. Final recommendations by the Task Force took into account community feedback and, as we interpreted them, the parameters set forth in the legislation.

As stated in the law, the university President has the authorization to enact "reasonable rules and regulations" but the rules may not either "generally prohibit" or "have the effect of generally prohibiting" license holders from carrying concealed handguns on campus. Led by Greg McNicol, Associate Vice President for Business Affairs, the Facilities and Security sub-committee followed these guidelines and reviewed all likely candidates for exclusion areas in developing the following recommendations.

EXCLUSION ZONE RECOMMENDATION	UTEP LOCATION
<p>Areas for which federal law requires exclusion or in which weapons are prohibited by an accrediting authority.</p>	<ul style="list-style-type: none"> <li>• University Heights Early Learning Center, 315 W. Schuster</li> <li>• On-campus voting locations organized by governmental agencies</li> </ul>
<p>Patient care areas, including those where mental health care services are provided. Texas Penal Code 46.035(b)(2) excludes hospitals licensed under Chapter 241 – by analogy and extension; it is recommended that all patient care areas be excluded.</p>	<ul style="list-style-type: none"> <li>• Student Health Center, Union East Building</li> <li>• University Counseling Center, Union West Building</li> <li>• College of Health Sciences Clinics                             <ul style="list-style-type: none"> <li>- Speech, Language and Hearing Clinics (lab and waiting room)</li> <li>- Community Rehabilitation Program Clinics (lab and waiting room)</li> </ul> </li> </ul>
<p>Premises where a high school, collegiate, professional sporting event or interscholastic event is taking place. Effective notice will be given as described in Section 30.06.</p>	<p>Facilities impacted while an event is taking place include, but are not limited to the following:</p> <ul style="list-style-type: none"> <li>• Sun Bowl Stadium</li> <li>• Don Haskins Center</li> <li>• Kidd Field</li> <li>• Memorial Gym</li> <li>• University Field</li> <li>• Helen of Troy Softball Complex</li> </ul>
<p>Animal-care areas where protocols regulating ingress and egress create a risk that a concealed handgun will accidentally discharge, contaminate or separate from a license holder.</p>	<ul style="list-style-type: none"> <li>• Biosciences Building Vivarium</li> <li>• Psychology Building, Animal Holding Area</li> <li>• Biology Building, Animal Holding Area</li> </ul>

<p>Laboratories required to comply with NFPA 45 (National Fire Protection Association, Code 45) regulations that are hazard risk classification 2 or higher. Other areas to be excluded include rooms with NMR units, rooms with natural gas lines 2 inches of diameter or greater AND with an open flame, and areas where compressed gas cylinders are used or stored in support of campus operations.</p>	<p>Laboratories within the following buildings that meet exclusion zone criteria:</p> <ul style="list-style-type: none"> <li>• Biology Building</li> <li>• Bioscience Research Building</li> <li>• Campbell Building</li> <li>• Chemistry and Computer Science Building</li> <li>• Engineering Building</li> <li>• Fox Fine Arts Center</li> <li>• Geological Sciences Building</li> <li>• Health Sciences and Nursing Building</li> <li>• Physical Sciences Building</li> <li>• Psychology Building</li> </ul>
<p>Laboratories or research facilities where interaction with the body makes it difficult for individuals to conceal a handgun or where wearing a handgun would disrupt physical exertion or the study of the body.</p>	<p>Laboratories or research facilities within the following buildings that meet exclusion zone criteria:</p> <ul style="list-style-type: none"> <li>• Campbell Building</li> <li>• Health Sciences Building</li> <li>• Larry K. Durham Center</li> <li>• Ross Moore Building</li> </ul>
<p>Student Assessment and Testing Centers when nationally sanctioned tests (e.g. ACT, SAT, TOEFL, CLEP, THEA IBT, TExES) are being administered that prohibit the carrying of a firearm under the rules of the testing organization. Effective notice will be given under Section 30.06 and as needed.</p>	<ul style="list-style-type: none"> <li>• Student Assessment and Testing examination rooms, Academic Advising Center</li> <li>• Other rooms or facilities on campus when national testing is taking place</li> </ul>
<p>A room in which a formal hearing and/or tribunal is held in accordance with the UTEP Handbook of Operating Procedures: 1) Section II. Student Affairs, Chapter 1., Student Discipline and Conduct, 1.5 Hearing Process; 2) Section III. Academic Affairs, Chapter 4. Academic Policies and Faculty Personnel Matters, 4.15 Grade Review Process; 3) Section III. Academic Affairs, Chapter 4. Academic Policies and Faculty Personnel Matters, 4.4.2. Termination. Allowed under Texas Penal Code 46.03 as a conflict resolution area.</p>	<p>Room would be identified in writing in official summons and/or correspondence with impacted parties and would only be in effect during the time of the hearing.</p>

<p>Special events produced by external agents, whose contracts specifically ban handguns or weapons in the arena during a performance. Notification of concealed carry limitations must be communicated during the time of ticket purchase.</p>	<p>Facilities impacted while an event is taking place include, but are not limited to the following:</p> <ul style="list-style-type: none"> <li>• Sun Bowl Stadium</li> <li>• Don Haskins Center</li> <li>• Magoffin Auditorium</li> <li>• Memorial Gymnasium</li> <li>• Union Cinema</li> </ul>
<p>Properties located off campus, which have existing tenant leases prohibiting weapons.</p>	<ul style="list-style-type: none"> <li>• UTEP Graduate Business Center, Chase Building,</li> </ul>
<p>Student housing where individuals live in shared space. Miner Heights and Miner Canyon consist of bedroom apartments where the majority of the rooms are shared. Miner Village has private, lockable bedrooms and would not be an exclusion zone.</p>	<ul style="list-style-type: none"> <li>• Miner Heights Student Housing Complex</li> <li>• Miner Canyon Student Housing Complex</li> </ul>
<p>A mixed-use residence where the authorized resident resides. The determination of the Hoover House as an exclusion zone lies with the resident, to include the Hoover House curtilage and the entire house.</p>	<ul style="list-style-type: none"> <li>• The Hoover House</li> </ul>

The president reserves the right to identify certain events throughout the year where concealed handguns are prohibited due to the unique nature of the activity. For these events, which will be limited in number, UTEP will fully comply with the reporting and notification requirements set forth in §411.2031.



Where possible and practical, signage will be displayed, in both English and Spanish, to inform the campus community of an area where concealed carry is impermissible. The law further requires that signage be displayed in a conspicuous manner clearly visible to the public, with block letters in contrasting colors and at least one inch in height. Though not specifically stated in the law, the Task Force assumes that the intent of the law is for signage to be placed at the entrances of a building for which concealed carry is not permitted, or the entrance to a room or area if excluded.

## **STORAGE LOCKERS**

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The concealed carry law does not require institutions, nor does it make funds available, to provide storage units or other similar accommodations to license holders. Existing lockers, cabinets, closets and furnishings are property of UTEP and do not meet the definition of providing safe storage and cannot therefore be used to safely store a handgun. At all times, the responsibility for maintaining ownership and control of a concealed handgun rests with the holder. When not in the direct possession of the license holder, handguns must be concealed and locked in the owner's private automobile or safely and securely stored by other means. Concealed carriers with private dormitory rooms in Miner Village are required to store handguns in personally owned gun lockers or in their private automobiles. Individuals are responsible for knowing where their handguns are at all times and which areas on campus are exclusion zones. Individuals must also make appropriate decisions relating to gun storage when the handgun is not "on or about their body" and in their direct control.

## **COMMUNICATION, TRAINING AND EDUCATIONAL OPPORTUNITIES**

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Knowledge of the campus concealed carry law's pending implementation among campus constituents is high. Media coverage has been extensive and faculty, staff and student groups have been considering the implications of the law for most of the fall 2015 semester. The specifics of the law, however, can be easily misunderstood and are often misrepresented or factually incorrect.

The Task Force recommends that by the end of the Spring 2016 semester a comprehensive communication plan be in place which outlines specific efforts to educate individuals on the law, identifies approved exclusion areas, and provides resources associated with the law's implementation. Different campus constituents will require targeted information and resources that take into consideration their unique circumstances and responsibilities. A recommendation that was consistently expressed at the campus open forums was that faculty and staff members be provided with additional training and professional development in the areas of conflict management, student conduct and classroom management.

Members of the staff also raised concerns regarding safety precautions and have asked for additional training on how to manage difficult customer service situations. Students are worried about handguns in student housing and at organizational events, and they are confused as to what will and will not be allowed on campus. Many of these issues cut across all campus populations and therefore must be addressed directly and in a manner that is accurate, consistent, and easily accessible.

A good start would be an expansion of the current campus carry website. Launched in September 2015, the [www.utep.edu/campuscarry](http://www.utep.edu/campuscarry) website has served as a centralized location for information dissemination and constituent feedback. The website's focus can easily be expanded to include additional and existing resources

and is an excellent repository for the latest information on exclusion areas and policy changes. We recommend that it remain in operation and be institutionalized as the go-to location for campus carry information. The Communication and Training sub-committee, led by Catie McCorry Andalis, Associate Vice President and Dean of Students, will continue to meet throughout the spring 2016 semester to develop training opportunities for the campus community. A number of faculty and staff members have expressed a strong interest in supporting educational workshops and symposia relating to campus carry and related topics. Where appropriate and feasible, the sub-committee will work to facilitate this on-going dialogue on campus.

## **SAFETY AND ENFORCEMENT**

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The University of Texas at El Paso is committed to ensure the safety of everyone on our campus. Any violations of the new concealed carry law will be adjudicated through the campus conduct process and/or the legal system. University Police already receive extensive training in the use of force, de-escalation, problem solving, cultural diversity and sensitivity and community-oriented policing. This training is being reviewed within the new campus-carry context and will be adjusted and enhanced over the next several months as a lead-up to the law's enactment in August. Members of the university's police force will be actively involved in the development and presentation of training and educational programs for faculty and staff. An information card will be designed and distributed to all campus employees outlining emergency response protocol and contact information.

## **POLICY RULES AND REGULATIONS**

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Although it is anticipated that the UT System will develop model policies relating to concealed carry, members of the UTEP Task Force wanted to get an early start on drafting internal recommendations that could inform the policy discussion. Working from UTEP's current Handbook of Operating Procedures (HoOP), Ryan Holmes, Assistant Vice President for Student Support, and his Legal and Conduct sub-committee identified areas where the addition of new language would be required. The policy language recommendations outlined in Appendix A reflect the overall campus mindset and support the criteria outlined in the law.

## **APPENDIX A**

### **Recommended Changes to UTEP's Handbook of Operating Procedures (HoOP)**

## STUDENT AFFAIRS

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### Student Affairs Policy Addition(s):

#### Section II. Student Affairs. Chapter 1. Student Conduct and Discipline

add:

##### 1.2.2.13 Unauthorized Carrying/Possession or Display of Concealed Handgun

Carrying or possession of a concealed handgun, as defined in Section 46.01 Texas Penal Code, in an excluded area where specifically prohibited on campus or where specifically prohibited on any property or in a building or facility owned or controlled by the University and/ or intentionally or knowingly displaying a handgun in plain view of another person(s) while on campus or any property or in any building or facility owned or controlled by the University is subject to discipline.

#### Section II. Student Affairs. Chapter 4. Student Organizations

add:

##### 4.8.3.14 Unauthorized Carrying/Possession or Display of Concealed Handgun

Carrying or possession of a concealed handgun in an excluded area where specifically prohibited on campus or where specifically prohibited on any property or in a building or facility owned or controlled by the University and/or intentionally or knowingly displaying a handgun in plain view of another person(s) while on campus or any property or in any building or facility owned or controlled by the University.

### Additional Student Affairs Recommendation(s):

**In Section II: Student Affairs, Chapter 1, 1.2.2.2. Drugs,** it is stated that “the minimum sanction assessed shall be suspension from the university for a specified period of time and/or suspension of rights and privileges.” It is believed that such language should also be suggested for violations of the concealed carry law and added to the recommended 1.2.2.13 above.

**In Section II, Student Affairs, Chapter 1, 1.9.1** it states that “Pursuant to the federal law, alleged victims of violent crime are entitled to know the results of campus student disciplinary proceedings concerning the alleged perpetrators.” After consulting with UTEP PD it is believed that “violent crime” refers to any kind of assault to include simple assault.

## ACADEMIC AFFAIRS

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**In Section III, Academic Affairs, Chapter 4, 4.4.2. Termination.** As this section and chapter of the HoOP includes hearing procedures, it is suggested that the following language be taken under consideration to be referenced in this portion or any other portion regarding formal hearings and tribunals:

#### ***Concealed Handgun Exclusion Areas for The University of Texas at El Paso***

*The room in which a formal hearing and/ or tribunal is held in accordance with the UTEP Handbook of Operating Procedures: 1) Section II. Student Affairs, Chapter 1., Student Discipline and Conduct, 1.5 Hearing Process; 2) Section III. Academic Affairs, Chapter 4. Academic Policies and Faculty Personnel Matters, 4.15 Grade Review Process; 3) Section III. Academic Affairs, Chapter 4. Academic Policies and Faculty Personnel Matters, 4.4.2 Termination.*

*Justification: Allowed under state law (Texas Penal Code 46.03(3)) as a conflict resolution area.*

## HUMAN RESOURCES

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### Section V. Human Resources. Chapter 6. Discipline and Dismissal of Staff Employees

6.3.2 Conduct Subject to Disciplinary Action.

b. Unacceptable Conduct

add:

**19.** Carrying or possession of a concealed handgun in an excluded area where specifically prohibited on campus or where specifically prohibited on any property or in a building or facility owned or controlled by the University and/or intentionally or knowingly displaying a handgun in plain view of another person(s) while on campus or any property or in any building or facility owned or controlled by the University; or

**In Section V: Human Resources, Chapter 6, 6.3.3. Discipline Procedures,** it is recommended that there be an addition created stating that firearms are prohibited in settings of formal or informal dispute resolution.

**In Section V: Human Resources, Chapter 8, 8.3. Protection from Retaliation,** it is recommended that there be an addition created that states if an act of retaliation occurs and a firearm is in plain view during such a situation that increased penalties may occur.

## OTHER HoOP SECTIONS

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**In Section VI: Equal Opportunity, Chapter 1, 1.4.3,** it is recommended that there be an addition created stating that firearms are prohibited in settings of formal complaint investigation.

**In Section IX: Environmental Health and Safety, Chapter 5,** it is recommended that there be an addition created stating that concealed weapons are prohibited in exclusion zones identified in UTEP's HoOP.

**In a Section to be determined:** The Campus Carry Policy may be amended from time to time after consulting with students, staff and faculty of the institution establishing reasonable rules, regulations or other provisions regarding the carrying of concealed handguns by license holders on the campus of The University of Texas at El Paso. The President or officers may not establish provisions that generally prohibit or have the effect of generally prohibiting license holders from carrying concealed handguns on the campus of The University of Texas at El Paso.

- x.3.1. Not later than the 90th day after the date that the rules, regulations or provisions are established, The University of Texas Board of Regents shall review the provisions
- x.3.2. By September 1 of each even numbered year, a report to the legislature and to the standing committee of the legislature with jurisdiction over the implementation and continuation of this section that:
  - x.3.2.1 Describes its rules, regulations and other provisions regarding the carrying of concealed handguns on the campus
  - x.3.2.2. Presents the reasons the institution has established those provisions
- x.3.3 The University of Texas at El Paso shall distribute the rules, regulations or other provisions
- x.3.3.1 This regulation is contained and posted on the UTEP website in the Handbook of Operating Procedures

## The University of Texas of the Permian Basin

### Prohibited Weapons Policy

#### Contents

- I. Title
- II. Policy
- III. Definitions
- IV. Relevant Federal and State Statutes
- V. Relevant UT System Policies, Procedures and Forms
- VI. Who Should Know
- VII. UT Permian Basin Officer(s) Responsible for Policy
- VIII. Dates Approved or Amended
- IX. Contact Information

- I. Title

#### Prohibited Weapons

- II. Policy

A. Prohibition of Weapons: Except as authorized pursuant to this policy, the use, possession, display or storage of any weapons, simulated weapons, explosives or fireworks on the University campus is prohibited. Individuals who observe a weapon being displayed are required to report the incident immediately to The University of Texas of the Permian Basin Police Department so it can be documented and properly investigated. UTPB Police can be contacted at (432) 552-2911 and (432) 552-2786 for non-emergencies. UTPB Police will refer potential violations of this policy to the Office of Human Resources or the Student Conduct professional as applicable.

B. Exceptions:

- 1. Licensed peace officers may carry authorized weapons on the campus.
- 2. Pursuant to Subchapter H, Chapter 411 of the Texas Government Code, individuals licensed by the state to carry a concealed handgun (License Holder) may carry a concealed handgun in approved areas on the University Campus Beginning August 1, 2016. The following restrictions will apply:
  - a. This exceptions applies only to handguns; therefore, rifles and other weapons are prohibited on the University Campus with the exception of weapons permitted under Section B. 1.
  - b. The University will not provide storage for handguns on the University Campus.



- c. License Holders who reside in University housing areas which are not exclusion zones must safely secure or store their firearms to prevent tampering or theft as required by the University police Department.
  3. Exclusion Zones are set forth the in Appendix A. Subchapter H, Chapter 411 of the Texas Government Code gives the presidents of public universities the ability to designate gun-free zones on their campuses. The University has identified exclusion zones based on applicable laws and regulations, the general constituency of the campus population in those areas, safety considerations and any unique and material characteristics of those areas. The Texas Government Code 411.2031(d-1) and the Texas Penal Code 30.06 require notice to be give regarding areas where license holders may not carry concealed guns. Signage will be provided for these areas, using the required wording and format.

C. Training and Awareness

1. In order to improve general campus safety regarding weapons on campus, the University will:
  - a. Provide educational materials for students, faculty and staff regarding active shooter situations.
  - b. Post in a number of prominent locations a concise compilation of campus-carry information and FAQs.
  - c. Promote awareness of available mental health assistance through websites and other types of publicity.

D. Violations and Penalties

1. Reports of faculty or staff violating this policy will be investigated by the Office of Human Resources and individuals will be subject to discipline under the University's Human Resources policies and procedures which may include disciplinary actions up to and including termination of employment for employees.
2. Reports of students violating this policy will be investigated by a University Student Conduct professional and individuals will be subject to discipline under the Student Conduct policy which may include disciplinary actions up to and including expulsion.
3. Suspected violations of law will be reported to the UTPB Police Department or other law enforcement agencies and may result in criminal penalties. A license holder is bound by state and federal law and may face criminal or civil penalties for violation of those statutes.
4. Violations include, but are not limited to:
  - a. Carrying any weapon on the University campus, unless specifically permitted state or federal law or this policy.
  - b. In compliance with Texas Penal code 46.035(a-1), a license holder may not carry a partially or wholly visible handgun on the University campus. Handguns must be carried on or about the person. Handguns must be

in holsters that completely cover the trigger guard area and that can withstand any movement from jostling, falling, etc.

- c. Causing an intentional, inadvertent or accidental discharge of a firearm that is not justified in the use of force or deadly force.
  - d. Using, or threatening to use, a weapon in a threatening or hostile manner.
  - e. Taking action which a prudent person would not take in regard to the care or use of the firearm.
5. Penalties: A person who fails to comply with the rules and the regulations prescribed by the University may be subject to University discipline and may also be in violation of the Texas Penal Code. Alleged violations of the Texas Penal Code will be investigated by UTPB Police Department. Investigations of policy violations and criminal violations may run concurrently or separately. The lack of any finding of criminal activity does not preclude the University from finding a violation of policy. Persons in violation of any lawful order to remove a weapon or to leave the University campus are subject to arrest by UTPB Police Department.

- E. Reporting: Not later than September 1<sup>st</sup> of each even-numbered year, the University shall submit a report to the legislature and appropriate committees that describes all provisions regarding the carrying of concealed handguns on the University campus. The report will contain the rationale for the University's current provisions.

### III. Definitions

Handgun: Any firearm that is designed, made or adapted to be fired with one hand.

License Holder: An individual in possession of a current license issued or recognized by the State of Texas to carry a concealed handgun.

Summer Camp: A University sanctioned program with specific objectives designated for high school students or younger and which utilizes facilities that may include housing, dining, classroom, meeting and recreation space.

University Campus: All land and buildings owned or leased by the University.

Weapon: Any object or substance designed to inflict a wound, cause injury, or incapacitate, including without limitation to firearms, BB guns, air guns, pellet guns, zip guns, switchblade knives, knives with a blade over five and one-half inches and other illegal knives or clubs prohibited by statute. Chemicals such as mace, tear gas, or oleoresin capsicum, but excluding normally available over-the-counter self-defense repellants. Possession of chemical repellants labeled for police use only or for law enforcement use only are restricted to law enforcement.

### IV. Relevant Federal and State Statutes

Texas Government Code Chapter 411

Texas Penal Code Chapter 46

- V. Relevant UT System and Institutional Policies, Procedure and Forms
  - HOP, Part 5, Section 1 – Student Conduct Code
  - HOP, Part 3, Section 19 – Discipline and Dismissal of Classified Employees
  - Campus Carry FAQs
  - The University of Texas of the Permian Basin Police Department Policy and Procedure (pending)
- VI. Who Should Know
  - All member of the campus community, including students, staff, faculty, visitors, contractors, prospective students, and the parent of students and prospective students.
- VII. UTPB Officer(s) Responsible for Policy
  - President
  - Provost and Vice President for Academic Affairs
  - Vice President for Business Affairs
  - Senior Associate Vice President for Student Services
- VIII. Dates Approved or Amended
  - Pending
- IX. Contact Information
  - All questions regarding this policy should be directed to the Senior Associate Vice President for Student Services.

**APPENDIX A**

Areas of the UTPB campus where carrying a concealed handgun is prohibited include the following exclusion zones:

- a. Locations providing counseling services, which includes the Counseling Center in the Founders' Building.
- b. Locations providing childcare for minor children, which includes the Child Care Center located in the Student Activity Center.
- c. Locations providing education for K-12, which includes STEM Academy and Early College High School.
- d. Locations primarily used for NCAA, UIL or other ticketed sporting events.
- e. Locations administering contracted testing, which includes the Student Testing and Accommodation Center.
- f. University housing in rooms that are shared by two or more persons.
- g. Locations used for camps and programs for minors, which includes University housing when used for summer camps.
- h. Research labs where highly toxic and volatile chemicals are present.
- i. On a case-by-case basis, any location, or specific time period the University President determines creates a unique situation that poses a threat to the safety of the campus community.

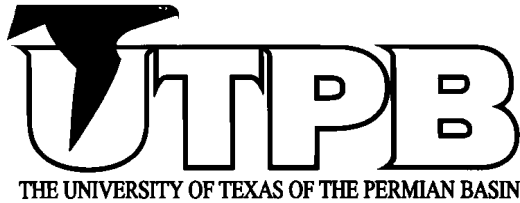
**The University of Texas of The Permian Basin Campus Carry  
Exclusion Zones, Rules and Violations**

<b>Exclusion Zones</b>	<b>Justification</b>
<b>STEM Academy</b>	Texas Penal Code 46.03(a) (1) “on the physical premises of a school or educational institution, any grounds or building on which an activity sponsored by a school or educational institution is being conducted”
<b>Early College High School (ECHS) Classrooms &amp; those dedicated to ECHS and others while in use by ECHS.</b> Early College High School wings A and B of the Founders Building.	Texas Penal Code 46.03(a) (1) “on the physical premises of a school or educational institution, any grounds or building on which an activity sponsored by a school or educational institution is being conducted”
<b>The Counseling Center-</b> which resides in wing C of the Founders’ Building.	Texas Penal Code 46.035(b) (4) “on the premises of a hospital licensed under Chapter 241, Health and Safety Code” Analogous to patient care areas
<b>Child Care Center</b>	Texas Administrative Code Chapter 40, Sections 744.2607 and 746.3707. Although the center is located inside the Student Activity Center (SAC), there is no traffic between two facilities and therefore the SAC is not an exclusion zone.
<b>Ticketed sporting events-</b> Ticketed sporting events, collegiate or otherwise.	Texas Penal Code 46.35(b) (2) “on the premises where high school, collegiate, or professional sporting event or interscholastic event is taking place.”
<b>Research Labs containing Volatile Chemicals</b>	Research labs are high risks areas with periodic inspections by university safety officers and difficult enough to manage without adding factors that may increase risk. Spillage of chemicals could result in very dangerous conditions, requiring multiple experts to remediate chemical spills, fires, corrosive substances, and cancer causing organics in addition to EMT’s for personal physical injury.
<b>UTPB Student Housing-</b> rooms that have shared bedrooms.	Presents special danger of accidental loss, theft or misuse by roommates or others that is an unacceptable high risk.
<b>Student Testing and Accommodations Center.</b>	Contractual agreements exclude guns from testing areas. For example, Educational Testing Services (ETS) mandates that weapons of any kind are prohibited from testing centers. Students taking other tests do so concurrently with students taking standardized tests. Rather that disrupt testing availability for students, the center should be designated as an exclusion zone.

**The University of Texas of The Permian Basin Campus Carry  
Exclusion Zones, Rules and Violations**

<b>Rules</b>	<b>Justification</b>
<b>Holster</b>	Eliminate accidental discharge if the handgun is jostled about or if the purse or backpack is dropped.
<b>Gun safe in Student Housing</b>	Licensed Residents in Student Housing who have a gun in apartment are required to store the weapon as required by the UTPB Police Department.
<b>Employees</b>	Employees who have an office assigned solely to them may lock their gun in their office but must have two methods of doing such.
<b>Violations</b>	
A person is believed to have improperly displayed a handgun or carried a handgun into a location where concealed carry is not permitted, the campus police should be contacted.	
Violations of campus rules about how to carry or store handguns may be acts subject to disciplinary action by an institution.	
License holder's bear the responsibility for safeguarding their handguns at all times, and must take all necessary precautions to ensure their handguns are secured in a manner that is most likely to prevent theft, loss, damage or misuse. License holders affiliated with UTPB who fail to use reasonable care in securing their handguns or act negligently are subject to disciplinary action, up to and including termination or nonrenewal of appointment, or dismissal from UTPB."	
A license holder fails to use reasonable care when he/she does not exercise the care which a reasonable or prudent person would exercise in similar circumstances, or takes action which a reasonable or prudent person would not take. Failing to secure or control a backpack or purse with a handgun at all times on the UTPB campus would be considered a failure to use reasonable care".	





**Senior Associate Vice President**

Date: April 1, 2016  
To: Dr. W. David Watts, President  
From: Campus Carry Committee  
Subject: Concealed Handgun Carry on Campus

In the 84<sup>th</sup> Regular Legislative Session, the Texas Legislature passed Senate Bill 11, which allows licensed individuals to carry concealed handguns on public university campuses, effective August 1, 2016. The law allows institution presidents to “establish reasonable rules” and to evaluate “the nature of the student population, specific safety considerations, and the uniqueness of the campus environment.” However, a president “may not establish provisions that generally prohibit or have the effect of generally prohibiting license holders from carrying concealed handguns on the campus of the institution.” The provisions established by the president take effect unless amended by the Board of Regents by not less than a two-thirds vote. Presidents may over time amend an institution’s rules, although amendments are subject to the same potential action by the Board of Regents.

Pursuant to SB11, institution presidents may establish exclusion zones as follows:

*“After consulting with students, staff, and faculty of the institution regarding the nature of the student population, specific safety considerations, and the uniqueness of the campus environment, the president or other chief executive officer of an institution of higher education in this state shall establish reasonable rules, regulations, or other provisions regarding the carrying of concealed handguns by license holders on the campus of the institution or on premises located on the campus of the institution. The president or officer may*

*not establish provisions that generally prohibit or have the effect of generally prohibiting license holders from carrying concealed handguns on the campus of the institution. The president or officer may amend the provisions as necessary for campus safety. The provisions take effect as determined by the president or officer unless subsequently amended by the board of regents or other governing board.”*

The law defines “campus” as all land and buildings owned or leased by an institution of higher education. By law, a license holder must, including but not limited to, be at least 21 years old (or be active military or a veteran), be a resident of Texas, meet other requirements such as no record of felony conviction, and be fully qualified under federal and state law to purchase a handgun. Per 18 USC § 922(g), aliens admitted to the U.S. under a nonimmigrant visa are prohibited from possessing, shipping, transporting, or receiving any firearm or ammunition. International students attending universities are typically in the U.S. with non-immigrant visas and therefore ineligible under federal law to possess any firearm or ammunition.

A committee, consisting of faculty, staff and students, was established to consider the interpretation and ramifications of the legislation and to provide a proposal to you, the president of the University. This committee met weekly for approximately 3 months. The committee considered implementation of the legislation from three angles, existing law or statute, the safety of the campus, and individual rights. An informational webpage was published. Two open forums were held to enable the community to voice concerns. Additionally, an online survey was posted and announced to the campus community. Input from all these means of student, faculty and staff were considered by the committee. A draft version of the committee’s final proposal was presented to the Student Senate on December 4, 2015.

Teresa Sewell, committee chair, or her designee, joined the UT System working group in weekly telephonic meetings. The guiding principles used by the working group were: 1) Follow the law, 2) Focus on safety and 3) Strive for a campus environment in which students, staff, and faculty can focus on their studies, research, and work with minimal distraction. The UTPB Campus Carry Committee recommendations are attached.

The University of Texas of the Permian Basin  
Campus Carry Committee Recommendations

March 2016

**Existing Law and Statutes**

Texas Penal Code does not permit firearms and other specific weapons at the following locations relevant to campuses:

- “on the physical premises of a school ..., any grounds or building on which an activity sponsored by a school ... is being conducted” (46.03(a)(1)). The law does not define “school” for these purposes but the working group and the campus committee believe that a reasonable interpretation is pre-K through 12 as the meaning of “school.”
- “on the premises of any government court or offices utilized by the court” (46.03(a)(3)).
- “on the premises where a high school, collegiate, or professional sporting event or interscholastic event is taking place” (46.035(b)(2)).
- “at any meeting of a government entity” (46.035(c)) “if the meeting is an open meeting subject to Chapter 551, Government Code, and the entity provided notice as required by that chapter” (amendment per HB 910) .
- Child-Care Facilities. Rules of the Texas Department of Family and Protective Services prohibit the possession of firearms on the premises of licensed facilities with before- or after-school care and for licensed child-care centers (40 TAC Secs. 744.2607 and 746.3707). The UT System working group and the campus committee believe that the exclusion of concealed carry on the premises of child- care facilities at UT System institutions is sensible and recommends that the president consider excluding them.

**Areas analogous to state law requirements that prohibit concealed handguns:**

- Patient care areas. Section 46.035(b)(4) of the Penal Code excludes hospitals licensed under Chapter 241 – by analogy and extension, the committee recommends that

- mental health treatment areas be designated exclusion zones.
- Premises in or on which a ticketed sporting event is taking place. Section 46.035(b)(2) of the Penal Code prohibits concealed handguns at collegiate sporting events.
  - Areas where discharge of a handgun might cause widespread harm, such as laboratories with extremely dangerous chemicals, biologic agents, or explosive agents, or equipment that is incompatible with metallic objects such as magnetic resonance imaging machines. Training of concealed handgun license holders on safe use of handguns in such facilities is not practical. Accidental or purposeful discharge of a handgun in such areas could cause grave and catastrophic harm. Handguns are inappropriate in the vicinity of some types of equipment, e.g., magnetic resonance imaging equipment because of the very strong magnetic field present. Exclusion may be appropriate for these areas to ensure campus safety.

### **Recommended Exclusion Zones**

The responsibility for establishing exclusion zones rests with an institution's president. The UTPB Campus Carry Committee which was established as an advisory group to the president recommends the following areas be established as exclusion zones.

Based on Penal Code and analogous assumptions mentioned above, the committee recommends the following areas to be designated as exclusion zones:

1. UTPB STEM Academy
2. The presence of the Early College High School (ECHS) in wings A and B of the Founders Building will automatically be designated as an exclusion zone based on law.
3. The Counseling Center, which resides in wing C of the Founders' Building, is recommended to be declared an exclusion zone based on analogous outside entities.
4. Based on licensing regulations by the State, the committee recommends that the Child Care Center be designated as an exclusion zone. Although the center is located inside the Student Activity Center (SAC), there is no traffic between to two facilities and therefore the SAC is not included in this recommendation.
5. Ticketed collegiate sporting events are excluded by law. Therefore, the

committee recommends that all locations of sporting events, collegiate or otherwise be designated as exclusion zones.

6. Research labs containing volatile chemicals are considered to be high risk in the risk management arena. The students using the labs have little to no supervision while they are in the labs. Spillage of chemicals could result in very dangerous conditions, requiring multiple experts to remediate chemical spills, fires, corrosive substances, and cancer causing organics in addition to EMT's for personal physical injury. Some labs have chemicals that are highly corrosive and/or that could present serious inhalation dangers. Research labs containing volatile chemicals are high risk areas with periodic inspections by university safety officers and difficult enough to manage without adding factors. Research labs with volatile chemical should be designated as exclusion zones.
7. All chemistry and biology labs may not have volatile substances within them; however, the risk in this area is considered to be minimal. If the teaching science labs are used by the ECHS students, they will become an exclusion zone while in use by those students. Temporary signage should suffice as notice.
8. The committee respects the rights of individuals to protect their property such as their domicile. However, some of the UTPB student housing units include shared rooms and therefore these rooms that are shared are recommended to be exclusions zones. Family members of housing residents should be permitted to carry a concealed weapon while visiting. Also, staff members whose job responsibilities require them to enter student housing should be permitted to carry a gun on or about their person while present in student housing for business purposes.

Students who choose to carry their gun in student housing must provide a combination or biometric gun safe, acceptable to UTPB Police, in which the gun shall be stored when it is not on or about the person. Buildings utilized by minors attending camps should become exclusion zones during the times they are used by students of minor age. The committee highly recommends education for students which addresses accidental discharge, particularly while cleaning a gun, in addition to safe and prudent handling of a firearm. Student

Housing contracts should include a statement that a violation of the concealed carry license or of the university storage requirements could result in termination of the student's contract.

9. The Student Testing and Accommodations Center is recommended to be an exclusion zone due to the stipulations established by certain testing agencies. For example, Educational Testing Service (ETS) mandates that weapons of any kind are prohibited from testing centers. Students taking other tests do so concurrently with students taking standardized tests. Rather than disrupt testing availability for students, the center should be designated as an exclusion zone.

### **Notification and Signage**

Section 30.06 of the Texas Penal Code describes general requirements for notification where concealed carry is not permitted. The law states that, "a person receives notice if the owner of the property or someone with apparent authority to act for the owner provides notice to the person by oral or written communication." The written communication must state the following:

- "Pursuant to Section 30.06, Penal Code (trespass by holder of license to carry a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (concealed handgun law), may not enter this property with a concealed handgun".

Written communication may be conveyed in one of two ways:

- A card or other written document that contains the language above, or
- Signage in both Spanish and English displayed in a conspicuous manner clearly visible to the public, with contrasting colors and block letters at least one inch in height.

One option for informing the public of exclusion at ticketed events such as sporting events (football) might be the printing of exclusion information on the back of the ticket. Vendors and others who are permitted to enter the premises without a ticket should be provided written notice through other means.



Although temporary signage is welcome, no notification is required by statute for K-12 schools or school-sponsored activities. License holders are expected to know that these areas are excluded without specific notification. However, temporary signage could be displayed. Numerous events occur on campuses that are not sponsored by a school but, rather, are sponsored by the higher education institution or by others. By analogy and extension, events for children sponsored by or conducted in coordination with the institution should be considered for exclusion of concealed handguns. It is recommended that UTPB exclude concealed carry for parents, employees, or volunteers working with the children on a sponsored event while on campus.

### **Items for Consideration**

- Requirement for Holster. Senate Bill 11 authorizes presidents to establish reasonable rules. Section 411.2031, Government Code, as added by SB 11, expressly authorizes an institution “to establish reasonable rules ... regarding the carrying of concealed handguns by license holders on the campus,” with specific regard to “safety considerations” and “campus safety.” Violations of campus rules about how to carry or store handguns may be acts subject to disciplinary action by an institution. There is concern regarding the potential for a handgun to discharge accidentally when carried in a purse or backpack. Therefore, the committee recommends that “a license holder who carries a handgun on campus must carry it in a holster that completely covers the trigger and the entire trigger guard area. The holster must have sufficient tension or grip on the handgun to retain it in the holster even when subjected to unexpected jostling.” The committee believes that SB 11 provides authority for presidents to establish such a requirement, which would minimize the potential for accidental discharge if the handgun is jostled about or if the purse or backpack is dropped.
- Handgun Storage Facilities. The law does not require campuses to provide handgun storage facilities. In general, license holders are responsible for safe storage such as by locking their handgun in their automobile or leaving their handgun at home. The committee believes it reasonable for campuses to function like other places in the

state, which typically do not have storage lockers for handguns.

Some staff and faculty members who work at a university have licenses to carry. When the law takes effect, they may wish to bring their concealed handgun to work. The committee recommends that persons who have an office assigned solely to them may lock their gun in their office but must have two methods of doing such. One method is to lock their office door. A second method, to be determined by the CHL licensee, can be to provide their own gun safe in their office or locking their gun in a desk drawer or filing cabinet.

- Reporting Requirements. Senate Bill 11 requires a report to the legislature each even-numbered year that “describes UTPB’s rules, regulations, or other provisions regarding the carrying of concealed handguns on the campus of the institution; and ... explains the reasons the institution has established those provisions.” Institutional reports to the UT System Board of Regents regarding exclusion zones should include a description of the areas which have been excluded and provide justification for those areas.
- Violations. If a person is believed to have improperly displayed a handgun or carried a handgun into a location where concealed carry is not permitted, the campus police should be contacted. The following guidance was provided regarding further penalties that might be considered:
  - The licensing statute, Chapter 411, Government Code, effectively requires that the handgun be “concealed,” meaning that the gun’s presence is “not openly discernable to the ordinary observation of a reasonable person.” Similarly, Section 46.035, Penal Code, on unlawful carry by a licensed holder, prohibits intentional display of the handgun in plain view of another person in a public place as well as possession, whether or not concealed, in specific areas.
  - Sections 46.03 and 46.035 address which violations are criminal. Both sections include “state of mind” requirements, and these state of mind requirements vary. Under section 46.03, it is a crime to “intentionally, knowingly, or recklessly” carry a handgun into in a place designated by that section as an exclusion zone (e.g., a pre-K through 12 school). Under section 46.035, however, it is a crime for a license holder to “intentionally” carry a concealed handgun into an area excluded under

the rules and regulations established by a university, provided proper notice is given. With regard to the open display of a handgun on campus, section 46.035 makes it a crime for a license holder to “intentionally or knowingly” display the handgun in plain view of another person on a university campus. Texas Penal Code § 6.03 assigns particular meaning to the terms “intentionally,” “knowingly,” and “recklessly.” Under section 46.035, however, license holders do not commit a crime if they mistakenly bring a concealed handgun into an exclusion zone – (e.g., if the holder forgot they had the gun with them). As explained below, however, individual institutions may provide that any violation of their concealed carry rules and regulations constitutes a sanction-able offense under their institutional rules.

- Section 411.2031, Government Code, as added by SB 11, expressly authorizes an institution “to establish reasonable rules ... regarding the carrying of concealed handguns by license holders on the campus,” with specific regard to “safety considerations” and “campus safety.” Violations of campus rules about how to carry or store handguns may be acts subject to disciplinary action by an institution and should be included in employee and student standards of conduct policies.
- Definition of “on or about.” Under Section 46.02, Penal Code, which prohibits the carrying of certain weapons “on or about” a person. Texas courts have held that “on or about” includes “the area nearby, close at hand, convenient of access, and within such distance of the party so that, without materially changing his position, the party could get his hand on it” and to include a portfolio or purse [Contreras v. State, 853 S.W. 2d 694 (Tex. App. Houston (1<sup>st</sup> Dist.), 1993)]
- The UTPB Campus Carry Committee suggests that the following language be used:
  - "License holders bear the responsibility for safeguarding their handguns at all times, and must take all necessary precautions to ensure their handguns are secured in a manner that is most likely to prevent theft, loss, damage or misuse. License holders affiliated with UTPB who fail to use reasonable care in securing their handguns or act negligently are subject to disciplinary action, up to and including termination or non-renewal of appointment, or dismissal from UTPB."

- “A license holder fails to use reasonable care when he/she does not exercise the care which a reasonable or prudent person would exercise in similar circumstances, or takes action which a reasonable or prudent person would not take. Failing to secure or control a backpack or purse with a handgun at all times on the UTPB campus would be considered a failure to use reasonable care.”
- Communications and Training. Once campus rules are established, communication and training will be crucial in order for all parties to understand the rules for CHL, how to respond to an inappropriate gun or display of a gun, and locations that have been designated as exclusion zones. Additionally, training regarding appropriate response in the case of an active shooter should be provided to campus community members every semester.

#### Concluding Remarks

In developing these recommendations, the committee recognized that the law empowers each institution president to make appropriate provisions. The committee hopes that these observations and recommendations will assist you in your decisions.

## **APPENDIX A**

### **Members of the UTPB Campus Carry Committee**

- Jaston Brink, Student Senator
- Dr. James Eldridge, Professor of Kinesiology, President of Faculty Senate
- Lail Grant, Safety Coordinator I, Environmental Health & Safety
- Tom Hain, Chief of Police
- Timothy Herrick, Operations Manager, Physical Plant
- Kelly Lease, Student Senator
- Erin Nance, Academic Advisor, Academic Advising
- Dr. Prakash Pai, Associate Professor of Finance, Faculty Senator
- John Roeber, Student Senator
- Teresa Sewell, Senior Associate Vice President, Student Services
- Dr. Jessica Staib, Professor of Educational Leadership and Counseling, College of Education

## APPENDIX B

### Members of the UT System Concealed Carry Working Group

#### Institutions

- U. T. Arlington: John Hall, Vice President for Administration
- U. T. Austin: Steven Goode, JD, Professor, Law
- U. T. Dallas: Alex Piquero, Professor, Criminology
- U. T. El Paso: Gary Edens, Vice President for Student Affairs
- U. T. Permian Basin: Teresa Sewell, Senior Associate Vice President for Student Affairs
- U. T. Rio Grande Valley: Ben Reyna, Associate Vice President for Security and Campus Affairs
- U. T. San Antonio: Kathy Funk-Baxter, Vice President for Business Affairs, and also Steve Barrera, Chief of Police
- U. T. Tyler: Tammy Cowart, JD, Associate Professor, Business Law
- U. T. Health – Houston: George Stancel, Executive Vice President for Academic and Research Affairs
- U. T. Medical Branch – Galveston: Michael Ainsworth, MD, Vice Dean for Academic Affairs, School of Medicine
- U. T. M. D. Anderson – Max Weber, JD, Associate Vice President and Deputy Chief Compliance Officer
- U. T. San Antonio HSC – Michael Parks, Chief of Police, and Dr. Jacqueline Lee Mok, Vice President for Academic, Faculty, and Student Affairs
- U. T. Southwestern – Charles Ginsburg, MD, Senior Associate Dean
- U. T. Tyler HSC – Robert Cromley, Chief of Police

#### U. T. System Administration

- Committee Chair: David E. Daniel, Deputy Chancellor
- Office of the Chancellor: Jana Pankratz, Executive Director
- Director of Police: Michael Heidingsfield
- Government Relations: Barry McBee, JD, Vice Chancellor and Chief Governmental Relations Officer, and Steve Collins, JD, Associate Vice Chancellor for Government and Special Counsel for Governmental Relations and Special Counsel to the Office of General Counsel
- Board of Regents: Kristy Orr, JD, Associate General Counsel
- Office of General Counsel: Tamra English, JD, Assistant General Counsel
- Office of Academic Affairs: Wanda Mercer, Associate Vice Chancellor
- Office of Health Affairs: Patrick Francis, Associate Vice Chancellor
- Risk Management: Patrick Durbin, Assistant Director, Risk Control
- External Relations: John Morton, Senior Communications Writer





**Guy Bailey**  
*Founding President*

April 19, 2016

Dr. David E. Daniel, Deputy Chancellor  
Office of the Chancellor  
The University of Texas System  
601 Colorado Street  
O. Henry Hall  
Austin, Texas 78701

Dear Dr. Daniel:

Transmitted herewith are the rules and provisions for the carry of concealed handguns that I have established for my campus and that the Board of Regents are to review per the provisions of SB11. Please let me know if I can provide additional information.

Sincerely,

A handwritten signature in black ink that reads "Guy Bailey". The signature is written in a cursive, flowing style.

**Guy Bailey**  
President

**Office of the President**

One West University Blvd.  
Brownsville, Texas 78520  
(956) 882-8201

1201 W. University Drive  
Edinburg, Texas 78539  
(956) 665-2100

2102 Treasure Hills Blvd.  
Harlingen, Texas 78550  
(956) 296-1415

[utrgv.edu](http://utrgv.edu)

## CONCEALED HANDGUNS AND OTHER WEAPONS ON CAMPUS

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### A. Purpose

The purpose of this policy is to ensure compliance with Section 411.0231 of the Texas Government Code (also known as the “campus carry law”) while maintaining The University of Texas Rio Grande Valley’s commitment to providing a safe environment for its students, faculty, staff, and visitors.

### B. Persons Affected

This policy applies to all individuals who may work, attend classes, conduct business, or visit any campus of The University of Texas Rio Grande Valley (UTRGV), including without limitation employees, faculty, trainees, students, patients, visitors, volunteers, contractors, commercial tenants, or vendors. This policy does not apply to peace officers as defined in Article 2.12 of the Texas Code of Criminal Procedure, **and does not apply to military service members or officers, inspectors, or investigators employed by a federal agency who are carrying a weapon in the discharge of official duties.-**

### C. Definitions

Campus -- means all buildings, land, or portions of buildings owned or leased by the Board of Regents of The University of Texas System for and on behalf of UTRGV, wherever located.

Concealed Handgun – a handgun, the presence of which is not openly discernable to the ordinary observation of a reasonable person.

Exclusion Zone – means the area(s) of any UTRGV campus where license holders may not carry a concealed handgun.

Handgun – any firearm that is designed, made, or adapted to be fired with one hand.

License Holder – any individual licensed to carry a handgun under Subchapter H, Chapter 411 of the Texas Government Code.

Store – means to take steps that a reasonable person would take to prevent access to a firearm, including without limitation to place a firearm in a locked container. For purposes of this policy, a firearm that is temporarily rendered inoperable by use of a trigger lock or other means is not stored.

Weapon – includes a firearm, explosive weapon, machine gun, short-barrel firearm, firearm silencer, knuckles, armor-piercing ammunition, zip gun, chemical dispensing device (other than a small chemical dispenser sold commercially for personal protection), tire deflation device, illegal knife, switchblade knife, or club.

Work area – means the place or places an individual performs assigned duties as an employee of UTRGV.

#### **D. Policy**

##### *1. Weapons, Open Carry of Handguns Prohibited*

- a. Except for license holders who may carry a concealed handgun or store their handguns in personal vehicles in compliance with this policy and applicable state and federal law, the possession of a weapon by an individual anywhere on any UTRGV campus is strictly prohibited. All persons, including license holders, are prohibited from openly carrying a handgun or other firearm on any UTRGV campus. The prohibition on weapons and the open carry of firearms includes any public driveway, street, sidewalk or walkway, parking lot, parking garage, or other parking area on any UTRGV campus.
- b. Reserve Officer Training or Color Guard firearms or weapons may be used on UTRGV campuses in connection with ROTC/Color Guard related programs, events, or activities.

##### *2. Permissible Carrying of a Concealed Handgun by a License Holder*

- a. License Holder Right to Carry a Concealed Handgun. Unless otherwise prohibited by law or this policy, a license holder may carry a concealed handgun while on any UTRGV campus (including public driveways, streets, sidewalks, or walkways, parking lots, parking garages, and other parking areas). License holders are expected to and must strictly comply with this policy and applicable law. While UTRGV will employ all reasonable means to delineate exclusion zones in accordance with Texas law, it is the responsibility of the license holder to know, understand, and follow this policy and applicable law while on any UTRGV campus.
- b. Concealed Handguns on or about Person. When carrying their concealed handguns on any UTRGV campus, license holders must carry their handguns on or about their person. For purposes of this policy and subject to the requirements of Texas law, “on or about their person” means close at hand and within such distance of the license holder so that, without materially changing position, the license holder can place his or her hand on the handgun.
- c. Intoxication. A license holder may not carry a concealed handgun while intoxicated.
- d. Display of a Handgun. Except as necessary to properly store a handgun, a license holder may not carry a partially or wholly visible handgun, or intentionally or knowingly display a handgun in plain view of another person (even if holstered) on any UTRGV campus, including public driveways, streets, sidewalks, or walkways, parking lots, parking garages, and other parking areas.
- e. Carrying of Concealed Handguns by Employees. An employee who is a license holder may carry a concealed handgun into his or her work area, unless prohibited under this

policy, but is not authorized by UTRGV to use the handgun in the course and scope of performing his or her duties. Any employee whose possession, storage, or use of a handgun results in personal injury or property damage is personally liable for the injury or damage, and is not entitled to immunity under Section 411.208 of the Texas Government Code or any other immunity the individual may otherwise be entitled as a UTRGV employee.

- f. Safeguarding of Handguns. License holders are responsible for safeguarding their handguns at all times, and must take all necessary precautions to ensure their handguns are secured in a manner that is most likely to prevent theft, loss, damage or misuse. License holders affiliated with UTRGV who fail to use reasonable care in securing their handguns are subject to disciplinary action, up to and including termination or non-renewal of appointment, dismissal from UTRGV, or termination of a business relationship. A license holder fails to use reasonable care when he or she does not exercise the care which a reasonable or prudent person would exercise in similar circumstances, or takes action which a reasonable or prudent person would not take. Examples of license holder failures to use reasonable care include without limitation:
- i. Failing to keep or maintain backpack, purse, or other similar bag or carryall with a handgun on or about their person at all times while on any UTRGV campus;
  - ii. Failing to carry a handgun in a holder or holster that completely covers the trigger and trigger guard area;
  - iii. Failing to use a holder or holster which has sufficient tension or grip to retain it in the holder or holster even when subjected to unexpected jostling; or
  - iv. Failing to immediately report the loss or theft of their handgun on campus to the UTRGV Police Department.
3. *Requirement to Disclose License Holder Status*
- a. License holders are not required to disclose their status as a license holder to anyone other than a law enforcement officer. UTRGV employees, faculty, trainees, or students (other than a law enforcement officer) may not require individuals to disclose their license status.
  - b. UTRGV will not maintain a list of license holders, as this information is not considered public information.
4. *Handgun Storage*
- a. UTRGV will not provide handgun storage for license holders. Except for storing a handgun in a vehicle as permitted under Texas law or as otherwise permitted in Sections D.4 or E.2, license holders must not leave a handgun unattended anywhere on a UTRGV campus, regardless of whether stored in a **locked container**, desk drawer, cabinet, office, backpack, purse, or other similar bag or carryall.

- b. License holders or resident staff domiciled in UTRGV residential facilities that permit the carrying and storage of handguns as discussed in Section E.2 below may store their handguns in their private residential facility provided they provide, at their own expense, a gun safe meeting UTRGV specifications. Gun safes must be specifically designed for the safe and secure storage of handguns, must be locked at all times, and be physically attached to the residential area under the control of the resident. The manner by which to most effectively attach the handgun safe within the residence will be determined by the Office of Facilities.
- c. License holders who otherwise lawfully possess a handgun or ammunition will not violate this policy if the license holder transports or stores the handgun or ammunition in a locked, privately owned motor vehicle on any driveway, street, parking lot, parking garage, or parking area provided by or under the control of UTRGV. A license holder may not intentionally or knowingly display a handgun in plain view of another person except as necessary to properly store the handgun in a privately owned motor vehicle.

#### 5. *Authority to Designate Exclusion Zones*

Only the President of UTRGV has the authority to declare additional, specific premises or areas as exclusion zones. Except as provided in this policy, without the express written consent of the President, no UTRGV faculty member, employee, student, or faculty, employee, or student group may declare a specific premises or area as an exclusion zone.

#### 6. *Violations of Policy*

Any individual who violates this policy may be subject to disciplinary action, up to and including termination of employment or non-renewal of appointment, dismissal from an educational program, or termination of a business relationship, and may also be subject to criminal prosecution.

### **E. Exclusion Zones Where Concealed Handguns are Prohibited**

1. *Exclusion Zones.* A license holder is prohibited from carrying a concealed handgun onto a UTRGV campus premises or area where prohibited by law and or by this policy based on the nature of the premises or area, facilities, student population, event or activity, safety concerns, and uniqueness of the UTRGV campus environment. Concealed handguns are prohibited at the following designated locations:
  - a. Child-Care Facilities – locations where services to minors are provided, including the Counseling and Assessment and Preparation Clinic – Edinburg Campus; the Child Development Center – Edinburg Campus; and University Head Start Program, College of Education and P-16 Initiatives, Education Building – Edinburg Campus.
  - b. Patient Care Areas – locations where health care, counseling (including counseling provided by non-professional victim advocacy counselors or advocates), or mental health services are provided, including the John Austin Pena Primary Care and

Substance Abuse Treatment Facility in Edinburg; the Health Services Clinics at the Edinburg and Brownsville campuses; the Counseling Centers at the Edinburg and Brownsville campuses; and the Office of Victim Advocacy and Violence Prevention.

- c. UTRGV Mathematics and Science Academy (MSA) – concealed handguns are statutorily prohibited at discrete physical locations associated with the Math and Science Academy, a program for high school-aged students who are gifted in math and science. To the extent MSA students take UTRGV classes with UTRGV students in UTRGV classrooms, these students would be treated like UTRGV students. Discrete physical locations of the MSA include facilities on the Brownsville and Edinburg campuses.
- d. Laboratories – locations where the discharge of a handgun might cause significant harm, such as laboratories with dangerous chemicals, biologic, or explosive agents, and in areas with equipment incompatible with metallic objects (e.g., magnetic resonance imaging machines).
- e. Animal Care Areas and Vivaria – animal facilities in which protocols regulating ingress and egress create a risk that a concealed handgun will accidentally discharge, be contaminated, or be separated from a license holder, including the BNSB Building in Edinburg, the ERAHC (including its BSL-3 facility), and the Bio Medical Building Vivarium.
- f. Watercraft – concealed handguns are prohibited onboard all vessels and watercraft owned, leased or operated by UTRGV.
- g. By Contract – where state or federal law or contract, at the sole discretion of the state or federal government or organization with whom the contract is entered, requires exclusion of a handgun in a specific location and the exclusion does not generally prohibit or have the effect of prohibiting license holders from carrying concealed handguns on a UTRGV campus.
- h. Religious Worship – at a location used as a church, synagogue, or other established place of religious worship as prohibited under Section 46.035(b)(6) of the Texas Penal Code.
- i. Polling Place – at a location designated as a polling place on the day of a federal, state, or local election, including while early voting is in progress as set out in Section 46.03(a)(2) of the Texas Penal Code.
- j. University Police Department – in a non-public, secure portion of a University Police Department facility used to conduct official business as prohibited under Section 411.207(b) of the Texas Government Code.
- k. Intercollegiate/Athletic Events – at a location where a high school, collegiate, or professional sporting event or interscholastic event is taking place as prohibited under



Section 46.035(b)(2) of the Texas Penal Code, or where a sports club or intramural athletic competition is taking place.

- l. Programs or Camps for Minors – locations where programs or camps for children under the age of 18 sponsored, facilitated, or coordinated by UTRGV.
  - m. Disciplinary, Grievance, or Similar Hearings – locations in which a formal hearing is being conducted in accordance with established procedures (except for hearings involving commissioned peace officers under the policies of The University of Texas System Police). Written notice conforming to Texas Penal Code Section 30.06 must be provided in letters or emails notifying individuals of the hearing.
2. *Residential Facilities, Exclusion Zones, and Storage of Handguns*
- a. Concealed handguns *are prohibited* in areas of UTRGV residential facilities that do not provide sufficient space solely under a resident’s control to permit the safe storage of a handgun (such as dormitories designed for shared living in the same room), including Unity Hall, Heritage Hall, and Troxell Hall in Edinburg; and double-occupancy rooms designed for shared living at the Casa Bella Apartments in Brownsville.
  - b. Concealed handguns *are permitted* in areas of UTRGV residential facilities that allow for sufficient space solely under a resident’s control to permit the safe storage of handguns, including single private rooms at the Casa Bella Apartments in Brownsville and at the Village Apartments in Edinburg.
  - c. A license holder who resides in a UTRGV residential facility may carry a concealed handgun into the facility and may store the weapon in his or her private residential room, except when the facility hosts summer camps attended by minors. A license holder who brings a concealed handgun into a UTRGV residential facility pursuant to this policy must carry the handgun on his or her person at all times or store the handgun in his or her private residential room.
  - d. A license holder who is a resident in a UTRGV residential facility may not intentionally or knowingly display a handgun in plain view of another person in campus housing except as necessary to properly store the handgun in his or her private residential room.
  - e. Residents in residential facilities permitting concealed handguns are required to provide their own handgun safe meeting or exceeding UTRGV specifications at their own expense, and to abide by any other safety requirements established as a condition of living in UTRGV residential facilities. License holders who reside in residential facilities where safe storage is allowed or who are staff whose employment responsibilities require them to reside in university housing must store their handguns either in a locked, privately owned or leased motor vehicle or in a gun safe that meets

the requirements determined by UTRGV. Resident license holders are also responsible for ensuring that their guests comply with all rules and regulations.

3. *Additional Designation of Exclusion Zones.* In order to promote campus safety, the President may prohibit the carrying of concealed handguns at other campus locations from time to time. Any prohibition will be based on specific safety considerations, the nature of the student population, and the uniqueness of the campus environment.

**F. Communication**

1. UTRGV will provide notice at all locations or activities where concealed handguns are prohibited under this policy and may post notice where handguns are expressly prohibited but where notice is not required to be posted by law. The language of the notice, which is set out in Section 30.06 of the Texas Penal Code, shall not be altered in any way unless revised by state law.
2. Any individual who, without authorization, tampers with, defaces, modifies or removes a notice provided under this policy is subject to disciplinary action or termination of a business relationship, and may be subject to criminal prosecution.
3. UTRGV will widely distribute this policy and all related rules, regulations, and procedures to person affected by this policy, including publishing this policy and related rules, regulations, and procedures on UTRGV's internet and intranet sites.

**G. Reporting to Texas Legislature**

UTRGV will prepare a report for the Texas Legislature describing the campus rules adopted to regulate the carrying of concealed handguns on campus and the reasons for the rules no later than September 1, 2016 and every even-numbered year thereafter. This report will be submitted to The University of Texas System prior to submission to the Texas Legislature.

**H. Relevant Federal and/or State Statute(s), Board of Regents' Rule(s), UTS Policy(ies), or Coordinating Board Rules**

Texas Government Code, Chapter 411  
Texas Labor Code, Chapter 52  
Texas Penal Code, Chapter 30  
Texas Penal Code, Chapter 46  
Texas Code of Criminal Procedure, Article 2.12

## **9.48 Carrying of Concealed Handguns on Campus (Campus Carry)**

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### **I. POLICY STATEMENT**

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The University of Texas at San Antonio (UTSA) is committed to providing a safe environment for students, faculty, staff, and visitors. At the same time, UTSA also recognizes and respects the rights of individuals licensed to carry Concealed Handguns pursuant to Subchapter H, Chapter 411 of the Texas Government Code. This policy was written after consultation with campus constituencies regarding a number of factors including the nature of the student population, specific safety considerations and the uniqueness of the UTSA campus environment.

This policy applies only to the concealed carrying of handguns. It does not authorize the Open Carrying of handguns or the carrying (concealed or open) of any other firearms.

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### **II. RATIONALE**

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This policy establishes guidelines and procedures for the implementation of Texas State Senate Bill No. 11, popularly known as the “campus carry” law. This policy will become effective August 1, 2016 and is intended to be in conformity with the requirements of Texas Government Code Section 411.2031.

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### **III. SCOPE**

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This policy applies to all faculty, staff, students, visitors, volunteers, contractors, prospective students and parents of prospective students, individuals and organizations doing business on behalf of UTSA on Campus Premises.

This policy does not apply to licensed peace officers of the UTSA Police Department, other commissioned police officers as defined in article 2.12 of the Texas Code of Criminal Procedures, and federal law enforcement officers.

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### **IV. WEBSITE ADDRESS FOR THIS POLICY**

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<http://www.utsa.edu/hop/chapter9/9-48.html>

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### **V. RELATED STATUTES, POLICIES, REQUIREMENTS OR STANDARDS**

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#### **UTSA or UT System Policies or the Board of Regents' Rules & Regulations**

- A. [UTSA Campus Carry website](#)
- B. [HOP 3.03](#), Discipline and Dismissal of Classified Employees
- C. [HOP 3.04](#), Grievances of Non-Faculty Employees

- D. [HOP 2.34](#), Faculty Grievance Procedures
- E. Student Code of Conduct

### **Other Policies & Standards**

- F. [Senate Bill 11](#)
- G. [Texas Government Code Chapter 411, Subchapter H](#)
- H. [Texas Penal Code 46 \(46.01, 46.03\)](#)
- I. [Texas Department of Public Safety Handgun Licensing](#)

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## **VI. CONTACTS**

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If you have any questions about HOP policy, Campus Carry, contact the following offices:

UTSA Police Department  
210-458-4242

Office of the Vice President for Business Affairs  
210-458-4201

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## **VII. DEFINITIONS**

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**Campus:** (as defined by SB 11) is all land and buildings owned or leased by UTSA.

**Campus Carry Law:** Section 411.2031 of the Texas Government Code, permitting the carrying of Concealed Handguns by duly licensed holders on UTSA campuses in accordance with this policy.

**Concealed Handgun:** a Handgun, the presence of which is not openly discernable to the ordinary observation of a reasonable person.

**Concealed Handgun License (CHL):** A valid and current Concealed Handgun License issued by the Texas Department of Public Safety under Chapter 411, Subchapter H of the Texas Government Code (“License to Carry a Concealed Handgun”)

**Concealed Handgun License Holder:** Anyone appearing on UTSA Campuses with a valid, current CHL.

**Disciplinary Action:** Sanctions by UTSA, up to and including removal, probation, suspension, dismissal, and termination or expulsion.

**Display:** The act of intentionally displaying a Handgun, in whole or in part, in plain view of another person in a public place.

**Exclusion Zones:** An area of the UTSA Campuses in which the possession of a Handgun is prohibited as provided in Appendix A of this policy.

**Handgun:** Any firearm that is designed, made, or adapted to be fired with one hand.

**Open Carry:** Visible possession of a Handgun in public.

**Premises:** Consistent with Section 46.035(f) (s) of the Texas Penal Code, means a building or a particular portion of a UTSA Campus building. For purposes of this policy and UTSA Campuses, a Premises comprises all of the contiguous space dedicated to a particular institutional function or activity and extends to the functional or physical boundary of that function or activity. A Premises may be a floor, departmental suite, hallway, walkway, throughway, laboratory, cafeteria, or any other space, depending on the circumstances.

**Weapon:** Any object or substance designed to inflict a wound, cause injury, or incapacitate, including without limitation all firearms, BB guns, air guns, pellet guns, zip gun, switchblade knives, knives with a blade over five and one-half inches and other illegal knives or clubs prohibited by statute. Chemicals such as mace, tear gas, or oleoresin capsicum, but excluding normally available over-the-counter self-defense repellents. Possession of chemical repellents labeled for police use only or for law enforcement use only are restricted to law enforcement.

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## **VIII. RESPONSIBILITIES**

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### **A. Concealed Handgun License Holder**

1. While UTSA will employ all reasonable means to clearly delineate Exclusionary Zones by signage in accord with Texas statutory law, it is the responsibility of the Concealed Handgun License Holder to know, understand, and follow these rules and applicable laws while on UTSA Campuses. Holders of such permits are bound by state and federal law and may face criminal or civil penalties for violation of those statutes.
2. Conceals the Handgun so that it is not partially or wholly visible to another person.
3. Safeguards at all times the Handgun.
4. Must not leave the Handgun unattended or unsecured.

### **B. President**

1. Designates gun-free zones on campuses in accordance with Senate Bill 11.
2. Submits a report to the Texas Legislature no later than September 1 of even-numbered years that describes all provisions regarding the carrying of concealed handguns on UTSA Campuses.

### **C. UTSA Police Department**

1. Maintains a list of all Handgun related incidents and provides an annual report to the President.
2. Reviews Exclusion Zone requests for the temporary prohibition of Concealed Handguns on UTSA Campuses.

**D. Vice President for Business Affairs**

1. Maintains a complete and up-to-date listing of Exclusion Zones.

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**IX. PROCEDURES**

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**A. General Provisions**

1. Subject to applicable Texas or federal laws and rules adopted by UTSA, individuals holding a valid CHL or the new state designation for the same, License to Carry (LTC), will be allowed to carry their Handgun, concealed on their person on the Campuses of UTSA, except in areas designated as Exclusion Zones as outlined in Appendix A.
2. Pursuant to Texas Penal Code Sections 46.035 and 30.07, the open display of a Handgun in plain view of another person on UTSA Campuses is never allowed except by authorized individuals, such as licensed peace officers of the UTSA Police Department, or other commissioned peace officers.
3. While UTSA will employ all reasonable means to clearly delineate Exclusion Zones by signage in accord with Texas law, it is the responsibility of the Concealed Handgun License Holder to know, understand, and follow these rules and applicable laws while on UTSA Campuses. Holders of such permits are bound by state and federal law and may face criminal or civil penalties for violation of those statutes.
4. Concealed Carry License Status. Authorized CHL Holders are not required to disclose their status to anyone other than a law enforcement officer. UTSA will not maintain a list of Concealed Carry License Holders. This information is not a matter of public records. UTSA employees (other than law enforcement officers) may not, under any circumstances, require students or employees to disclose their Concealed Carry License status.
5. UTSA will not provide gun storage on campuses. CHL Holders must keep their Concealed Handguns in a secure location or on or about their person at all times. For the purposes of this policy and subject to the requirements of Texas law, “on or about one’s person” means close at hand and within such distance of the CHL Holder so that, without materially changing his/her position, the CHL Holder could get his/her hand on it. UTSA recommends the use of holsters or protective covers.



6. CHL Holders are responsible for safeguarding their Handguns at all times and must take all necessary precautions to ensure their Handguns are secured in a manner that is most likely to prevent theft, loss, damage, misuse, or accidental discharge. CHL Holders are liable for any and all damage, injury, liability, loss, cost, or expense, directly or indirectly resulting from or arising out of an accidental or inadvertent discharge of their Concealed Handgun or their violation of this policy.

**B. Specific Exclusions to Concealed Carry of a Handgun**

1. UTSA's President is the only person with the authority to declare a specific area as an Exclusion Zone. Therefore, except as provided herein, without the express written consent of the President, no faculty member, staff member, student, or student groups may designate an area as an Exclusion Zone.
2. Exclusion Zones set forth in Appendix A. Subchapter H, Chapter 411 of the Texas Government Code gives the presidents of public universities the ability to designate gun-free zones on their campuses. UTSA has identified Exclusion Zones based on applicable laws and regulations, the general makeup of the campus population in those areas, safety considerations, and any unique material characteristics of the areas. The Texas Government Code 411.2031(d-1) and the Texas Penal Code 30.06 require notice to be given regarding areas where CHL Holders may not carry. Signage will be provided for these areas, using the required wording.

**C. Training and Awareness**

Training regarding information about the Campus Carry Law and procedures for responding to violations or associated emergencies will be provided to:

1. Students by the Office of the Vice President for Student Affairs
2. Faculty and Staff by the Office of the Vice President for Business Affairs

**D. Compliance, Violations and Enforcement**

1. Compliance is the responsibility of all persons on UTSA Campuses. It is the responsibility of the CHL Holder to know, understand, and follow this policy and applicable laws while on UTSA Campuses. CHL Holders are bound by state and federal law and may face criminal or civil penalties for violation of those statutes.
2. Any violation of this policy by members of the UTSA community will be dealt with in accordance with applicable university policies and procedures, which may include disciplinary actions up to and including termination of employment for employees or expulsion for students.
3. Violations of this policy by anyone not a member of the UTSA community will result in removal from UTSA property. Suspected violations of law will be reported to the UTSA Police Department or other law enforcement agencies and may result in criminal penalties.

4. Individuals should report noncompliance to UTSAPD who will forward potential violations to the Office of Institutional Compliance and/or Office of Human Resources or Office of Student Conduct and Community Services.

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## **X. SPECIAL INSTRUCTIONS FOR INITIAL IMPLEMENTATION**

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None

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## **XI. FORMS AND TOOLS/ONLINE PROCESSES**

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None

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## **XII. APPENDIX**

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- A. List of Exclusion Zones
- B. [UTSA Campus Carry website](#)
- C. [Campus Carry FAQs](#)

**UTSA**<sup>®</sup>

The University of Texas at San Antonio<sup>™</sup>

**Campus Carry Task Force**

*December 9, 2015*

# Campus Carry Task Force Update

- 17 member task force including faculty, staff, and student representatives
- Seven in-person task force meetings
- Numerous forums held to seek feedback from faculty, staff and students
- UTSA PD and Task Force members provided additional information at various campus meetings
- Received over 230 emails to campus carry inbox
- President Romo provided with regular updates

# Task Force Recommendations

## GENERAL POLICY

- No gun storage provided by University (standards will be established for acceptable storage to be used in housing).
- If a building has significant exclusion zones within it, recommend entire building become an exclusion zone.
- Select personnel holding positions that require significant physical activity and entry into exclusion zones (i.e., maintenance staff, Facilities personnel, PSO & Safety positions) would not be allowed to carry concealed handguns.

# Task Force Recommendations

## GENERAL POLICY

- Requirement that students review newly developed online campus carry and violation reporting overview materials at least once.
- Requirement that faculty and staff participate in newly developed mandatory training on campus carry and violation reporting policies and procedures.



# Preliminary Exclusion Zones Recommendations

## LAW/LEGISLATION JUSTIFICATION OR REFERENCE

- Premises providing services to minor children, including
  - Child Development & TEAM centers
  - Schools' sponsored activities and university sponsored camps
  - Institute of Texan Cultures
- Patient care – health and counseling centers
- High school, collegiate or professional sporting events
- Interscholastic events
- On-campus voting sites
- Formal Proceeding/Hearing Rooms
  - Faculty or staff grievance
  - Faculty appeals of tenure
  - Student grievance
  - Disciplinary or dismissal
  - Student Conduct & Community Standards
  - Fitness to practice review
  - Research misconduct
- Public governmental meetings subject to Chapter 551 Govt Code

# Preliminary Exclusion Zones Recommendations

## **SAFETY/HAZARDS JUSTIFICATION OR REFERENCE**

- Labs with combustible, flammable or other dangerous materials
  - Includes entire Biosciences Building
- Biosafety level 2 and 3, and vivarium labs requiring restrictive entry and/or protective clothing
- Recreation Wellness Center, Intramural events and club sports
- Athletic and kinesiology weight, locker, testing and treatment facilities
- Campus locations serving alcohol
- Library Special Collections section
- Central Receiving building
- University Police restricted access offices and investigative rooms

# Preliminary Exclusion Zones Recommendations

## **OTHER JUSTIFICATION OR REFERENCE**

- Testing Center
- Student residential housing deemed not a private unit
- Residential units during summer camps and Orientation use

## Next Steps

- Consider any additional locations/events
- Finalize/present recommendations to Dr. Romo in early 2016
- President Romo approves UTSA policy
- Review by UT Regents in spring 2016
- Await Attorney General opinion for campus exclusion zones
- Update university policies to conform to law
- Create the training materials for students and employees
- Signage purchase and placement
- Create process for event management and special signage
- Update university-wide materials and websites
- Report to legislature filed September 2016



## **2.10.1 Concealed Handguns on Campus**

### **A. Purpose**

The purpose of this policy is to establish the policies and procedures surrounding the concealed carry of handguns on the UT Tyler campus.

### **B. Persons Affected**

This policy is applicable to students, faculty, employees, and visitors of UT Tyler.

### **C. Policies and Procedures**

1. Exclusion Zones: As provided by law, handgun license holders may carry concealed weapons on The University of Texas at Tyler campuses, except for the excluded areas as indicated below.
  - Exclusions Required by Other Entities. Areas for which state or federal law, licensing requirements, or contracts require exclusion exclusively at the discretion of the state or federal government, or in which handguns are prohibited by an accrediting authority. Examples of facilities in this category include childcare facilities, vivaria, and animal care areas. Therefore, the University excludes concealed handguns in the following locations:
    - Innovation Academy, Tyler
    - Innovation Academy, Longview
    - Innovation Academy, Palestine
  - Patient Care Areas. Section 46.035(b)(4) of the Penal Code excludes hospitals licensed under Chapter 241. By analogy and extension, patient care areas will be excluded, including hospitals, clinics, and mental health treatment areas. A “patient care area” is restricted to patient care areas for which a formal record of treatment is maintained. Therefore, the University excludes concealed handguns in the following locations:
    - University Center Student Counseling Center (UC 3150, 3152, 3154, 3155, 3156, 3170, 3171, 3172, 3173, 3174, 3175, 3176, 3177, 3178)
    - Herrington Patriot Center (HPC) Athletic Training Area (HPC 1045, 1045A, 1047, 1260)
    - Biology, Education, and Psychology Building (BEP) – Handguns should be excluded in 2<sup>nd</sup> floor rooms where patient counseling sessions are conducted. (BEP 218, 220B, 220G, 229 suites, 231 suites, 232, 248 suites)
    - University Health Clinic
  - Premises in or on which a Ticketed Sporting Event is Taking Place. Section 46.035(b)(2) of the Penal Code prohibits concealed handguns at high school, collegiate, and professional sporting events. By analogy and extension, any

ticketed sporting event is excluded on UT Tyler campuses, whether an intercollegiate event or not. The following would be exclusion zones during high school, collegiate, and professional sporting events:

- Louise Herrington Patriot Center
  - Citizens 1<sup>st</sup> Bank-Perkins Soccer Complex
  - Irwin Field
  - Suddenlink Field
  - Summers Tennis Center
- Areas Where Discharge of a Handgun Might Cause Widespread Harm. Laboratories and instructional areas in BEP, HPR, RBS, and ARC with extremely dangerous chemicals, biologic agents, explosive agents, or equipment that is incompatible with metallic objects, such as magnetic resonance imaging machines are excluded areas. These rooms include:
- ARC 167
  - BEP 118, 121, 122, 124, 126, 131, 138
  - HPR 140, 141, 145, 148, 153
  - RBS 1034, 3015
- Formal Hearing Areas. Section 46.03(a)(3) of the Penal Code excludes “any government court or offices utilized by the court.” Any facility used as a hearing room that operates similar to a court, i.e., where an individual or panel is designated under institutional policy to adjudicate the rights or privileges of a student or an employee of the institution may be excluded. Therefore, the University excludes concealed handguns in the following locations:
- University Center 3<sup>rd</sup> Floor Conference Room during student judicial hearings (UC 3322)
  - Human Resources Conference Room during hearings (ADM 113, 114)
- Areas in which Sponsored Activities Are Conducted for Persons Under 18 Years of Age Who are Not Enrolled at the Institution. Section 46.03(a)(1) of the Penal Code prohibits the carrying of handguns on “any grounds or building on which an activity sponsored by a school ... is being conducted.”
2. Review of Exclusion Zones: Future proposals and recommendations for exclusion zones will be reviewed annually by the Research Council, Environmental Health & Safety, and the Space Committee. Each person proposing an exclusion zone is responsible for providing the justification for the exclusion zone based on a provision within Section 1 of this policy. Exclusion zone recommendations should be presented to the President by the end of each academic year.
3. Temporary Exclusion Zones: With the exception of athletic events, the Office of Scheduling & Conference Services will maintain signs for temporary exclusion zones. Any UT Tyler representative organizing an event that constitutes a temporary exclusion zone will need to coordinate with the Office of Scheduling & Conference Services to



ensure proper signage is present at the event and is responsible for removing the signage following the event.

Intercollegiate Athletics and Rec Sports will be responsible for maintaining and placing signs for athletic events that constitute temporary exclusion zones.

4. Training: Additional training will be provided by the University for those interested in more in-depth information about campus carry and related issues. Responsibility for campus carry training rests with Campus Police and the Emergency Management Coordinator.
5. Residential Facilities: Student Housing is responsible for developing storage policies for on campus residents and roommate selection clauses for students who do not wish to room with licensees. The residential housing application will include an opportunity for residents to self-select a non-license holder as a roommate.
6. Requirement for Holster: A license holder who carries a handgun on campus must carry it in a holster or other secure weapon case that completely covers the trigger and the entire trigger guard area. The holster must have sufficient tension or grip on the handgun to retain it in the holster even when subjected to unexpected jostling.
7. Inclusion in Syllabi: The following statement should be included in all syllabi, “We respect the right and privacy of students who are duly licensed to carry concealed weapons in this class. License holders are expected to behave responsibly and keep a handgun secure and concealed. More information is available at <http://www.uttyler.edu/about/campus-carry/index.php>.”
8. Enforcement: If a person is believed to have improperly displayed a handgun or carried a handgun into a location where concealed carry is not permitted, the campus police should be contacted.
9. License Holder Responsibilities: License holders bear the responsibility for safeguarding their handguns at all times, and must take all necessary precautions to ensure their handguns are secured in a manner that is most likely to prevent theft, loss, damage or misuse. Failure to secure a handgun or control a backpack or purse with a handgun at all times on the UT Tyler campus would be considered a failure to use reasonable care. License holders affiliated with UT Tyler who fail to use reasonable care in securing their handguns or act negligently are subject to disciplinary action, up to and including suspension, termination or non-renewal of appointment, or dismissal.

#### **D. Review**

This policy shall be reviewed every year by the President in consultation with the Vice Presidents.

# UT SOUTHWESTERN POLICY HANDBOOK

## SEC-155: WEAPONS ON CAMPUS

### CHAPTER 4: CAMPUS SECURITY AND PREPAREDNESS

#### CONTENTS

Policy Rationale and Text  
Scope  
Exceptions  
Responsibilities  
Definitions  
Previous Handbook Policy  
Related Statutes  
Revisions and Updates  
Contacts

#### ADMINISTRATIVE INFORMATION

Responsible Office: Office of Business Affairs  
Executive Sponsor: Executive Vice President of Business  
Affairs  
Effective Date: August 1, 2016  
Next Scheduled Review: August 1, 2021  
Contact: [policyoffice@utsouthwestern.edu](mailto:policyoffice@utsouthwestern.edu)

### POLICY RATIONALE AND TEXT

UT Southwestern follows all federal and state laws that pertain to weapons—including handguns—on its campus, while striving to provide a campus environment in which students, post-graduate trainees, staff, faculty, vendors, patients, and visitors can focus on their studies, research, work and receipt of medical care with minimal distraction.

The possession of a weapon by an individual anywhere on property owned or controlled by UT Southwestern is strictly prohibited—unless it is a concealed handgun carried by an individual holding a valid license to carry a handgun (LTC) in ways that are consistent with state and federal law, as well as with this policy. UT Southwestern property includes streets, sidewalks or walkways, parking lots, parking garages, off-campus leased facilities, and any facility over which UT Southwestern has control. It also includes UT Southwestern owned or leased vehicles.

The carrying of a firearm **openly** on UT Southwestern property is strictly prohibited.

Any LTC holder who carries a handgun on campus, including within a backpack or purse, must carry it in a holster that completely covers the trigger and the entire trigger guard area, and maintain it on their person at all times. A LTC holder may not carry a partially concealed or wholly visible handgun on or about the LTC holder's person, or intentionally or knowingly display the handgun on UT Southwestern property in plain view of another person, regardless of whether the handgun is holstered.

UT Southwestern strictly prohibits the carrying of concealed handguns in patient areas; campus childcare and playground facilities; and buildings with laboratories where greater than 50% of the net assignable square feet in the building contains chemicals, biologic agents, and/or potentially explosive gases.

The UT Southwestern campus has many buildings where usage may vary by floor or portions of a floor (mixed use buildings).

The portions of mixed use buildings that are comprised of laboratories with chemicals, biologic agents, and/or potentially explosive gases, patient care areas, and/or childcare and playground facilities will be designated and marked as areas where the carrying of concealed handguns is prohibited.

The remaining portions of the mixed use buildings are areas where the carrying of concealed handguns is allowed. Areas where concealed handgun carry is prohibited will be marked by signs that are compliant with state law requirements.

In addition to signage, UT Southwestern will create and maintain a publicly accessible website that provides notice to individuals regarding the strict prohibition of openly carrying a handgun on UT Southwestern property. This website will also indicate locations where the carrying of concealed handguns by a LTC holder is prohibited.

A map of UT Southwestern property on which allowable areas for the carrying of a concealed handgun by a LTC holder are demarcated in yellow is incorporated in this policy. The locations demarcated in pink indicate areas where concealed handguns may not be carried.

UT Southwestern and its divisions, including, but not limited to, its departments, offices, clinics and hospitals, will not provide handgun storage facilities for LTC holders on UT Southwestern property, and individuals may not add or use lockers for that purpose anywhere on the campus. Should the LTC holder need to visit prohibited areas of the UT Southwestern campus, he or she must store his or her handgun in a locked, privately owned motor vehicle in any driveway, street, parking lot, parking garage, or parking area provided by or under the control of UT Southwestern.

Any student, post-graduate trainee (clinical residents and fellows), postdoctoral scholar, or employee (including but not limited to staff and faculty) violating this policy will be subject to disciplinary action, up to and including dismissal from educational or post-graduate training programs or termination of employment, as well as possible criminal sanctions. Contractors, commercial tenants, and vendors violating this policy will be subject to removal from the UT Southwestern campus and possible criminal sanctions.

## SCOPE

This policy applies to all individuals associated with UT Southwestern Medical Center, including without limitation employees (including but not limited to staff and faculty), clinical residents and fellows, postdoctoral scholars, students, patients, visitors, volunteers, contractors, commercial tenants, and vendors.

## EXCEPTIONS

Licensed peace officers are allowed to carry a weapon openly, including on UT Southwestern property, regardless of whether the officer is engaged in the actual discharge of duties while carrying the weapon.

Members of the armed forces (including the National Guard), guards employed by a penal institution, or officers of the court will not be considered to have violated this policy if they carry a weapon openly while engaged in the discharge of official duties.

## RESPONSIBILITIES

**Any individual associated with UT Southwestern Medical Center** is responsible for notifying the University Police Department when an individual on UT Southwestern campus is observed either (1) possessing a weapon (excluding a completely concealed handgun); (2) openly carrying a handgun; (3) carrying a concealed handgun in a manner that is prohibited by law or by this policy (e.g., not holstered; only partially concealed); or (4) carrying a concealed handgun in a prohibited area.

**The UT Southwestern administration** is responsible for posting signage compliant with state law that indicates where concealed carry is prohibited.

**The University Police Department** is responsible for taking appropriate legal action against violators and reporting alleged violators of this policy to the appropriate UT Southwestern administrative personnel including, but not limited to, the Executive Vice President for Business Affairs; the Executive Vice President for Health System Affairs; the Vice President for Human Resources; the Deans of either the medical school, graduate school, or school of health professions; and the Designated Institutional Official (DIO) in the Graduate Medical Education Office.

**The Executive Vice President for Business Affairs, the Executive Vice President for Health System Affairs, the Vice President for Human Resources, the Deans of the schools, and/or the DIO** are responsible for ensuring that appropriate non-criminal sanctions are considered and imposed against violators, when appropriate.

## DEFINITIONS

**License to Carry a Handgun (LTC) Holder** – a person licensed by the Texas Department of Public Safety to carry a handgun under Subchapter H, Chapter 411, Texas Government Code.

**Firearm** – any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use.

**Handgun** – any firearm that is designed, made, or adapted to be fired with one hand.

**Holstered Handgun** – a firearm carried in a holster that completely covers the trigger and the entire trigger guard area. The holster must have sufficient tension or grip on the handgun to retain it in the holster, even when subjected to unexpected jostling.

**Weapon** – includes a firearm, explosive weapon, machine gun, short-barrel firearm, firearm silencer, knuckles, armor-piercing ammunition, zip gun, chemical dispensing device (other than a small chemical dispenser sold commercially for personal protection), tire deflation device, illegal knife, switchblade knife, or club.

## PREVIOUS HANDBOOK POLICY CHAPTER AND NUMBER

SEC-155 Prohibition of Weapons on Campus

## RELATED STATUTES, OTHER POLICIES, REQUIREMENTS, OR STANDARDS

Texas Government Code, Section 411.2031; 411.208

Texas Labor Code 52.061 -.064

Texas Penal Code, Section 30.6.

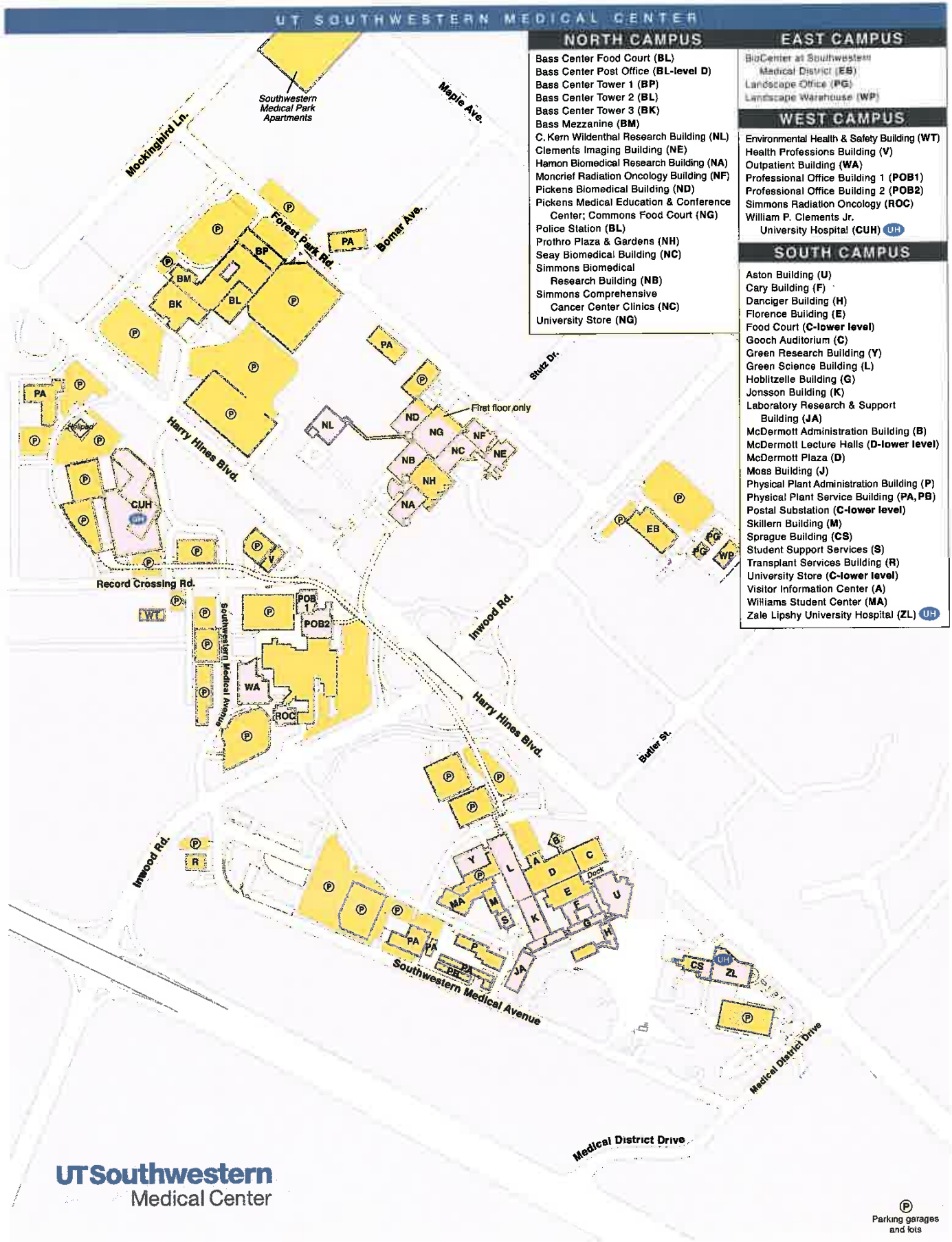
Texas Penal Code, Section 46.01; 46.03; 46.035

## REVISIONS AND UPDATES

August 1, 2016: Revised to reflect legislative changes that now allow concealed carrying of handguns on campus property by duly licensed individuals.

## **CONTACTS/FOR FURTHER INFORMATION**

University Police 214-648-8311





<b>Institutional Handbook of Operating Procedures Policy 8.2.9</b>	
Section: Health, Safety, and Security	Responsible Vice President: UTMB Chief of Police
Subject 8.2: Security Policies	Responsible Entity: UTMB Police Department

**I. Title**

*Concealed Handguns on UTMB’s Campus.*

**II. Policy**

- A.** This policy provides the rules that govern the concealed carry of handguns on the campus of the University of Texas Medical Branch (UTMB) in compliance with [§411.2031 of the Texas Government Code](#).
- B.** A person with a handgun license (license holder), issued pursuant to §411 of the Texas Government Code, may carry a concealed handgun on his or her person or in a closely controlled manner on the campus of UTMB, except excluded areas listed in section IV below. Individuals who are not license holders are prohibited from carrying a concealed handgun anywhere on UTMB’s campus.
- C.** Carrying an unconcealed handgun anywhere on the campus of UTMB is restricted to authorized Peace Officers and other persons designated by appropriate law enforcement agencies.
- D.** This policy applies to faculty, staff, students, patients, and visitors. Commissioned Peace Officers are exempt from the provisions of this policy.
- E.** Violation of this policy may result in disciplinary action up to and including termination for employees; a termination of employment relationship in the case of contractors or consultants; or suspension or expulsion in the case of a student. Additionally, individuals may be subject to loss of access privileges and criminal prosecution.
- F.** Patients and visitors found to be in violation of this policy may be subject to exclusion from UTMB’s campus, temporary safe-holding of the handgun by UTMB police, and criminal prosecution.

**III. Guidelines for Concealed Carry on UTMB’s Campus**

A concealed handgun in the possession of a license holder on UTMB’s campus must remain concealed:

- A.** In a holster that attaches to the body; or
- B.** Carried in a closely controlled object in a holster or trigger-locked condition.



**IHOP Policy 8.2.9 Concealed Handguns on UTMB's Campus**

**IV. Excluded Areas**

Carrying of a concealed handgun in the following buildings or facilities is strictly prohibited. Carrying handguns in these areas is incompatible with the local environment or the discharge of a handgun has the potential to cause unexpected or widespread catastrophic harm, or irreplaceable loss.

**A. Patient Care Areas**

Due to the nature of UTMB's campus as an academic medical center, the carrying of a concealed handgun in patient care areas on UTMB's campus is prohibited. Concealed handguns are not permitted in any building with patient-care areas controlled by UTMB, including Galveston, League City, and Angleton-Danbury campuses and clinics.

**B. Laboratory Areas:** Laboratory areas may house volatile, explosive, chemical or biological agents, animal subjects or incompatible equipment, such as magnetic resonance imaging, which increase the risk of catastrophic harm in the event of the discharge of a handgun. The prohibition includes the Galveston National Laboratory (GNL);

**C. Animal Care Areas:** Animal care areas typically have strict protocols for entering and exiting the facility, including requirements for protective clothing and sterile gloves. Primates have the ability to grab and manipulate objects. Animals carry viruses and bacteria that can be pathogenic to humans. Careful control over all objects is therefore required in these facilities.

**D. Buildings and Structures Providing Critical Utility Services to Patient Care Areas:** Damage to critical utility systems due to the discharge of a handgun creates an unacceptable risk to UTMB's clinical mission and to patient safety.

**E. Health Care Training Simulation Centers and Anatomy Facilities:** Similar to patient care areas, the environment of many of UTMB's Health Care Training Simulation Centers and Anatomy facilities is incompatible with concealed carry of handguns. If a simulation center or anatomy facility is excluded, a sign will be posted in accordance with this policy and the law.

**F. Moody Medical Library:** The Moody Medical Library houses collections of unique, historical, and irreplaceable items and the risk of irreplaceable loss due to the discharge of a handgun is heightened.

**G. UTMB Alumni Fieldhouse:** Carrying of a handgun is incompatible with participation in the activities of exercise, sports, and swimming and creates an unacceptable risk of negligent discharge.

**H. Leased Space:** Carrying of handguns is prohibited in leased space as follows:

1. Any premises leased to UTMB (Lessee) by a third party (Lessor) from which the Lessor has excluded concealed handguns as permitted by law; and
2. Any premises leased to a third party (Lessee) by UTMB (Lessor) from which the Lessee prohibits handguns as permitted by law.

## **IHOP Policy 8.2.9 Concealed Handguns on UTMB's Campus**

### **V. Signage and Notification for Exclusion Areas**

- A.** Major entrances to UTMB buildings or facilities where concealed carry of handguns is excluded will display conspicuous signage that is clearly visible to the public and in accordance with Texas law.
- B.** Notwithstanding the signage requirements, verbal communication of the exclusion will be considered notice to an individual that concealed carry in the building or facility is prohibited.

### **VI. Storage of Handguns on Campus**

It is the responsibility of the license holder to know and follow all applicable state and federal laws. A license holder lawfully carrying a concealed handgun on UTMB's campus is responsible for secure storage of that handgun when it is not on his or her person. Storage of a handgun is not allowed on UTMB's campus except as outlined below:

- A.** License holders are permitted under Texas law to store or transport a firearm or ammunition in a locked, privately owned or leased vehicle in parking lots, garages, and other parking areas located on the campus of the institution. It is recommended that handguns stored in personal vehicles be stored in a position that is not visible, and its presence cannot be discernable through ordinary observation of a reasonable person.
- B.** UTMB license holders, who lease space in the UTMB housing facilities listed in 2 below, may possess handguns in his or her housing unit. Such handguns must remain concealed on the license holder's person or securely stored as specified below. If the housing unit is shared with one or more other leaseholders, storage of the handgun must occur in the license holder's bedroom.
  - Storage of handguns in UTMB housing facilities must be secured in a gun safe compliant with the following storage requirements:
    - Handgun must be fully contained;
    - Exterior walls of the gun safe must be constructed of a minimum of 16-gauge steel; and
    - The safe must have a high-strength locking system consisting of a mechanical or electronic combination or biometric lock. Key locks are unacceptable.

### **VII. Violations and Penalties**

The following activities represent violations of the policy and may result in criminal penalties:

- 1.** Possession of a handgun without a handgun license on their person;
- 2.** Possession of a handgun that is unconcealed, other than accidental and momentary revealing;
- 3.** Possession of a handgun that is not holstered, or if in a closely controlled object, that is not holstered or trigger-locked;
- 4.** Loss of close control of a handgun;
- 5.** Brandishing or threatening behavior with a handgun,;
- 6.** Possession of a handgun in an excluded area;
- 7.** Improper storage of a handgun;
- 8.** Possessing a weapon on campus while intoxicated;
- 9.** Accidental or deliberate discharge of a handgun.

## **IHOP Policy 8.2.9 Concealed Handguns on UTMB's Campus**

### **VIII. Inquiry of License Holder or Carrying Status**

- A.** If a license holder is carrying a handgun on UTMB's campus and a UTMB police officer, or any other licensed law enforcement officer demands the license holder display identification, the license holder must display both the concealed handgun license and a valid driver's license or identification card.
- B.** Faculty, staff, and students, with the exception of members of the UTMB police, should not inquire as to whether any person is carrying a concealed handgun or possesses a concealed handgun license.

### **IX. Reporting Alleged Violations**

The primary responsibility of enforcement of this policy lies with the UTMB Police Department. Disputes, concerns, or reports of violations of this policy should be immediately communicated to the UTMB Police Department, which enforce Texas law and UTMB policy, as appropriate.

### **X. Report to Texas Legislature**

As required by law, UTMB will submit a copy of this policy and the justification used for development of this policy to the Texas Legislature by September 1<sup>st</sup> of even numbered years.

### **XI. Definitions**

Campus: The buildings and grounds controlled by UTMB, including parking areas or facilities, sidewalks and public streets within the boundaries of the campus.

Concealed: A handgun in the possession of a license holder, which is not visible, and its presence cannot be discernable through ordinary observation of a reasonable person. A handgun that is discernable under semi-transparent or silhouetting/form-fitting covers, which reveal the obvious outline of a handgun, is not concealed.

On-person: A handgun in the possession of a license holder in a holster attached to the body.

Closely controlled: A handgun in the possession of a license holder in an object such as a purse, briefcase, or backpack under their immediate control and carried in a holstered or trigger-locked condition. A license holder who places such an object down and walks away from it has ceased to be "closely-controlling" it.

Patient Care Area: A facility where a formal record of treatment is maintained.

Law Enforcement Official: Includes properly licensed and commissioned local, state and federal law enforcement officers

License Holder: An individual who has been issued a handgun license pursuant to §411 of the Texas Government Code, including those individuals holding a concealed handgun license from another state with a valid reciprocal or unilateral agreement between the issuing state and the state of Texas.

### **XII. Relevant Federal and State Statutes**

[Carrying of Handguns by License Holders on Certain Campuses §411.2031 of the Texas Government Code.](#)

### **XIII. Dates Approved or Amended**

**IHOP Policy 8.2.9 Concealed Handguns on UTMB's Campus**

<i>Originated:</i>	
<i>Reviewed with Changes</i>	<i>Reviewed without Changes</i>

**XIV. Contact Information**  
UTMB Police Department  
(409) 772-1503



**David L. Callender, MD, MBA, FACS**  
President

301 University Blvd.  
Galveston, Texas 77555-0129  
O 409.772.1902 F 409.772.5064

February 17, 2016

Dr. David Daniel  
Deputy Chancellor  
Office of the Chancellor  
University of Texas System  
601 Colorado Street, OHH 4<sup>th</sup> Floor  
Austin, TX 78701

Dear David:

I am submitting the attached report, "Campus Carry Committee Report and Recommendations" to you as the final work product of the UTMB Campus Carry Committee. I endorse this report, as submitted, and I further recommend that the UT System Board of Regents approve the recommendations in this document for implementation on the UTMB campuses.

If you have questions or require additional information, please do not hesitate to contact me. I am very proud and supportive of the work of our Campus Carry Committee; I believe the group crafted the best possible plan for our institution. Thank you.

Sincerely,

A handwritten signature in black ink that reads "David".

David L. Callender, MD, MBA, FACS  
President

Attachment

**UTMB Campus Carry Committee Report**



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# Campus Carry Committee Report and Recommendations

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February 2016

This document reports the recommendations of the UTMB Campus Carry Committee to the President of UTMB regarding implementation of Senate Bill 11. The recommendations contained in this document were developed after consultation with students, staff, and faculty of the institution and after consideration of the nature of the student population, specific safety considerations, and the uniqueness of the campus environment. These recommendations have been reviewed and approved by the President.

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I	Background
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III	Requirements of Senate Bill 11
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VII	Recommendations Regarding Exclusion Zones
VIII	Recommendations for Implementation of Campus Carry Policies
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Appendix B	Concealed Handgun Storage Policy
Appendix C	Draft List of Excluded Buildings (and those determined by Landlord)

## UTMB Campus Carry Committee Report

### I Background

The Texas Legislature recently passed Senate Bill 11, which permits concealed handgun license (CHL) holders to carry concealed handguns on public university campuses beginning August 1, 2016. By law, a CHL holder must be at least 21 years old (unless active duty military), be a resident of Texas, and meet other requirements such as no record of a felony conviction. The law defines “campus” as all land and buildings owned or leased by an institution of higher education.

*“A license holder may carry a concealed handgun on or about the license holder’s person while the license holder is on the campus of an institution of higher education or private or independent institution of higher education in this state.”*

### II Guiding Principles and Purpose of the UTMB Campus Carry Committee

The UTMB Campus Carry Committee (members listed in Appendix A) will develop and recommend to the President, campus-based guidelines for implementing Senate Bill 11, focusing on safety of individuals on campus, while following the law.

The Committee’s charge is to

- Identify recommended handgun exclusion zones for the UTMB campus, if any, for the President’s consideration; and
- Develop a set of campus-based policies to implement the law

### III Requirements of Senate Bill 11

- 1. Senate Bill 11 permits the president of an institution to establish reasonable rules regarding the carrying of concealed handguns by license holders, including zones where such handguns are excluded.**

*“After consulting with students, staff, and faculty of the institution regarding the nature of the student population, specific safety considerations, and the uniqueness of the campus environment, the president or other chief executive officer of an institution of higher education in this state shall establish reasonable rules, regulations, or other provisions regarding the carrying of concealed handguns by license holders on the campus of the institution or on premises located on the campus of the institution.”*

- 2. Senate Bill 11 does not permit general exclusion of concealed handguns by a CHL holder.**

*“The president or officer may not establish provisions that generally prohibit or have the effect of generally prohibiting license holders from carrying concealed handguns on the campus of the institution.”*



### UTMB Campus Carry Committee Report

**3. Senate Bill 11 permits regulation of handgun storage in dormitories.**

*“An institution of higher education or private or independent institution of higher education in this state may establish rules, regulations, or other provisions concerning the storage of handguns in dormitories or other residential facilities that are owned or leased and operated by the institution and located on the campus of the institution.”*

**4. Senate Bill 11 requires that the provisions take effect as determined by the president unless subsequently amended by the Board of Regents.**

*“Not later than the 90th day after the date that the rules, regulations, or other provisions are established as described by Subsection (d-1), the board of regents or other governing board of the institution of higher education shall review the provisions. The board of regents or other governing board may, by a vote of not less than two-thirds of the board, amend wholly or partly the provisions established under Subsection (d-1).”*

**5. Senate Bill 11 requires that an institution must give effective notice regarding any portion of a premises on which license holders may not carry per Section 30.06 of the Texas Penal Code, typically through appropriate signage.**

*“Signage displayed in a conspicuous manner clearly visible to the public, with contrasting colors with block letters at least one inch in height, stating in both English and Spanish: “Pursuant to Section 30.06, Penal Code (trespass by holder of license to carry a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (concealed handgun law), may not enter this property with a concealed handgun.”*

#### IV Other Physical Locations Where Handguns are not Allowed by Law

The Committee reviewed other locations (relevant to UTMB as a health science center) where concealed handguns are not permitted by Texas law. The Texas Penal Code does not permit handguns:

- “On the physical premises of a school or educational institution, any grounds or building on which an activity sponsored by a school or educational institution is being conducted” (46.03(1)).
- “On the premises of any government court or offices utilized by the court” (46.03(2)).
- “On the premises of a hospital licensed under Chapter 241, Health and Safety Code” (46.035(b)(4)).

## UTMB Campus Carry Committee Report

### V Other States with Campus Carry Laws

The Committee reviewed the available data on campus carry laws in eight other states, and the heterogeneous manner in which the laws have been enacted, enforced, and practiced. Three states (Arkansas, Kansas and Wisconsin) allow institutions to opt-out. All campuses in these states chose to exclude concealed handguns. Five other states (Colorado, Idaho, Mississippi, Oregon and Utah) have legislatively-mandated campus carry in effect, with variable exclusion zones allowed. The Committee identified three reports of negligent discharges by CHL holders, but no evidence of increased campus violence related to CHL holders in these states.

### VI Outreach to the UTMB Community

In addition to twice-monthly Committee meetings beginning in September 2015, presentations were made to the Faculty Senate, Student Government officers, School of Medicine Chairs, School of Nursing faculty, School of Health Professions faculty, Graduate Medical Education Committee, School of Medicine Educational and Student Affairs offices, Support Staff Professionals, Health System Leadership and other departments and programs that requested a meeting. A campus-wide Town Hall meeting was held on November 16, which was also broadcast to the Victory Lakes and Angleton-Danbury campuses. A website ([www.utmb.edu/campus-carry](http://www.utmb.edu/campus-carry)) has been live since September and has received >6,000 unique page views and >250 submissions/comments. Of those submitters expressing a preference, approximately 85% prefer concealed handguns be excluded from parts or all of the campus and 15% support campus carry without exclusion zones.

### VII Recommendations Regarding Exclusion Zones

**Patient Care Areas:** Section 46.035(b)(2) of the Penal code excludes hospitals licensed under Chapter 241. Although no UTMB Hospitals (in fact, no U.T. operated hospitals) are licensed under Chapter 241 of the Health and Safety Code, the principles of health and safety that apply to such hospitals logically apply to all UTMB patient care areas, including hospitals, clinics, emergency and urgent care treatment centers and mental health treatment areas, including those for students and employees. "Patient care area" should be defined as a facility where a formal record of treatment is maintained. These facilities serve inherently vulnerable and sometimes incapacitated populations, and involve routine donning and doffing of clothes by both patients and care providers, representing a clear risk of handgun unconcealing and loss of close control. Provision of health care includes regular physical examinations of patients by providers, making the presence of a concealed handgun on the body of a patient being examined a clear hazard. Unique to UTMB is the presence of Hospital Galveston, which is a maximum-security prison hospital that serves inmates of the Texas Department of Criminal Justice (TDCJ). Inmates also receive care in the free-world facilities of John Sealy Hospital and adjacent facilities, and interact with or have close proximity to care-providers, employees, patients and visitors on the free-world side, creating an unacceptable risk for concealed handguns in those settings.



## UTMB Campus Carry Committee Report

**Recommendation 1:** Concealed handguns should be excluded from all buildings with patient care areas controlled by UTMB, including the Galveston, League City and Angleton-Danbury campuses and UTMB's network of clinics.

**Areas where carrying a concealed handgun is incompatible with the local environment or the discharge of a handgun has potential to cause unexpected or widespread, catastrophic harm, or irreplaceable loss.**

Laboratory areas with volatile, explosive, chemical or biologic agents, animal subjects or incompatible equipment such as magnetic resonance imagers represent a substantial risk and should be excluded. Unique to UTMB, the Galveston National Laboratory represents a facility where the presence of select agents requires the highest levels of security and safety precautions. Negligent or intentional discharge of a handgun could cause unintended, yet grave and catastrophic harm, including explosion and release of dangerous agents. Animal care facilities typically have strict protocols for entering and exiting the facility, including requirements for protective clothing and sterile gloves. Primates have the ability to grab and manipulate objects. Animals carry viruses and bacteria that can be pathogenic to humans. Careful control over all objects is therefore required in these facilities. Exclusion is appropriate under the language "as necessary for campus safety" contained within Senate Bill 11. Areas which serve the critical infrastructure needs for the healthcare buildings are essential for safe patient care and should be excluded. Damage to critical utility systems would create an unacceptable risk to the clinical mission and to patient safety. Analogous to patient care areas, facilities which serve as health care training simulation centers include the same physical examination risks; unique training labs such as anatomy laboratories have the same donning/doffing issues. These should also be excluded. Areas which house collections of unique, historical, and irreplaceable items – such as the Truman G. Blocker Jr. History of Medicine Collection in the Moody Medical Library – should be excluded, as should areas such as the Field House, where carrying of a handgun is incompatible with conducting the activities of exercise, sports, or swimming, or creates an unacceptable risk of loss of close control or negligent discharge.

**Recommendation 2:** Concealed handguns should be excluded from (a) buildings with laboratory areas containing volatile, explosive, chemical or biologic agents, animal subjects or incompatible equipment; (b) buildings or structures that provide critical utility services to patient care areas; (c) health care simulation and anatomy facilities; (d) buildings with unique, irreplaceable historical artifacts; and (e) exercise facilities.

### VIII Recommendations for Implementation of Campus Carry Policies

**Mixed-use, connected and shared-governance buildings.** These complexities include buildings with both classrooms and laboratories, interconnectivity between excluded and non-excluded buildings, how usage may vary over time, and clearly defining ownership or control of buildings, including leased space. Designating buildings with some rooms, sections or floors where campus carry is excluded and others where it is allowed will complicate effective signage requirements and likely



## UTMB Campus Carry Committee Report

confuse the public. In addition, being on the other side of a door or interior wall does not prevent the fundamental risks described in Recommendations 1 or 2.

**Recommendation 3:** For buildings with select rooms or areas clearly defined in Recommendations 1 or 2, the designation for exclusion should be made at the building level, not the floor, section, or room level unless a compelling reason to do so is identified. Where two or more buildings function as a single unit because of extensive connections, the structure should be treated as a single building. A comprehensive list of excluded buildings/areas should be created, with appropriate plans for signage and a public education campaign.

**Residential facilities.** Senate Bill 11 allows institutions to establish rules, regulations, or other provisions concerning the storage of handguns in dormitories or other residential facilities that are owned or leased and operated by the institution and located on the campus of the institution.

**Recommendation 4:** A CHL holder who leases space in University-controlled housing may possess handguns in his/her housing unit. Such handguns must remain concealed on the CHL holder's person or securely stored as specified in Appendix B (Concealed Handgun Storage Policy). If the housing unit is a shared space with one or more other lease-holders, storage must occur in the CHL holder's bedroom.

**Recommendation 5:** Individuals who are assigned shared space in University-controlled housing should be allowed to self-declare as non-handgun owners and request to be matched with another self-declared non-handgun owner, if available.

**Handgun carrying and storage.** Because handling and storage can impact the risk of negligent handgun discharges, university policies should address safe handgun practices. The Committee concluded that safety-enhancements such as holsters and trigger locks are essential components of such practices. Concealed means the handgun cannot be in plain view and its presence cannot be discernable through ordinary observation (e.g., semi-transparent or silhouetting/form-fitting covers which reveal the obvious outline of a handgun should not be allowed). The Committee also concluded that minimizing handgun handling enhances safety, and the law does not require campuses to provide handgun storage, just as laws do not require storage be provided near other areas of lawful exclusion (e.g., high schools, restricted sporting events, day-care facilities). These facts, combined with the safety, security, accessibility and privacy challenges presented by on-campus storage facilities, lead the Committee to recommend that handgun storage facilities not be provided by the University. CHL holders may lawfully leave a handgun concealed and secured in a personally owned vehicle.

**Recommendation 6:** A concealed handgun in the possession of a CHL holder on the UTMB campus must remain concealed (a) in a holster that attaches to the body or (b) carried in a closely-controlled object in a holster or trigger-locked condition. Storage of a handgun is not allowed on the UTMB campus with the exception of approved storage in University-controlled residential housing or in the CHL holder's personal vehicle.

## UTMB Campus Carry Committee Report

**Public safety education and outreach.** An appropriate campus training and awareness campaign outlining the balance between public safety and the lawful rights of CHL holders should be initiated prior to implementation of the law on August 1, 2016.

**Recommendation 7:** A comprehensive safety and awareness campaign related to campus carry should be developed and made available to employees, students, patients and visitors.

**Comprehensive campus policies.** The University should provide clear definitions of exclusion zones, appropriate signage and clarity on consequences for violations.

**Recommendation 8:** A working group should be identified to review and update existing IHOP policies related to campus carry, including the distinction between behaviors that represent a crime, and behaviors which represent policy violations subject to university-based discipline. Guidelines for groups not subject to institution-based discipline (patients, visitors, and vendors) should also be developed. A means to update these policies should be defined.

**UTMB Campus Carry Committee Report**

**APPENDIX A**

**Members of the UTMB Campus Carry Committee**

**Dr. Michael Ainsworth (Chair)**

Vice Dean for Academic Affairs, School of Medicine

**Dr. David Niesel**

VP, Dean, GSBS and Chief Research Officer

**Dr. Pamela Watson**

VP & Dean, School of Nursing

**Dr. Betty Protas**

VP & Dean, School of Health Professions

**Mike Shriner**

VP Business Operations & Facilities

**Dr. Ron McKinley**

VP Human Resources & Employee Services

**Dr. Karen Wagner**

Professor & Chair, Psychiatry & Behavioral Sciences

**Dr. David Marshall**

VP & Chief Nursing and Patient Care Services Officer

**Deborah McGrew**

VP & Chief Operating Officer, UTMB Health System

**Dr. Scott Weaver**

Director, Institute for Human Infections and Immunity  
Scientific Director, GNL

**Dr. James Graham (Faculty Senate)**

Associate Professor, Division of Rehabilitation Sciences

**Frank Valiulis (Employee Advisory Council)**

Associate Director, Information Services

**Jordan Brewer (SGA)**

President, UTMB Student Government Association

**Ann Masel (Community Representative)**

Certified Public Accountant, Partner, DRDA

**UTMB Campus Carry Committee Report**

**APPENDIX A (continued)**

Ex-Officio Members of the UTMB Campus Carry Committee

**Dr. Ben Raimer**

Senior Vice President, Health Policy & Legislative Affairs

**Carrie King**

Senior Vice President & General Counsel

**Sheila Lidstone**

Chief of Staff to the President

**Steve Campbell**

Vice President, Marketing & Communications

**Tom Engells**

Chief of Police

**Jack Tarpley**

Director, Occupational Safety & Fire Prevention



## **UTMB Campus Carry Committee Report**

### **APPENDIX B**

#### Concealed Handgun Storage Policy

1. It is the responsibility of the CHL holder to know and follow all applicable state and federal laws. Anyone who has a CHL and is lawfully carrying a concealed handgun on the UTMB campus is responsible for secure storage of the handgun when it is not on his or her person.
2. Storage of a handgun is not allowed on the UTMB campus with the exception of approved storage in University-controlled residential housing or in the CHL holder's personal vehicle.
3. Secure storage practices in University-controlled housing require use of a gun safe (provided by the CHL holder) with the following specifications. The gun safe must:
  - a. Fully contain the handgun and provide for secure storage; and
  - b. Have exterior walls constructed of a minimum 16-gauge steel; and
  - c. Have a high-strength locking system consisting of a mechanical or electronic combination or biometric lock. Key locks are not acceptable.

## UTMB Campus Carry Committee Report

### APPENDIX C

#### Section 1 - Main Galveston Campus Draft List of Excluded Buildings

NUM	BUILDING NAME	BASIS FOR EXCLUSION
090	J.S. HOSPITAL FR. JS TWRS	Patient care
091	J.S. ANNEX FR. JOHN SEALY	Patient care
064	EMERGENCY ROOM BUILDING	Patient care
016	TDCJ HOSPITAL	Patient care
127	CLINICAL SERVICES WING	Patient care
124	JENNIE SEALY HOSPITAL	Patient care
047	WAVERLEY SMITH PAVILION	Patient care
063	700 UNIVERSITY BLVD BLDG	Patient care
009	J.S. ANNEX FR. JOHN SEALY HOSP	Patient care
056	UTMB HEALTH CLINICS	Patient care
087	PRIMARY CARE PAVILION	Patient care
011	JOHN W MCCULLOUGH BLDG	Patient care
007	CLINICAL SCIENCES BLDG	Patient care
008	J.S. ANNEX FR. OLD CHILDRENS	Patient care
014	LEE HAGE JAMAIL STUDENT CTR	Patient care
006	RESEARCH BUILDING 6	Research
020	ANIMAL RESOURCE CENTER	Research
017	RESEARCH BUILDING 17	Research
021	RESEARCH BUILDING 21	Research
041	GALVESTON NATIONAL LAB	Research
002	KEILLER BUILDING	Research
073	NMR DOCKSIDE BUILDING	Research
071	MAURICE EWING HALL	Research
059	T.G. BLOCKER MED RES BLDG	Research
054	BASIC SCIENCE BUILDING	Research
019	MARY MOODY NORTHEN PAV	Research
036	EAST PLANT	Health system infrastructure
040	CENTRAL ENERGY PLANT	Health system infrastructure
061	SERVICES BUILDING	Health system infrastructure
066	WEST END CHILL WATER PLANT	Health system infrastructure
004	MARVIN R. GRAVES BUILDING	Health care simulation
057	SCH HLTH PROFESSIONS & NURS	Health care simulation
070	1003 MARKET ST (ANATOMY LAB)	Gowning/ungowning
075	ALUMNI FIELDHOUSE	Exercise facility
024	MOODY MEDICAL LIBRARY	Rare book collection

**UTMB Campus Carry Committee Report**

**Appendix C**

**Section 2 - Additional Buildings: Galveston, League City, Angleton-Danbury, Other Sites  
Draft List of Excluded Buildings**

<b>BUILDING NAME*</b>	<b>BASIS FOR EXCLUSION</b>
Family Medicine Island West	Patient care
Pediatric Primary Care Island West	Patient care
Pediatric Urgent Care Island West	Patient care
League City Campus; Stark Diabetes Ctr (all)	Patient care
Angleton-Danbury Clinical Campus (all)	Patient care
Alvin Community Clinics (all)	Patient care
Angleton-Danbury Community Clinics (all)	Patient care
Friendswood/Clear Lake/Webster Commun Clinics (all)	Patient care
Lake Jackson Community Clinics (all)	Patient care
League City/Dickinson Community Clinics (all)	Patient care
Texas City Community Clinics (all)	Patient care
Regional Maternal Child Health Clinics (all)	Patient care

\*Note: This list is subject to change as additional facilities are developed.

**UTMB Campus Carry Committee  
Section 3 – Privately Controlled Buildings (UTMB as Guest/Lessee)  
Owner Has Authority to Decide**

<b>BUILDING NAME**</b>	<b>UTMB BUILDING USE</b>
Shearn Moody Plaza	Office
2200 Market Street (Bank Of America)	Office
Frost National Bank	Office
Shriners Hospital for Children	Patient Care
Island Community Center	OLLI center
Ronald McDonald House	Residential
Clear Lake Center	Office/data center
Gunn Road data center	Office/data center

\*\*Note: This list is subject to change as control of these or other facilities is clarified.

## **Concealed Handguns on Campus**

**Policy Number:** \_\_\_\_

**Subject:**

Carrying of concealed handguns on campus

**Scope:**

All members of the university community, including employees, students, residents and other trainees, visitors, volunteers, contractors, vendors, consultants, and observers

**Date Reviewed:**

April 2016

**Responsible Office:**

Office of the President

**Responsible Executive:**

President

### **I. POLICY AND GENERAL STATEMENT**

The University of Texas Health Science Center at Houston ("university") is committed to maintaining a safe environment for all members of the university community while complying with applicable federal, state, and local laws and regulations.

Section 411.2031 of the Texas Government Code, commonly known as the "Campus Carry Law," permits licensed holders to carry a concealed handgun on or about the license holder's person while the license holder is on the campus of an institution of higher education. The law also provides that the President of an institution of higher education shall establish reasonable rules, regulations, or other provisions regarding the carrying of concealed handguns by license holders on the campus of the institution or on premises located on the campus.

This policy contains the rules, regulations and other provisions established by the university President regarding the carrying of concealed handguns on the university campus and premises located on the campus.

Open carry of handguns is not permitted on the university campus or premises located on the campus.

## II. DEFINITIONS

**Campus:** all land and buildings owned or leased by the university.

**Concealed handgun:** a handgun, the presence of which is not openly discernable to the ordinary observation of a reasonable person.

**Exclusion zones:** areas in which concealed handguns are prohibited.

**Gun storage safe:** a lockable safe or secure storage container specifically designed to protect a handgun from access by anyone other than the licensed owner. The container must fully contain the handgun and provide sufficient defense to unauthorized access. It is recommended that the safe or residential security container meet Underwriters Laboratories Residential Security Container rating standards and ASTM International F2456 04 standards for Youth Resistant Firearms Containers.

**Handgun:** any firearm that is designed, made, or adapted to be fired with one hand.

**Licensed holder:** a person licensed to carry a handgun under Subchapter H, Chapter 411, Texas Government Code.

**Premises:** a building or a portion of a building. The term does not include any public or private driveway, street, sidewalk or walkway, parking lot, parking garage, or other parking area.

## III. PROCEDURE

### A. General Rules

Licensed holders who carry a concealed handgun on the university campus or premises must carry it on or about their person at all times or secure their handgun in a locked, privately owned or privately leased car or vehicle, except as provided in Section E below. It is recommended that licensed holders who carry a concealed handgun about their person (e.g., in purses, backpacks, briefcases) keep the handgun in a holster designed to prevent/minimize accidental discharge.

Licensed holders may carry a concealed handgun in all university parking garages and parking lots in accordance with law. Licensed holders may also carry a concealed handgun on or about their person in all university classrooms and teaching areas (including teaching laboratories), except in those buildings or areas designated as exclusion zones. Licensed holders may also carry a concealed handgun on university shuttles.

### B. Exclusion Zones

Concealed handguns are prohibited in the following areas:

1. All patient care areas. Patient care areas are interpreted broadly to include hospitals; clinics, including student and faculty health clinics; medical, dental and nurse-run clinics;

mental health facilities and counseling centers; and health-related testing areas (e.g., for audiology, optometry, learning disabilities);

2. Laboratories containing dangerous materials, including, but not limited to, flammable chemicals, biohazards, compressed gases and explosive agents;
3. Laboratories, patient care areas, or other venues containing equipment that could inadvertently cause the discharge of a handgun (e.g., magnetic resonance imaging machines);
4. Animal care areas and vivaria;
5. Areas for which state or federal law, licensing requirements or contracts require exclusion of weapons at the discretion of state or federal government, or in which handguns are prohibited by an accrediting authority; and
6. Rooms where formal hearings, prescribed by university policy and/or processes, are being conducted for or related to the following purposes:
  - a. Employee and student grievance or disciplinary inquiries, hearings and related proceedings,
  - b. Appeals and formal hearings related to employee terminations, and
  - c. Appeals and formal hearings related to student dismissals and academic proceedings.

Appropriate signage will be placed on the entrances to these rooms when such hearings are in progress, and meeting notices and invitations will indicate that these rooms are exclusion zones while hearings are in progress.

### **C. Designation of University-Owned Buildings and Facilities**

#### **1. Buildings in which concealed handguns are completely prohibited**

If the sum of the net assignable square footage in a building is equal to or greater than 50 percent utilized for patient care areas, laboratories with dangerous materials or equipment, and/or animal care areas and vivaria (see Section B), the entire building will be designated as an exclusion zone. Concealed handguns will not be permitted in any part of a building so designated. Appropriate signage will be placed at building entrances as required by law.

#### **2. Buildings in which concealed handguns may be permitted, except for designated exclusion zones**

If the sum of the net assignable square footage in a building is greater than 25 percent but less than 50 percent utilized for patient care areas, laboratories with dangerous materials or equipment, and animal care areas and vivaria (see Section B), the President will consider the following factors:

- a. Load of traffic within the building including students, employees, visitors and patients;



- b. Number and nature (e.g., card entry, key-only entry) of entry and egress points;
- c. Connections to adjoining buildings in which concealed handguns are prohibited;
- d. The layout and travel patterns within the building, including, but not limited to, stairwells, elevators and hallways between patient care areas, laboratories with dangerous materials and/or equipment, and/or animal care facilities or vivaria and other functionalities (e.g., classrooms, offices, storage and other designated purposes); and
- e. The percentage of building space assigned for patient care areas, laboratories with dangerous materials and/or equipment, and/or animal care facilities or vivaria.

If, on the collective basis of these factors, the President determines that: (a) movements into, out of, and/or within the building are unmanageable without violation of the law or (b) if accurate, understandable communication about the rules to students, employees, visitors, patients and other occupants is impractical, the President shall declare the entire building an exclusion zone.

If the President determines that movements into, out of, and/or within the building are manageable without violation of the law and can be realistically communicated to all parties, concealed handguns will be permitted within the building except in areas designated as exclusion zones (see Section B). These exclusion areas must then be clearly marked with appropriate signage.

### **3. Buildings in which handguns are permitted, except for designated exclusion zones**

If the sum of the net assignable square footage in a building is less than 25 percent utilized for patient care areas, laboratories with dangerous materials or equipment, and/or animal care facilities or vivaria (see Section B), concealed handguns will be permitted within the building, except in areas designated as exclusion zones (see Section B), which must be clearly marked with appropriate signage.

A list of designations for current university-owned buildings and facilities can be found [\[here\]](#).

**Comment [APD1]:** Link to be added.

#### **D. Leased Space**

The determination of whether licensed holders may carry concealed handguns in space that the university leases in buildings owned by other parties and space leased by the university in its buildings to non-university occupants will be determined based on lease agreements and other legal considerations.

- a. Tenants in university-owned buildings will generally be permitted to determine whether to permit concealed handguns in their leased space, unless the entire building is designated as an exclusion zone or the lease agreement prohibits carrying weapons. If a tenant in a university building is acting as an agent of the university, the university shall

determine whether to prohibit concealed handguns in the leased space on the basis of the rules applied to its other campus buildings and facilities.

b. If the university leases space from a landlord that has established a policy of prohibiting concealed handguns in the lease and/or building rules, the university will abide by the prohibition. If the university leases space from a landlord that permits concealed handguns on the property or is silent on the matter, the university will determine whether to prohibit concealed handguns in the leased space on the basis of the rules as applied to its own campus buildings and facilities (see Sections B and C).

#### **E. University Housing**

Licensed holders may carry concealed handguns on or about their person in university housing. Licensed holders who are university housing residents may store handguns in their apartments in a gun storage safe, with the stipulation that the safe must have secondary concealment (e.g., in a locked drawer or room) at all times so that transfer in or out of the safe would not be visible to other apartment occupants or visitors.

This stipulation will be included in lease agreements, and failure to adhere to requirements in the lease agreement will be cause for the university to terminate the lease agreement and require the occupant to vacate the apartment. Residents or visitors who are licensed holders are permitted to keep handguns in their locked cars or vehicles in parking garages and surface parking areas of university housing as permitted by law.

#### **F. Communication of Policy and Rules**

The university will widely distribute this policy and all related rules, regulations and procedures to members of the university community, including employees, students, residents and other trainees, visitors, volunteers, contractors, vendors, consultants, and observers. The university will prominently publish a link to such information on the university's internet and intranet sites.

#### **G. Reports to the Legislature**

Not later than September 1 of each even-numbered year, the university will submit a report to the Legislature that (1) describes the university's rules, regulations, or other provisions regarding the carrying of concealed handguns on the campus of the institution; and (2) explains the reasons that the university has established these rules. The President will periodically, and at least every two years, review the university's rules, regulations and other provisions regarding the carrying of concealed handguns for possible modifications in accordance with the law and as necessary for campus safety.

#### **H. Reporting of Incidents**

If any person believes that a violation of this policy has occurred, he or she should report the incident to the Behaviors of Concern Call Center (713-792-7867) or The University of Texas Police – Houston (713-563-7794). In the event of a threat of imminent bodily harm, injury or

use of a weapon, the reporting individual should seek protective cover and call 911 immediately. Once the situation is safe, the reporting individual should report the incident to the Behaviors of Concern Call Center and UTP-H, if not already notified. See [HOOP 39, Campus and Workplace Violence Prevention](#) and [HOOP 2, Campus Security](#).

**I. Violations of Policy**

Violations of this policy may lead to disciplinary action up to, and including, termination for employees; discipline and/or dismissal of students; cancellation of contracts with vendors and contractors; refusal of services to patients, clients, and visitors; and, when applicable, the pursuit of criminal actions. Loss of a handgun on the university campus or premises will be considered a violation of this policy.

**IV. CONTACTS**

Office of the President	713-500-3002	<a href="http://www.uthouston.edu/president/">http://www.uthouston.edu/president/</a>
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# Campus Carry Rules and Policies at UTHealth

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UTHealth | The University of Texas Health Science Center at Houston

Issued by the Office of the President  
March 22, 2016

The following rules have been established by the Office of the President in accordance with Senate Bill 11, also known as the “Campus Carry Law”, passed by the Texas Legislature in 2015. The rules and policies will become effective Aug. 1, 2016.

These rules were established after thoughtful consideration of the recommendations of the UTHealth Campus Carry working group established by President Giuseppe N. Colasurdo, M.D. Prior to developing its recommendations, the campus working group obtained extensive input from faculty, students, and staff elicited from several campus Town Hall meetings, suggestions and opinions sent through a portal on UTHealth’s intranet, and meetings with various subject matter experts on safety, legal affairs and law enforcement. The campus working group also considered the report from the UT System working group established by Chancellor William McRaven and chaired by Deputy Chancellor David Daniel, Ph.D and relied upon it as background material prior to the development of our recommendations put forth to President Colasurdo.

UTHealth will create and execute a comprehensive communication plan to inform our community about the rules and regulations regarding campus carry.

## **A. GENERAL RULES AND PRINCIPLES**

1. Licensed holders who carry a concealed handgun in UTHealth buildings or on UTHealth premises must carry it on or about their person at all times or secure their handgun in a locked, privately owned or privately leased car or vehicle. The only exception applies to residents of University Housing as per below ( A.2). It is recommended that licensed holders who carry a concealed handgun about their person (e.g., in purses, backpacks, briefcases, etc.) keep the gun in a holster designed to prevent/minimize accidental discharge.
2. Licensed holders may carry concealed handguns on or about their person in University Housing. Licensed holders who are university housing residents may store handguns in their apartments in a gun storage safe<sup>i</sup> with the stipulation that the safe must have secondary concealment, e.g., in a locked drawer or room at all times so that transfer in or out of the safe would not be visible to other apartment occupants or visitors. This stipulation will be included in lease agreements, and failure to adhere to requirements in the lease agreement would be cause for the university to terminate the lease agreement and require the occupant to vacate the apartment. Residents or visitors with concealed handgun licenses are permitted to keep handguns in their locked cars or vehicles in parking garages and surface parking areas of university housing as permitted by law.

3. Handguns are prohibited in all patient care areas. Patient care areas are interpreted broadly to include hospitals; clinics, including student and faculty health clinics; medical, dental and nurse-run clinics; mental health facilities and counseling centers; and health-related testing areas (e.g., audiology, optometry, learning disabilities, etc.).
4. Handguns are prohibited in laboratories containing dangerous materials, including, but not limited to, flammable chemicals, biohazards, compressed gases and explosive agents.
5. Handguns are prohibited in laboratories, patient care areas, or other venues that contain equipment that could inadvertently cause the discharge of a handgun, e.g., magnetic resonance imaging machines.
6. Handguns are prohibited in animal care areas and vivaria.
7. Handguns are prohibited in areas for which state or federal law, licensing requirements or contracts require exclusion of weapons at the discretion of state or federal government, or in which handguns are prohibited by an accrediting authority.
8. Handguns are prohibited in rooms while formal hearings, prescribed by university policy and/or processes, are being conducted for or related to the following purposes:
  - a. Employee and student grievance or disciplinary inquiries, hearings and related proceedings,
  - b. Appeals and formal hearings related to employee terminations, and
  - c. Appeals and formal hearings related to student dismissals and academic proceedings.

Appropriate signage will be placed on the entrances to these rooms when such hearings are in progress, and meeting notices and invitations will indicate that these rooms are exclusion zones while hearings are in progress.

9. The determination of whether licensed holders may carry concealed weapons in space that UTHealth leases in buildings owned by other parties and space leased by UTHealth in its buildings to non-university occupants will be determined based on lease agreements and other legal considerations.
  - a. Tenants in UTHealth-owned buildings will generally be permitted to determine whether or not to permit concealed handguns in their leased space, unless the entire building is an exclusion zone (see following A.10) or the lease agreement prohibits carrying weapons. If a tenant in a UTHealth building is acting as an agent of the university, the university shall determine whether or not to prohibit concealed handguns in the leased space on the basis of the rules applied to its other campus buildings and facilities.

- b. If UTHealth leases space from a landlord that has established a policy of prohibiting concealed handguns in the lease and/or building rules, UTHealth will abide by the prohibition. If UTHealth leases space from a landlord that permits handguns on the property or is silent on the matter, UTHealth shall determine whether or not to prohibit concealed handguns in the leased space on the basis of the rules as applied to its own campus buildings and facilities.
10. If the sum of the net assignable square footage in a building is equal to or greater than 50 percent for patient care areas (see A.3), laboratories with dangerous materials or equipment (see A.4 and A.5), and animal care areas and vivaria (see A.6) the entire building will be designated as an exclusion zone and handguns will not be permitted in any part of the building. Appropriate signage will be placed at building entrances as required by law.
11. If the sum of the net assignable square footage in a building is greater than 25 percent but less than 50 percent for patient care areas (see A.3), laboratories with dangerous materials or equipment (see A.4. and A.5), and animal care areas and vivaria (see A.6) the President will consider the following factors:
  - a. Load of traffic within the building including students, employees, visitors and patients,
  - b. Number and nature (e.g., card entry, key-only entry, etc.) of entry and egress points,
  - c. Connections to adjoining buildings in which concealed handguns are prohibited,
  - d. The layout and travel patterns within the building, including, but not limited to, stairwells, elevators and hallways between patient care areas (see A.3), laboratories with dangerous materials and/or equipment (see A.4 and A.5), and animal care facilities or vivaria (see A.6) and other functionalities (e.g., classrooms, offices, storage and other designated purposes), and
  - e. The percentage of building space assigned for patient care areas (see A.3”), laboratories with dangerous materials and/or equipment (see A.4. and A.5.), and animal care facilities or vivaria (see A.6 ).

If, on the collective basis of these factors, the President determines that movements into, out of, and within the building are unmanageable without violation of the law or if accurate, understandable communication about the rules to students, employees, visitors and patients is impractical, the President shall declare the entire building an exclusion zone.



If the President determines that movements into, out of, and within the building are manageable without violation of the law and can be realistically communicated to all parties, concealed carry will be permitted within the building except in areas designated for patient care (see A.3), laboratories with dangerous materials and/or equipment (see A.4. and A.5), and animal care facilities or vivaria (see A.6). These exclusion areas must then be clearly marked with appropriate signage.

12. If the sum of the net assignable square footage in a building is less than 25 percent for patient care areas (see A.3), laboratories with dangerous materials and/or equipment (see A.4 and A.5), and animal care facilities or vivaria (see A.6), concealed carry will be permitted within the building except in areas designated for those specific uses which must be clearly marked with appropriate signage.
13. Licensed holders may carry a concealed handgun in all university parking garages and parking lots or secure their handgun in a locked, privately owned or privately leased car or vehicle at all times.
14. Licensed holders may carry a concealed handgun on or about their person in all university classrooms and teaching areas (including teaching laboratories) except in those buildings or areas designated as exclusion zones.

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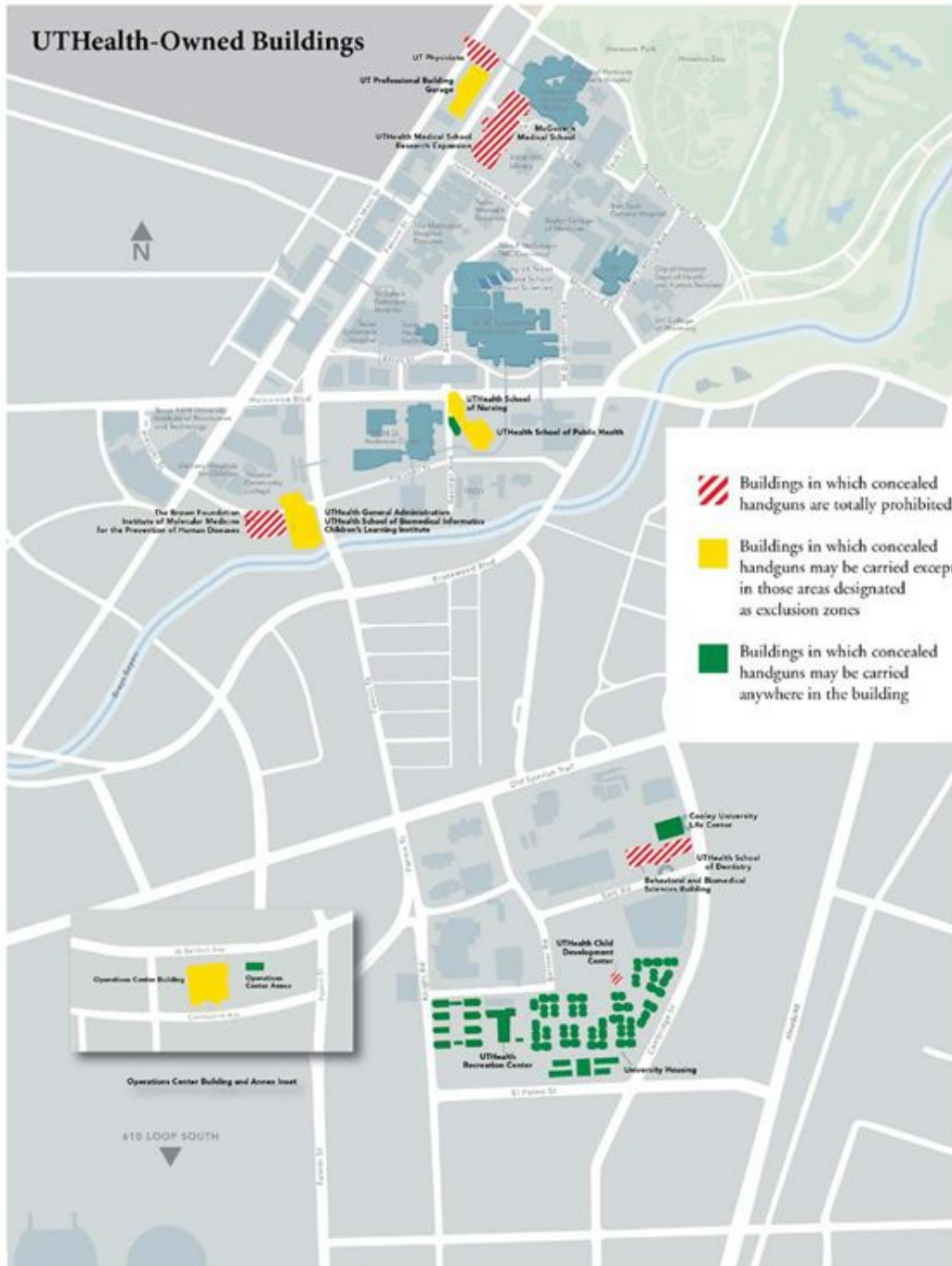
## **B. DESIGNATION OF UTHEALTH–OWNED BUILDINGS AND FACILITIES**

The designations below were developed on the basis of the general rules and principles listed in Section A above. A campus map indicating designation of buildings is below. The buildings listed below comprise the current inventory of UTHealth-owned buildings. The list will be updated as appropriate.

1. Buildings in which concealed handguns are totally prohibited (indicated in red on map below):
  - a. Behavioral and Biomedical Sciences Building
  - b. Cinco Ranch Health Center
  - c. Child Development Center
  - d. Cyclotron Facility
  - e. McGovern Medical School Building
  - f. Medical School Expansion Building
  - g. School of Dentistry Building

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- h. Fayed S. Sarofim Research Building, home of The Brown Foundation Institute of Molecular Medicine for the Prevention of Human Diseases (IMM)
      - i. University Professional Building
  2. Buildings in which concealed handguns may be carried by licensed holders on or about their person except in designated patient care areas (see A.3 above), laboratories with dangerous materials and/or equipment (see A.4 and A.5 above), animal care facilities or vivaria (see A.6 above) and rooms while formal hearings, prescribed by university policy and/or processes, are being conducted for or related to employee and student grievance or disciplinary inquiries, hearings and related proceedings, or appeals and formal hearings related to employee terminations or student dismissals and academic proceedings (see A.8 above). Concealed carry by licensed holders is permitted in all classrooms and teaching areas (including teaching laboratories) except in those areas designated as exclusion zones. (buildings indicated in yellow on map below):
    - a. Operations Center Building
    - b. School of Nursing Building
    - c. Reuel A. Stallones Building, home of UTHealth School of Public Health
    - d. School of Public Health Brownsville Building
    - e. University Center Tower and Garage
    - f. University Professional Building Garage
  3. Buildings in which licensed holders may carry concealed handguns on or about their person anywhere in the building (indicated in green on map below):
    - a. Denton A. Cooley, MD and Ralph C. Cooley, DDS University Life Center
    - b. Operations Center Annex
    - c. Recreation Center
    - d. Recreation Center Pool House
    - e. School of Nursing Service Building
    - f. University Housing and Related Garages

Map:



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<sup>i</sup> A lockable safe or secure storage container specifically designed to protect a handgun from access by anyone other than the licensed owner. The container must fully contain the handgun and provide sufficient defense to unauthorized access. It is recommended that the safe or residential security container meet Underwriters Laboratories Residential Security Container rating standards and ASTM International F2456 04 standards for Youth Resistant Firearms Containers.

**HEALTH SCIENCE CENTER HANDBOOK OF OPERATING PROCEDURES**

<b>Chapter x</b>	<b>Chapter Title</b>	Effective:	August 1, 2016
<b>Section x.x</b>	<b>Section Title</b>	Revised:	<b>Date Revised</b>
<b>Policy x.x.x</b>	<b>Campus Carry</b>		<b>Date Reviewed</b>
		Responsibility:	Office of the President

**CAMPUS CARRY**

**Background and Purpose**

In 2015, the Texas Legislature passed a law which permits duly licensed concealed handgun owners the right to bring concealed handguns on to Texas public university campuses effective August 1, 2016. This law is commonly referred to as the “Campus Carry Law”. The law directed each public university president in Texas to establish campus-specific policies for their campus implementing the law with consideration to the uniqueness of the campus environment. This law is applicable only to those who have a license to carry a handgun, and the handgun must be concealed at all times. This policy does not authorize the open carry of handguns on The University of Texas Health Science Center at San Antonio campus.

The purpose of this policy is to ensure compliance with Section 411.2031 of the Texas Government Code, the “Campus Carry Law”.

**Policy Statement**

It is the policy of the Health Science Center at San Antonio to respect the Federal and Texas constitutions, both of which recognize Texas citizens’ rights to keep and bear arms. The Health Science Center also recognizes the Texas Legislature’s power to regulate the carrying of handguns. Finally, the Health Science Center recognizes its right under the Campus Carry Law to implement its own reasonable rules, regulations and other provisions regarding the carrying of concealed handguns on the premises of the UT Health Science Center campuses.

**Definitions**

**Campus:** All lands and buildings leased or owned by the Board of Regents of The University of Texas System for and on behalf of The University of Texas Health Science Center at San Antonio.

**Campus Carry Law:** Section 411.2031 of the Texas Government Code permitting the carrying of concealed handguns by duly licensed holders on the Health Science Center campus.

**Concealed Handgun License (CHL):** A valid and current Concealed Handgun License as defined by Subchapter H of the Texas Government Code.

**Concealed Handgun License Zones:** The areas on the Health

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Science Center campus where CHL holders may carry a concealed handgun.

**Exclusion Zones:** The areas on the Health Science Center campus where CHL holders may not carry a concealed handgun.

**Handgun:** Any firearm that is designed, made or adapted to be fired with one hand (see Texas Penal Code, Section 46.01(5)).

### **CHL Zones and Exclusion Zones**

Following are the details of CHL Zones and Exclusion Zones as they pertain to the UT Health Science Center at San Antonio. For updated information and for color-coded maps depicting areas where campus carry is allowed or excluded, please visit the campus carry website at [www.uthscsa.edu/campuscarry](http://www.uthscsa.edu/campuscarry)

### **CHL Zones: (areas where CHL holders MAY carry a concealed handgun)**

- 1) Holly Auditorium and Foyer on the Joe and Teresa Long Campus;
- 2) All parking lots and parking garages on all Health Science Center campuses;
- 3) Recreation fields on the Long Campus (excluding the Gold’s facility where guns will not be allowed);
- 4) Warehouses, Grounds, Facilities Management and UT Police offices;
- 5) Administration Building (where Human Resources is housed);
- 6) Professional Administration Resource Center (PARC);
- 7) Former Texas Star Café/Cafeteria between Schools of Dentistry and Nursing;
- 8) Institute for Drug Development, SBC Teleconference Center and the former cafeteria at the Texas Research Park campus;
- 9) For the Regional Campus Laredo (RCL), due to the large number of minors who visit the campus during the summer months, guns will be prohibited on campus in both RCL buildings in June, July and August. When there are visits by minors expected at other times during the year, the Regional Dean may elect to post signage

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		Responsibility:	Office of the President

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indicating that concealed carry is prohibited during those times.

**Exclusion Zones: (Areas where CHL owners may NOT carry a handgun)**

- 1) All patient-care areas, including simulation centers which are used to educate students in the art of patient examination;
- 2) Areas where organized programs for K-12 students are regularly held on campus. This includes the Academic Learning and Teaching Center where regular groups of minors are present for tours, instruction and mentoring;
- 3) Laboratories where the discharge of a handgun might cause widespread harm such as laboratories with dangerous chemicals such as biologic or explosive agents, and animal care areas including vivaria;
- 4) The fitness facility on the Health Science Center’s Long Campus. This facility is not operated by the Health Science Center, but by a third-party vendor, Gold’s Gym;
- 5) Space or buildings that are connected by hallways or corridors to other excluded areas cited above. For example, excluded from campus carry are areas of contiguous space that are impossible, or significantly difficult, to cordon off and where to do so would impede heavy foot traffic and inhibit commerce;
- 6) The Health Science Center President may deem CHL zones to be Exclusion Zones for the period of time that the CHL Zone hosts excluded activities listed above. For example, an event on the Health Science Center campus that includes minors or patients may be deemed an Exclusion Zone during the event. During this period, required signage of this policy will be erected in the deemed Exclusion Zone for the duration of the excluded period.

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**Other:**

- 1) Other than patient care areas where CHL holders are excluded from bringing handguns, the decision to allow handguns in buildings that are leased and not owned by the Health Science Center will be left up to the property owners who will be required to post signage.
  - 2) Areas where concealed carry is prohibited will be marked by signage that conforms to Section 30.06 of the Texas Penal Code.
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<b>Policy x.x.x</b>	<b>Campus Carry</b>		<b>Date Reviewed</b>
		Responsibility:	Office of the President

**Policy Permissions and Violations**

- 1) The mere possession of a properly licensed concealed handgun by a CHL holder in CHL zones on the Health Science Center campus is not a violation of the Health Science Center’s policy. However, a violation of this policy by an employee, student or trainee may constitute a violation of institutional policies regarding conditions of employment, school attendance or training, thereby subjecting the individual to disciplinary action, up to and including termination and/or criminal prosecution. See related statutes at the end of this policy.
- 2) Health Science Center students are also subject to this policy.
- 3) CHL holders are prohibited from engaging in direct, conditional, or veiled threats, involving the CHL holder’s concealed handgun. This may include, but is not limited to, overt or implicit references by the CHL holder to the CHL holder’s concealed handgun in a way as to intentionally or knowingly incite fear or concern in any other person. Such conduct may result in disciplinary actions.
- 4) Except for storing a handgun in a vehicle as permitted by Texas law, CHL holders must keep their concealed handgun on or about their person at all times. For purposes of this policy and subject to the requirements of Texas law, “on or about one’s person” means close at hand and within such distance of the CHL holder so that, without materially changing his/her position, the CHL holder could get his/her hand on the handgun. Except for storing a handgun in a vehicle as permitted by Texas law, CHL holders are prohibited from leaving their concealed handgun unattended anywhere on the Health Science Center campus, regardless of whether stored in a desk drawer, cabinet, purse, handbag, backpack, fanny pack, briefcase or otherwise.
- 5) CHL holders are responsible for safeguarding their concealed handgun at all times and must take necessary precautions to ensure their concealed handgun is secured in a manner that is most likely to prevent theft, loss or damage, or misuse. CHL holders must have their handgun in a holster that completely covers the trigger and the trigger guard area. The holster must have sufficient tension or grip on the concealed handgun to retain it in the holster even when subjected to unexpected jostling. CHL holders are liable for any and all damage, injury, liability, loss, cost, or expense directly or indirectly resulting from or arising out of an

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		Responsibility:	Office of the President

accidental or inadvertent discharge of their concealed handgun or their violation of this policy.

- 6) The Health Science Center does not provide storage or lockers or holding services for CHL holders.
- 7) The CHL holder whose concealed handgun is lost or stolen on the Health Science Center campus must immediately report the loss or theft to the UT Health Science Center Police Department.
- 8) In accordance with Texas law, CHL holders may secure their concealed handgun safely in their vehicles. The Health Science Center assumes no responsibility for loss or theft of concealed handguns from CHL holders' vehicles on the Health Science Center campus.
- 9) If any person believes that a CHL holder has violated this policy, he or she should immediately report the violation by calling the University Police Department, (210) 567-2800, or call the University's Compliance Hot Line number, 877-507-7317. Emergencies should be reported by calling 911.

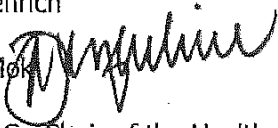
**Related Link/Statutes**

UTHSCSA.edu/campuscarry

- GC §411.2031. *CARRYING OF HANDGUNS BY LICENSE HOLDERS ON CERTAIN CAMPUSES*
- GC §411.2032. *TRANSPORTATION AND STORAGE OF FIREARMS AND AMMUNITION BY LICENSE HOLDERS IN PRIVATE VEHICLES ON CERTAIN CAMPUSES*
- GC §411.205. *REQUIREMENT TO DISPLAY LICENSE*
- GC §411.206. *SEIZURE OF HANDGUN AND LICENSE*
- GC §411.207. *AUTHORITY OF PEACE OFFICER TO DISARM*
- PC §30.06. *TRESPASS BY HOLDER OF LICENSE TO CARRY CONCEALED HANDGUN*
- PC §30.07. *TRESPASS BY LICENSE HOLDER WITH AN OPENLY CARRIED HANDGUN*
- PC §42.01. *DISORDERLY CONDUCT*
- PC §46.02. *UNLAWFUL CARRYING WEAPONS*
- PC §46.03. *PLACES WEAPONS PROHIBITED*
- PC §46.035. *UNLAWFUL CARRYING OF HANDGUN BY LICENSE HOLDER*
- PC §46.04. *UNLAWFUL POSSESSION OF FIREARM*



January 15, 2016

TO: President Henrich  
FR: Jacqueline Mork   
C: Chief Parks, Co-Chair of the Health Science Center Working Group on Implementing Concealed Carry on Campus  
RE: Summary Report – UT Health Science Center at San Antonio Working Group on Implementing Concealed Carry on Campus

As Co-Chair of the Health Science Center's Working Group on Implementing Concealed Carry on Campus, I submit to you this final draft summary report.

Following the direction received from University of Texas System Chancellor McRaven and you, the Health Science Center Working Group was formed in September 2015. This collective served as a consultative body to discuss how Senate Bill (SB) 11 might be implemented at the UT Health Science Center at San Antonio and to recommend options to you. The faculty, students, and staff on the Health Science Center Working Group were identified through consultation and nominations from shared governance groups such as the Faculty Senate, Staff Advisory Council, and Student Government Association, as well as volunteers from the Health Science Center community. Thirty-one persons participated in the Health Science Center Working Group discussions. Seven meetings were held between September and November 2015, with participation available in person, telephonically, and via videoconferencing.

The broader Health Science Center community provided input through two campus forums, held on September 28<sup>th</sup> and November 9<sup>th</sup>. The public forums were videocast to multiple regional sites; over 100 campus community members attended each of the forums. Questions were also received through the President's website, *Conversation with the President*.

Different members of the Working Group conducted stakeholder group surveys. Informal stakeholder discussions also took place, guided through shared governance groups such as the Faculty Senate, Staff Advisory Council, and Student Government Association. Additionally, the Health Science Center Working Group received documentation related to concealed handgun licensee training and other reference materials. Detailed information about these documents are in the accompanying appendices.

Please let Chief Parks or me know if you have any questions about the report.

# Campus Carry: Background Information

## *From the Campus Carry Working Group Summary Report*

Concealed carry became permissible in Texas in 1995. Chapter 411 Subsection H of the Texas Government Code addresses the eligibility requirements for becoming a concealed handgun license (CHL) holder. By law, CHL holders must be at least 21 years old (or be active military or a veteran), be a resident of Texas, meet other requirements such as no record of felony conviction, and be fully qualified under federal and state law to purchase a handgun. Persons who are in the U.S. under nonimmigrant visas are prohibited from possessing, shipping, transporting, or receiving any firearm or ammunition. Concealed handgun licensees are required to undergo mandatory training prior being issued a license for concealed carry. Within the state of Texas, CHL holders represent approximately 3% of the state's population.

Section 46.035 of the Texas Penal Code specifies the conditions for unlawful carrying of a handgun by license holders. A license holder is held to the standard of carrying a handgun on or about the licensee and the handgun must be concealed, meaning that the gun's presence is not openly discernable to the ordinary observation of a reasonable person. This section also prohibits intentional display of the handgun in plain view of another person in a public place as well as possession, whether or not concealed, in specific areas.

To date, 150 college and university campuses across the U.S. permit concealed carry on campus, including two institutions with medical and health sciences programs – the University of Utah and the University of Colorado. There are few instances of accidental harm by a CHL holder on a campus where concealed carry is permitted, and no known incidents of intentional harm.

*Previous section: « Introduction & Contents*

*Next section: Provisions of Senate Bill 11 »*

# Campus Carry: Provisions of Senate Bill 11

*From the Campus Carry Working Group Summary Report*

While CHL holders in Texas have been permitted to carry their handguns in a concealed manner on public grounds for many years, Senate Bill 11 extends the places where CHL holders may carry their concealed handguns. Beginning August 1, 2016, “a license holder may carry a concealed handgun on or about the license holder's person while the license holder is on the campus of an institution of higher education or private or independent institution of higher education in this state.”

Senate Bill 11 additionally allows institution presidents to “establish reasonable rules” and to evaluate “specific safety considerations, and the uniqueness of the campus environment” in excluding areas for concealed carry but not in such a way as to “have the effect of generally prohibiting license holders from carrying concealed handguns on the campus.” The president may “amend the provisions as necessary for campus safety.” The provisions established by the president take effect unless amended by the Board of Regents by not less than a two-thirds vote.

*Previous section: « Background information*

*Next section: UT System and Health Science Center Working Groups »*

# Campus Carry: UT System and Health Science Center Working Groups

*From the Campus Carry Working Group Summary Report*

## UT System Level

To assist in the implementation process, a working group was formed that consisted of at least one representative from each UT institution and representatives of UT System administration. The charge to the UT System Working Group was to discuss the law and its interpretation, share information and perspectives, and to develop recommendations for facilities common to many campuses. The guiding principles used by the UT System Working Group were:

1. Follow the law.
2. Focus on safety.
3. Strive for a campus environment in which students, staff, and faculty can focus on their studies, research, and work with minimal distraction.

## Health Science Center Level

The Health Science Center at San Antonio also established a campus working group, based on consultation and nominations from shared governance groups such as the Faculty Senate, Staff Advisory Council, and Student Government Association, as well as volunteers from the HSC community. Thirty-one persons participated in the Health Science Center Working Group discussions. Seven meetings were held between September and November, with participation available in person, telephonically, and via videoconferencing.

The Health Science Center Working Group received input from multiple sources: Open Forums hosted by President Henrich; questions directed to the President's website (Conversation with the President), stakeholder group surveys developed by individual members of the work group for their specific constituent groups, and informal stakeholder discussions guided through shared governance groups such as the Faculty Senate, Staff Advisory Council, and Student Government Association. These comments were shared at the campus working group meetings. The Working Group also received documentation related to concealed handgun licensee training. (See Appendix C for the informal stakeholder group surveys and Appendix D for other reference

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materials.)

*Previous section: « Provisions of Senate Bill 11*

*Next section: UT System Working Group discussion »*



# Campus Carry: UT System Working Group Discussion

## *From the Campus Carry Working Group Summary Report*

The Chair of the UT System Working Group, UT System Deputy Chancellor Dr. David Daniel distributed to the campus presidents a draft document, dated October 27, 2015, which articulated a draft consensus emerging from the UT System Working Group discussions. The UT System Working Group listed five possible exclusion zones that campus presidents may wish to consider as they develop their campus-specific policies.

1. Areas for which state or federal law, licensing requirements, or contracts require exclusion exclusively at the discretion of state or federal government, or in which handguns are prohibited by an accrediting authority...
2. Patient care areas, including those where mental health care services are provided.
3. Premises in or on which a ticketed sporting event is taking place.
4. Areas in which discharge of a handgun might cause widespread harm, such as laboratories with extremely dangerous chemicals, biologic agents, or explosive agents, or areas with equipment that is incompatible with metallic objects such as magnetic resonance imaging machines.
5. Animal care areas and vivaria in which protocols increase the risk of discharge or contamination of a concealed handgun, or its unanticipated separation from the license holder.

The UT System Working Group also discussed numerous issues such as residence halls, classrooms, and mixed use buildings; but no consensus recommendations emerged.

The UT System draft was shared with the UT Health Science Center at San Antonio Working Group. The final document of the UT System Concealed Carry Working Group was delivered to Chancellor McRaven and the Presidents of the UT System Campuses on January 11, 2016. (See Appendix B.)

*Previous section: « UT System and Health Science Center Working Groups*

*Next section: Health Science Center Working Group Discussion »*

# Campus Carry: Options for Consideration at the Health Science Center

*From the Campus Carry Working Group Summary Report*

Senate Bill 11 provides that,

*“after consulting with students, staff, and faculty of the institution regarding the nature of the student population, specific safety considerations, and the uniqueness of the campus environment, the president or other chief executive officer of an institution of higher education in this state shall establish reasonable rules, regulations, or other provisions regarding the carrying of concealed handguns by license holders on the campus of the institution or on premises located on the campus of the institution. The president or officer may not establish provisions that generally prohibit or have the effect of generally prohibiting license holders from carrying concealed handguns on the campus of the institution. The president or officer may amend the provisions as necessary for campus safety.”*

Among the wide array of public colleges and universities in the State, health-related institutions, and the UT Health Science Center at San Antonio in particular, have been established by State statute with highly distinctive and specialized roles as academic health centers. The UT Health Science Center at San Antonio’s mission is to make lives better through excellence in education, research, health care and community engagement. The strategies for achieving this mission are: educating a diverse student body to become excellent health care providers and scientists; engaging in research to understand health and disease, and to commercialize discoveries, as appropriate, to benefit the public; providing compassionate and culturally proficient health care, and influencing thoughtful advances in health policy; and engaging our community to improve health.

The complexity of locations in which the UT Health Science Center at San Antonio executes its educational, clinical, research, and community engagement activities presents a unique campus environment. The Health Science Center’s uniqueness requires a balanced implementation of Senate Bill 11 without undue restrictions, while concurrently protecting the lives, property, and educational, clinical and research environments housed in University buildings. The desired goal is to continue normal business operations with the least amount of disruption.

In implementing Senate Bill 11, one available option is to adopt the potential exclusion zones

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presented by the UT System Working Group. Another option would be to refine the UT System Working Group list of potential exclusion zones to a more limited range of research or patient care areas as access is, in many cases, already restricted.

*Previous section: « Health Science Center Working Group discussion*

*Next section: Possible implementation options »*

# Campus Carry: Possible Implementation Options

## *From the Campus Carry Working Group Summary Report*

- Identify exclusion zones by building use, and consider an entire building or openly contiguous buildings to be deemed an exclusion if the use of the building(s) meets a narrowly tailored set of criteria. Buildings would have appropriate signage, in accordance with Texas Penal Code § 30.06.

or

- Identify exclusion zones within laboratory, clinical spaces, or office environments rather than buildings as a whole. Leadership for these spaces would make the identification, based on the allowable criteria. Each individual space would be identified by the head of that unit and reported to facilities so appropriate signage under Texas Penal Code § 30.06 can be displayed at the entrance to that space.

or

- Determine that access to potential exclusion zones is sufficiently restricted to public access, through current practice, and that no further action would be needed.

Wherever potential exclusion zones are identified, CHL holders would not be allowed into those restricted spaces while carrying their weapon and would be responsible for securing their weapon in a legal manner as they do with any other organization that posts signage congruent with Texas Penal Code § 30.06.

The accompanying table is a summary inventory of buildings where HSC business is conducted. (See Appendix E.) The inventory was used to develop options for identifying which buildings could be open to CHL holders and which buildings might be eligible for exclusion from CHL holders, if the possible exclusion zones from the UT System document were adopted. Buildings not highlighted on the list could be open to CHL holders. Buildings highlighted on the list could be eligible for exclusion from CHL holders, depending on the criteria used for determining potential exclusion zones. In the latter cases, and where buildings may have mixed use, the specific implementation protocols would have to be determined. This inventory is coded for the purposes

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of discussion only, and is subject to change.

*Previous section: « Options for consideration at the Health Science Center*

*Next section: Appendices »*

# Campus Carry Working Group Membership

## School of Medicine

- Dr. Tien-cheng Chang (Obstetrics-Gynecology)
- Dr. Oscar Escano (Psychiatry)
- Dr. Paul Fitzpatrick (Biochemistry)
- Ms. Beth Payne (Pediatrics)
- Dr. Thomas Prihoda (Pathology)
- Dr. John Short (Pharmacology)

## School of Dentistry

- Ms. Erin Locke (Endodontics)
- Dr. Norma Partida (Comprehensive Dentistry)
- Dr. Ridley Ross (Comprehensive Dentistry)
- Dr. Gregory Spackman (Oral and Maxillofacial Surgery)

## School of Nursing

- Dr. David Byrd (Admissions and Student Services)

## School of Health Professions

- Dr. Mark Dieterle (Emergency Health Sciences)

## Student Representatives

- Mr. Noah Bierwith (SOM)
- Ms. Jennifer Cyrus (SON)
- Ms. Rebekah Campbell (SHP)
- Mr. Josh Rudin (SOD)
- Ms. Mikaela Sifuentes (GSBS)
- Mr. Brian Stoveken (GSBS)
- Mr. Martin Valdes (SHP)

## HSC Units

- Ms. Jennifer Cerecero (Radiation Safety)
- Ms. Julie Bazan (Regional Campus, Laredo)
- Ms. Mary Vega (Research Imaging Institute)
- Mr. Steven Reeves (Infrastructure Solutions)
- Ms. Stephanie Romero (Campus Tech and Innovations)
- Ms. Brandie Otten (Clinical Research)
- Ms. Jonquil Feldman (Library)

#### Administrative Liaison Offices

- Ms. Mary DeLay (Office of the President)
- Mr. Jack Park (Legal Affairs)
- Ms. Leigh Ann Kensky (Space Planning/Real Estate)
- Ms. Leticia Longoria (Human Resources)

#### Co-Chairs

- Michael Parks, Chief, UT Police
- Dr. Jacqueline Mok, Vice President, Academic, Faculty and Student Affairs



DISCUSSION DRAFT

THIS DOCUMENT WAS RELATED SOLELY FOR THE PURPOSE OF  
REVIEWING OPTIONS AND IS SUBJECT TO CHANGE

THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT SAN ANTONIO  
ACTIVE BUILDING CODE LIST

UPDATED FOR CAMPUS CARRY CONVERSATIONS -- NOVEMBER 23, 2015

<b>BUILDING NUMBER SERIES 000 - 099</b>		
<b>JOE R. &amp; TERESA LOZANO LONG CAMPUS</b>		
<b>7703 FLOYD CURL DRIVE (78229)</b>		
<b>BUILDING CODE</b>	<b>BUILDING ABBREVIATION</b>	<b>BUILDING NAME</b>
001	MED	MEDICAL SCHOOL BUILDING
002	DTL	DENTAL SCHOOL BUILDING
003	ADM	ADMINISTRATION BUILDING
004	PLT	FACILITIES MANAGEMENT BUILDING
006	NSG	NURSING SCHOOL BUILDING
007	CAF	CAFETERIA BUILDING
008	PLC	POLICE BUILDING
009	LEC	LECTURE HALL BUILDING
010	LIB	DOLPH BRISCOE JR LIBRARY
011	UPL	UNIVERSITY PLAZA BUILDING
012	WHS	WAREHOUSE BUILDING
013	GRN	GREENHOUSE
014	RAR	RECREATION AREA RESTROOM
015	PPW	FACILITIES MANAGEMENT WAREHOUSE
016	ESB	EQUIPMENT STORAGE BUILDING
017	CEP	CENTRAL ENERGY PLANT
021	GH1	ENTRY GUARDHOUSE 1
022	GH2	ENTRY GUARDHOUSE 2
024	GH4	ENTRY GUARDHOUSE 4
031	STI	STORAGE SHED 1
032	PKA	PARKING GARAGE
033	PKB	PARKING GARAGE AND BOOKSTORE
034	RAP	RECREATION AREA PAVILION
035	AAB	ACADEMIC AND ADMINISTRATION BUILDING
036	SMC	GOLDS GYM MEDICAL CENTER
037	LTC	ACADEMIC LEARNING AND TEACHING CENTER
038	CFP	CENTRAL ENERGY PLANT FIRE PUMP BUILDING

<b>BUILDING NUMBER SERIES 100 - 199</b>		
<b>ANCILLARY LOCATIONS</b>		
<b>BUILDING CODE</b>	<b>BUILDING ABBREVIATION</b>	<b>BUILDING NAME</b>
125		UT MEDICINE HILL COUNTRY 25273 OLD FREDERICKSBURG RD, BOERNE, TX (78015)
126	MCP	PROFESSIONAL ADMINISTRATION RESOURCE CENTER (PARC) 8431 FREDERICKSBURG RD (78229)
127	PAC	PAC PARKING GARAGE

<b>BUILDING NUMBER SERIES 200 - 299</b>		
<b>SEMI-PERMANENT STRUCTURES</b>		
<b>7703 FLOYD CURL DRIVE AND 8403 FLOYD CURL DRIVE (78229)</b>		
<b>BUILDING CODE</b>	<b>BUILDING ABBREVIATION</b>	<b>BUILDING NAME</b>
200	GRT	GROUNDS TRAILER

DENOTES CHANGE AS OF 9/1/2015

LIST MAINTAINED BY FACILITY SPACE PLANNING AND REAL ESTATE, CALL 567-7054 WITH QUESTIONS

Highlighted =  
Potential Exclusion

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201	FPC	TRAILER
205	FP2	OFPC TRAILER 2 (DOUBLEWIDE)
206	FP3	OFPC TRAILER 3 (SINGLE)
207	FM1	FACILITIES MANAGEMENT TRAILER 1
208	SRS	STUDENT REC STORAGE SHED
209	PSS	UT POLICE STORAGE SHED

**BUILDING NUMBER SERIES 300 - 399**

GREEHEY ACADEMIC AND RESEARCH CAMPUS  
 8403 FLOYD CURL DRIVE (MCDERMOTT, RAB, CENTRAL ENERGY, STRF)  
 8300 FLOYD CURL DRIVE (MARC, COH) (78229)

BUILDING CODE	BUILDING ABBREVIATION	BUILDING NAME
301	MCD	MCDERMOTT CLINICAL SCIENCES BUILDING
302	AHR	RESEARCH ADMINISTRATION BUILDING
303	CEN	CENTRAL ENERGY PLANT
304	CCC	GREEHEY CHILDREN'S CANCER RESEARCH INSTITUTE
305	MAR	MEDICAL ARTS AND RESEARCH CENTER (MARC)
306	GRO	GROSSMAN BUILDING
307	ZEL	ZELLER BUILDING
308	URS	URSCHEL TOWER
309	PKC	PARKING GARAGE
310	GH5	ENTRY GUARDHOUSE 5
311	GH6	ENTRY GUARDHOUSE 6
312	GH7	ENTRY GUARDHOUSE 7
313	STR	SOUTH TEXAS RESEARCH FACILITY (STRF)
314	PKD	MARC PARKING GARAGE
315	GH8	ENTRY GUARDHOUSE 8
316	COH	CENTER FOR ORAL HEALTH CARE
317	HCG	CENTER FOR ORAL HEALTH CARE GARAGE

**BUILDING NUMBER SERIES 400 - 499**

TEXAS RESEARCH PARK  
 15355 LAMBDA DRIVE (IBT, STCBM, BARSHOP)  
 14980 OMICRON DRIVE (IDD)

BUILDING CODE	BUILDING ABBREVIATION	BUILDING NAME
401	HHB	HAYDEN HEAD BUILDING (IBT)
402	CBM	SOUTH TEXAS CENTER FOR BIOLOGY IN MEDICINE (STCBM)
403	CCB	SBC TELECONFERENCE CENTER
404	CA2	CAFETERIA
405	LAS	SAM AND ANN BARSHOP INSTITUTE FOR LONGEVITY
406	LAM	LONGEVITY AND AGING MECHANICAL BUILDING
407	IDD	INSTITUTE FOR DRUG DEVELOPMENT
430	GER	RESTROOM AT GEORGE ENSLEY FIELD
431	GEP	PAVILION AT GEORGE ENSLEY FIELD

**BUILDING NUMBER SERIES 500 - 599**

OFF-CAMPUS, LEASED SPACE

BUILDING CODE	BUILDING ABBREVIATION	BUILDING NAME
501	BCT	BLUFFCREEK TOWER 4201 MEDICAL DRIVE (78229)
506	ASH	ASHFORD OAKS

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8122 DATAPOINT (78229)

512	OOH	ONE OAK HILLS PLACE 1901 BABCOCK (78229)
518	CMB	CARRINGTON BUILDING 3939 MEDICAL (78229)
528	SR2	CHRISTUS SANTA ROSA MED CENTER 2833 BABCOCK (78229)
537	KNG	KOENIG BUILDING 1408 KOENIG, STE A AUSTIN, TX (78756)
538	NWC	NORTHWEST CENTER 7550 IH10 WEST, STE 1325 (78229)
540	WGB	WESTGATE BUILDING 5281 MEDICAL, SUITE 614 (78229)
541	RPM	CRYSTAL MALL 6126 WURZBACH (78238)
542	WHO	WESTOVER HILLS 10515 STATE HWY 151, STE 100 (78251)
543	UNH	UNIVERSITY HOSPITAL 4502 MEDICAL (78041)
544	UCC	UNIVERSITY CENTER FOR COMMUNITY HEALTH 701 S. ZARZAMORA (78207)
545	HRB	5022 HOLLY ROAD, SUITE 106 CORPUS CHRISTI (78411)
548	NCB	NORTH CENTRAL BAPTIST - ATRIUM 502 MADISON OAK, SUITE 130 SAN ANTONIO, TX
549	SMO	STEINLE MEDICAL OFFICE BUILDING 1901 HWY 97 E JOURDANTON, TX (78026)
551	OTB	ONE TECHNOLOGY CENTER 7411 JOHN SMITH (78229)
552	MSO	METHODIST STONE OAK 1139 E. SONTERRA BLDG, STE 565A-1 (78258)
553	DHR	DOCTOR'S HOSPITAL RENAISSANCE 2717 MICHAEL ANGELO DR EDINBURG, TX (78539)
554	UVD	UVALDE CLINIC 1042 GARNER FIELD UVALDE, TX (78801)
556	MDT	MEDICAL TOWER II 7940 FLOYD CURL, STE 300 (78229)
557	RAS	RENAL ASSOCIATES 3103 MEGAN ST EAGLE PASS, TX (78852)
559	UMC	UNIVERSITY TOWERS MEDICAL CENTER 1900 N OREGON ST, SUITE 310 EL PASO, TX 79902

560	UMH	UVALDE MEMORIAL HOSPITAL 1025 GARNER FIELD RD UVALDE, TX (78801)
561	CDN	CLINICA DEL NORETE

**DISCUSSION DRAFT**  
**THIS DOCUMENT WAS RELATED SOLELY FOR THE PURPOSE OF**  
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		102 BABCOCK RD., SUITE 100 SAN ANTONIO, TX (78201)
562	DEL	1401 LAS VACAS DEL RIO, TX (78840)
563	ZAC	2500 ZACATECAS STREET LAREDO, TX (78046)
564	GUD	GUADALUPE FAMILY HEALTH 1414 E WALNUT SEGUIN, TX (78155)
565	CPK	CEDAR PARK MEDICAL OFFICE BUILDING

<b>NUMBER SERIES 700 - 799</b>		
<b>REGIONAL CAMPUSES</b>		
<b>BUILDING CODE</b>	<b>BUILDING ABBREVIATION</b>	<b>BUILDING NAME</b>
702	DDH	D.D. HACHAR BUILDING 1937 BUSTAMANTE ST. LAREDO, TX (78041)
706	LLL	LAREDO ACADEMIC BUILDING 1937 BUSTAMANTE ST. LAREDO, TX (78041)
707	LSB	LAREDO BUS BARN 1937 BUSTAMANTE ST. LAREDO, TX (78041)



UTMDACC INSTITUTIONAL POLICY # ADM1254

## **POLICY ON CONCEALED HANDGUN CARRIAGE ON MD ANDERSON'S CAMPUS**

**DRAFT DATE: 03-18-2016**

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### **PURPOSE**

The purpose of this policy is to ensure compliance with Section 411.2031 of the Texas Government Code, also known as the "Campus Carry Law," which authorizes the carrying of Concealed Handguns by duly licensed holders on designated portions of the Campus of The University of Texas MD Anderson Cancer Center (MD Anderson), as defined and explained below.

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### **POLICY STATEMENT**

It is the policy of MD Anderson to respect the Federal and Texas Constitutions, both of which recognize Texas citizens' right to keep and bear arms. MD Anderson also recognizes the Texas Legislature's power to regulate the carriage of Handguns. Finally, MD Anderson recognizes its right under the Campus Carry Law to implement its own reasonable rules, regulations, and other provisions regarding the carriage on MD Anderson's Premises of Concealed Handguns by holders of Concealed Handgun Licenses ("CHL Holders"). Accordingly, in seeking to fulfill its obligations under the Campus Carry Law to determine appropriate Exclusion Zones and permitted Concealed Handgun License Zones ("CHL Zones"), MD Anderson has strived to recognize CHL Holders' rights in the context of (1) the nature of MD Anderson's faculty, student, administrator, patient, and patient family populations; (2) specific safety considerations; (3) the uniqueness of MD Anderson's Campus environment; (4) all applicable laws and contractual obligations; (5) issues of practical implementation; and (6) ease of compliance and reasonable administration and enforcement. While reasonable minds can disagree on certain specifics of this policy, MD Anderson believes that this policy respects the rights and interests of all stakeholders and achieves a balanced approach to the carrying of concealed handguns by CHL Holders on its Campus.

**THIS POLICY DOES NOT AUTHORIZE THE OPEN CARRY OF A HANDGUN ON MD ANDERSON'S CAMPUS, AND THE OPEN CARRYING OF A HANDGUN IS PROHIBITED ON MD ANDERSON'S CAMPUS.**

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### **SCOPE**

Compliance with this policy is the responsibility of all persons on MD Anderson's Campus.

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### **TARGET AUDIENCE**

The target audience for this policy is all persons on MD Anderson's Campus.



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## DEFINITIONS

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**All Hazards Risk Leadership Council (AHRLC):** An executive-level council charged with assessing enterprise-level risks.

**Campus:** The sum of all land and buildings leased or owned by the Board of Regents of The University of Texas System for and on behalf of MD Anderson.

**Campus Carry Law:** Section 411.2031 of the Texas Government Code, permitting the carrying of Concealed Handguns by duly licensed holders on MD Anderson's Campus in accordance with this policy.

**Concealed Handgun:** A Handgun, the presence of which is not openly discernible to the ordinary observation of a reasonable person (see [Texas Government Code, Section 411.171](#)).

**Concealed Handgun License (CHL):** A valid and current Concealed Handgun license as defined by Subchapter H of the Texas Government Code ("License to Carry a Concealed Handgun").

**Concealed Handgun License (CHL) Holder:** Anyone appearing on MD Anderson's Campus with a valid, current CHL and a Concealed Handgun.

**Concealed Handgun License (CHL) Zones:** The areas on MD Anderson's Campus where CHL Holders may carry a Concealed Handgun.

**Excluded Activities:** Activities that form the bases of Exclusion Zones.

**Exclusion Zones:** The areas on MD Anderson's Campus where CHL Holders may not carry a Concealed Handgun.

**Handgun:** Any firearm that is designed, made, or adapted to be fired with one hand (see [Texas Penal Code, Section 46.01\(5\)](#)).

**National Cancer Institute (NCI) Designation Zone:** All buildings and physical facilities on MD Anderson's Campus that are physically or programmatically interconnected and interrelated and which are used to fulfill the following activities required of a NCI-designated Comprehensive Cancer Center:

- Undertaking and providing treatment, care, and services to patients, including all buildings in which there are hospital facilities, inpatient and outpatient clinics, laboratories, and pharmacies.
- Undertaking and conducting research in the following three areas:
  - Laboratory research.
  - Population science.
  - Clinical research.
- Undertaking and providing programs in cancer prevention.
- Undertaking and providing health care education to health care professionals and patients.

**Premises:** Consistent with [Section 46.035\(f\)\(3\) of the Texas Penal Code](#), "Premises" means a building or a particular portion of an MD Anderson Campus building. For purposes of this policy and MD Anderson's Campus, a Premises comprises all of the contiguous space dedicated to a particular institutional function or activity and extends to the functional or physical boundary of that function or activity. A Premises may be a floor, departmental suite, hallway, walkway, throughway, skybridge,

laboratory, cafeteria, or any other space, depending on the circumstance. The All Hazards Risk Leadership Council (AHLRC), in consult with the Vice President and Chief Facilities Officer and the Executive Director and Chief Safety Officer, determines Premises for purposes of this policy.

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## PROCEDURE

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### 1.0 Policy Permissions and Violations

- 1.1 Subject to a CHL Holder's acceptance of and compliance with this policy and MD Anderson's rules and regulations, CHL Holders may carry Concealed Handguns in accordance with their CHL in CHL Zones on MD Anderson's Campus.
- 1.2 CHL Holders are prohibited from carrying, and may not carry, Concealed Handguns in Exclusion Zones on MD Anderson's Campus. Moreover, neither CHL Holders nor any other person may carry any other weapon, as described in [Texas Penal Code, Section 46.01](#), on MD Anderson's Campus.
- 1.3 CHL Holders must abide by and comply with all CHL rules in [Texas Government Code, Chapter 411](#) and all MD Anderson rules, regulations, and policies while carrying a properly licensed Concealed Handgun in a CHL Zone.
- 1.4 The mere possession of a properly licensed Concealed Handgun by a CHL Holder in CHL Zones on MD Anderson's Campus is not a violation of the [Disciplinary Action Policy \(UTMDACC Institutional Policy # ADM0256\)](#) or the [Workplace Violence Prevention Policy \(UTMDACC Institutional Policy # ADM0257\)](#). However, a violation of this policy by a faculty member, trainee/student, or other member of MD Anderson's workforce may constitute a violation of institutional policies regarding conditions of employment and standards of conduct, including the [Disciplinary Action Policy \(UTMDACC Institutional Policy # ADM0256\)](#) and the [Workplace Violence Prevention Policy \(UTMDACC Institutional Policy # ADM0257\)](#), thereby subjecting the workforce member to disciplinary action, up to and including termination.
- 1.5 CHL Holders are prohibited from engaging in, and may not engage in, Direct, Conditional, or Veiled Threats, as defined in MD Anderson's [Workplace Violence Prevention Policy \(UTMDACC Institutional Policy # ADM0257\)](#), involving the CHL Holder's Concealed Handgun. This may include, but is not limited to, overt or implicit references by a CHL Holder to the CHL Holder's Concealed Handgun in a way so as to intentionally or knowingly incite fear or concern in any other person. Such conduct may result in immediate termination per [Section 8.0](#) of this policy.
- 1.6 Except for storing a Handgun in a vehicle as permitted by Texas Law, CHL Holders must keep their Concealed Handguns on or about their persons at all times. For purposes of this policy and subject to the requirements of Texas law, "on or about one's person" means close at hand and within such distance of the CHL Holder so that, without materially changing his/her position, the CHL Holder could get his/her hand on it. Except for storing a Handgun in a vehicle as permitted by state law, CHL Holders are prohibited from leaving and must not leave the CHL Holder's Concealed Handgun unattended anywhere on MD Anderson's Campus, regardless of whether stored in a desk drawer, cabinet, purse, handbag, backpack, fanny pack, briefcase, or otherwise.
- 1.7 CHL Holders are responsible for safeguarding their Concealed Handguns at all times and must take all necessary precautions to ensure their Concealed Handguns are secured in a manner that is most likely to prevent theft, loss, damage, or misuse. CHL Holders must have their Concealed Handguns in holders or holsters that completely cover the trigger and the trigger guard area. The holster must have sufficient tension or grip on the Concealed Handgun



to retain it in the holster even when subjected to unexpected jostling. CHL Holders are liable for any and all damage, injury, liability, loss, cost, or expense, directly or indirectly resulting from or arising out of an accidental or inadvertent discharge of their Concealed Handgun or their violation of this policy.

- 1.8 MD Anderson does not provide storage (e.g., lockers) or holding services for CHL Holders.
- 1.9 A CHL Holder whose Concealed Handgun is lost or stolen on MD Anderson's Campus must immediately report the loss or theft to The University of Texas Police Department at Houston (UTP-H).
- 1.10 In accordance with Texas Law, CHL Holders may secure their Concealed Handguns safely in their vehicles. MD Anderson assumes no responsibility for loss or theft of Concealed Handguns from CHL Holders' vehicles on MD Anderson's Campus (see Section 12.2 of the [Parking Policy \(UTMDACC Institutional Policy # ADM0230\)](#)).

## 2.0 CHL Zones and Exclusion Zones

- 2.1 In accordance with the Campus Carry Law, the President must designate CHL Zones and Exclusion Zones for MD Anderson's Campus and in doing so must consider:
  - A. The nature of MD Anderson's faculty, student, administrator, patient, and patient family populations.
  - B. Specific safety considerations.
  - C. The uniqueness of MD Anderson's Campus environment.
- 2.2 In addition to considering the factors mandated by the Campus Carry Law, the President should also consider the following factors:
  - A. All applicable laws and contractual obligations pertinent to MD Anderson.
  - B. Issues of practical implementation.
  - C. Ease of compliance and reasonableness of administration and enforcement.
- 2.3 The President may not create Exclusion Zones that generally prohibit or have the effect of generally prohibiting CHL Holders from lawfully carrying Concealed Handguns on MD Anderson's Campus.
- 2.4 A CHL Zone may be coterminous with a Premises.
- 2.5 If justified using the criteria in [Section 2.1](#) and [Section 2.2](#), an Exclusion Zone may be coterminous with a Premises.
- 2.6 The President has designated the following areas on MD Anderson's Campus as Exclusion Zones:
  - A. Areas for which state or federal law, licensing requirements, or contracts require exclusion exclusively at the discretion of the state or federal government, or in which Handguns are prohibited by an accrediting authority.
  - B. Childcare facilities and pediatric-activity areas.
  - C. Areas analogous to state law requirements that prohibit Concealed Handguns, including:
    - MD Anderson's National Cancer Institute (NCI) Designation Zone.

- Police and correctional facilities.
  - Chapels, synagogues, prayer rooms, and other areas designated for worship, spiritual reflection, or meditation on MD Anderson's Campus.
  - Pediatric school areas and areas in which sponsored activities are conducted for persons under 18 years of age who are not enrolled at MD Anderson.
- D. Areas where discharge of a Concealed Handgun might cause widespread harm or catastrophic results, such as laboratories with extremely dangerous chemicals, biologic agents, or explosive agents, or equipment that is incompatible with metallic objects such as magnetic resonance imaging machines.
- E. Animal care areas and vivaria in which protocols increase the risk of discharge or contamination of a Concealed Handgun, or its unanticipated separation from the CHL Holder. For open-air primate enclosures, the Exclusion Zone extends at least five (5) feet from the enclosure.
- 2.7 Deemed Exclusion Zones:
- A. When, either within a Premises or between two Premises, an Exclusion Zone is adjacent to what otherwise might be a CHL Zone, the President may deem the adjacent CHL Zone also to be an Exclusion Zone for practicability and to ensure ease of compliance, and reasonable administration and enforcement, including those situations in which:
- Ingress and egress by CHL Holders between the Exclusion Zone and the CHL Zone is impracticable (e.g., the CHL Holder could not reasonably move to a CHL Zone without moving through an Exclusion Zone in violation of this policy and the law); and
  - Ingress and egress between the Exclusion Zone and the CHL Zone may not reasonably be clearly demarcated per [Section 2.8](#) of this policy.
- B. The President or his designee may deem CHL Zones to be Exclusion Zones for the period of time that the CHL Zone hosts Excluded Activities listed in [Section 3.0](#) of this policy. For example, an event in MD Anderson Campus CHL Zones that includes pediatric patients is an Exclusion Zone during the event. During this period, the signage required by [Section 2.8](#) of this policy will be erected in the deemed Exclusion Zone for the duration of the excluded period.
- C. If a significant fraction of the functional space of a building is excluded for reasons consistent with this policy, the President may exclude the entire building to ensure ease of compliance, reasonable administration, and enforcement.
- 2.8 Exclusion Zones will be demarcated with legally-sufficient signage, per [Texas Penal Code, Section 30.06](#).
- 2.9 The Vice President and Chief Facilities Officer and the Executive Director and Chief Safety Officer each shall maintain a complete and up-to-date listing of CHL Zones and Exclusion Zones.
- A. The listing will include the President's justification(s) for each Exclusion Zone.
- B. The Vice President and Chief Facilities Officer and the Executive Director and Chief Safety Officer will make the listing available to the public upon reasonable request.



### **3.0 Excluded Activities (Not Premises-Specific)**

Irrespective of where they are on MD Anderson's Campus, CHL Holders may not carry Concealed Handguns while engaged in the following Excluded Activities:

- 3.1 Providing institutional care or services to MD Anderson patients.
- 3.2 Handling extremely dangerous chemicals, biologic agents, flammable or explosive agents, or equipment that is incompatible with metallic objects.
- 3.3 Handling laboratory animals.
- 3.4 Attending events on MD Anderson's Campus at which alcoholic beverages are served.
- 3.5 Attending any meeting related to proceedings made necessary by or in connection with MD Anderson's Grievance Policy (UTMDACC Institutional Policy # ADM0266), Appeal Policy (UTMDACC Institutional Policy # ADM0268), or any institutional policy related to a formal conflict resolution processes as well as a Hearing Tribunal or related meeting scheduled as part of a formal dispute resolution process.
- 3.6 Attending or participating in a ticketed sporting event on MD Anderson's Campus
- 3.7 Providing care or services to minor children.

### **4.0 Institutional Vehicles**

- 4.1 Subject to [Section 4.2](#) below, vehicles owned or leased by MD Anderson that are used for passenger transportation are considered CHL Zones.
- 4.2 Vehicles owned or leased by MD Anderson that are being utilized for the following purposes are considered Exclusion Zones for the duration of time that the vehicle is being used for such purposes:
  - A. The vehicle is being used to transport extremely dangerous chemicals, biologic agents, flammable or explosive agents, or equipment that is incompatible with metallic objects.
  - B. The vehicle is being used for health care-related activities, such as mobile mammography, blood donations, or to provide health screenings.
  - C. The vehicle is being used for childcare, school, or pediatric activities or purposes.

### **5.0 MD Anderson Campus Land (External to Buildings)**

Areas outside MD Anderson buildings but still on MD Anderson's Campus are deemed Exclusion Zones when the areas are utilized for activities that are Excluded Activities listed in [Section 3.0](#) of this policy. For example, an area on MD Anderson's Campus used for a picnic or event involving pediatric patients is an Exclusion Zone for the duration of the picnic or event.

### **6.0 Communication**

- 6.1 MD Anderson shall widely distribute this policy and all related rules, regulations, and procedures to its faculty, trainees/students, and other members of MD Anderson's workforce, and shall prominently publish this policy and all related rules, regulations, and procedures on MD Anderson's internet and intranet sites.

- 6.2 MD Anderson's Departments of Communications, Human Resources, Patient Advocacy, Patient Care & Prevention Facilities, Patient Education, Patient Experience, Patient Safety, Physicians Referral Service, Academic and Visa Administration, and Institutional Compliance shall be responsible for ensuring communication of this policy and all related rules, regulations, and procedures, as required by the Campus Carry Law.

## **7.0 Campus Carry Reporting**

- 7.1 Incident Reports to the All Hazards Risk Leadership Council (AHRLC):

The Institutional Safety Committee will collect and report to the AHRLC incidents implicating this policy as soon as practicable, but in no event later than 60 days from the discovery of the date of the incident.

- 7.2 AHRLC Reports to the President:

On or about July 1 of each year, the AHRLC will prepare and deliver to the President a report on MD Anderson's compliance with the Campus Carry Law, the implementation of this policy, and all incidents during the past year involving a Concealed Handgun.

From time to time, and based upon the implementation of this policy or any incidents involving a Concealed Handgun, the AHRLC shall make recommendations to the President in regard to any changes that may be necessary, appropriate, or desirable to this policy, the Exclusion Zones, Excluded Activities, CHL Zones, or the rules and regulations hereunder.

- 7.3 President's Report to the Texas Legislature:

Not later than July 1 of each even-numbered year, the Institutional Compliance Office will prepare for the AHRLC's review and the President's review and approval a report on MD Anderson's compliance with the Campus Carry Law. The report will:

- A. Describe MD Anderson's rules, regulations, and policies regarding the carrying of Concealed Handguns on MD Anderson's Campus; and
- B. Explain the reasons why MD Anderson has established these rules, regulations, and policies.

- 7.4 Once approved by the President, the President shall send the report to The UT System's Office of General Counsel for review not later than August 1 of each even-numbered year.

- 7.5 The President must submit the report to the Texas Legislature not later than September 1 of each even-numbered year.

## **8.0 Policy Violations and Disciplinary Action**

- 8.1 If any person believes that a CHL Holder has violated this policy, he or she should immediately report the violation by calling 2-STOP (713-792-7867). The caller should provide the following information, as applicable and available:

- A. Description of the perceived violation;
- B. Name(s) of individual(s) involved in the incident;
- C. Name(s) of any witnesses;
- D. Date, time, and location of the incident; and

E. Factual circumstances surrounding the incident.

- 8.2 A violation by a CHL Holder of this policy that involves the CHL Holder's Concealed Handgun may be considered a confirmed incident of a Policy Violation ("a confirmed incident of Violence or Threat of Violence") under the [Workplace Violence Prevention Policy \(UTMDACC Institutional Policy # ADM0257\)](#) and may result in immediate removal from MD Anderson's Campus or referral to The University of Texas Police Department at Houston (UTP-H), as appropriate, and may result in disciplinary action for such person, up to and including termination.
- 8.3 Loss of a CHL Holder's Concealed Handgun on MD Anderson's Campus will be considered a violation of [Section 1.6](#) of this policy, and if the CHL Holder is a faculty member, trainee/student, or other member of MD Anderson's workforce, may result in disciplinary action for such person, up to and including termination.

Draft

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## ATTACHMENTS/LINKS

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[Examples of Unacceptable Conduct and Work Performance \(Attachment # ATT1800\).](#)

[Texas Government Code, Chapter 411.](#)

[Texas Government Code, Section 411.171.](#)

[Texas Penal Code, Section 30.06.](#)

[Texas Penal Code, Section 46.01.](#)

[Texas Penal Code, Section 46.01\(5\).](#)

[Texas Penal Code, Section 46.035\(f\)\(3\).](#)

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## RELATED POLICIES

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[Appeal Policy \(UTMDACC Institutional Policy # ADM0268\).](#)

[Disciplinary Action Policy \(UTMDACC Institutional Policy # ADM0256\).](#)

[Grievance Policy \(UTMDACC Institutional Policy # ADM0266\).](#)

[Infection Control for Patient Care Areas Policy UTMDACC Institutional Policy # CLN0436\).](#)

[Parking Policy \(UTMDACC Institutional Policy # ADM0230\).](#)

[Termination of Employment of a Faculty Member Policy \(UTMDACC Institutional Policy # ACA0059\).](#)

[Workplace Violence Prevention Policy \(UTMDACC Institutional Policy # ADM0257\).](#)

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## JOINT COMMISSION STANDARDS / NATIONAL PATIENT SAFETY GOALS

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None.

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## OTHER RELATED ACCREDITATION / REGULATORY STANDARDS

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None.

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## REFERENCES

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TEX. GOV'T CODE Title 4, Subtitle B, §411 *et seq.*,  
<http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.411.htm>

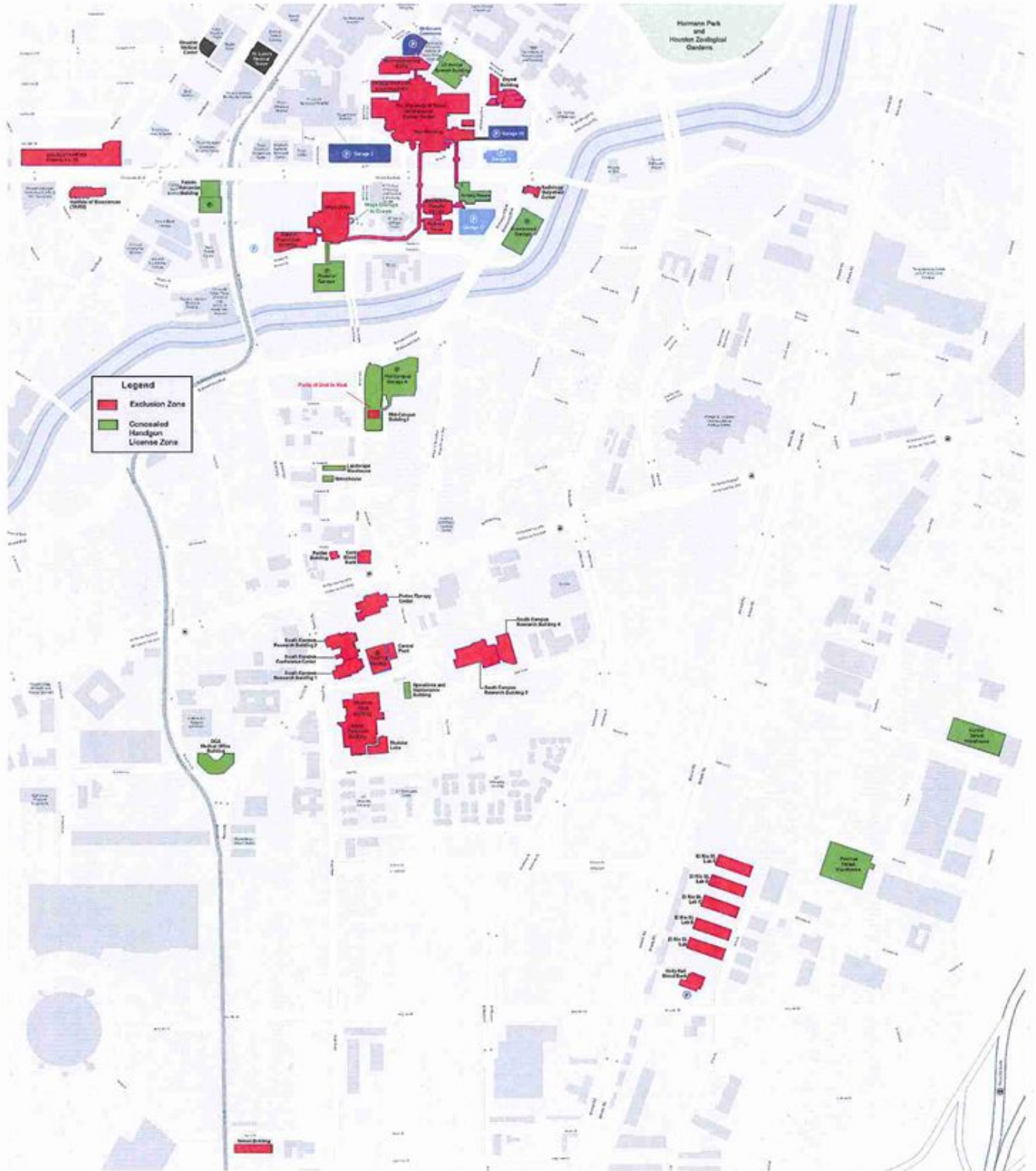
TEX. PEN. CODE Title 7, §30.06 *et seq.*, <http://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.30.htm>

# **Attachment L**

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## **MD Anderson campus maps**

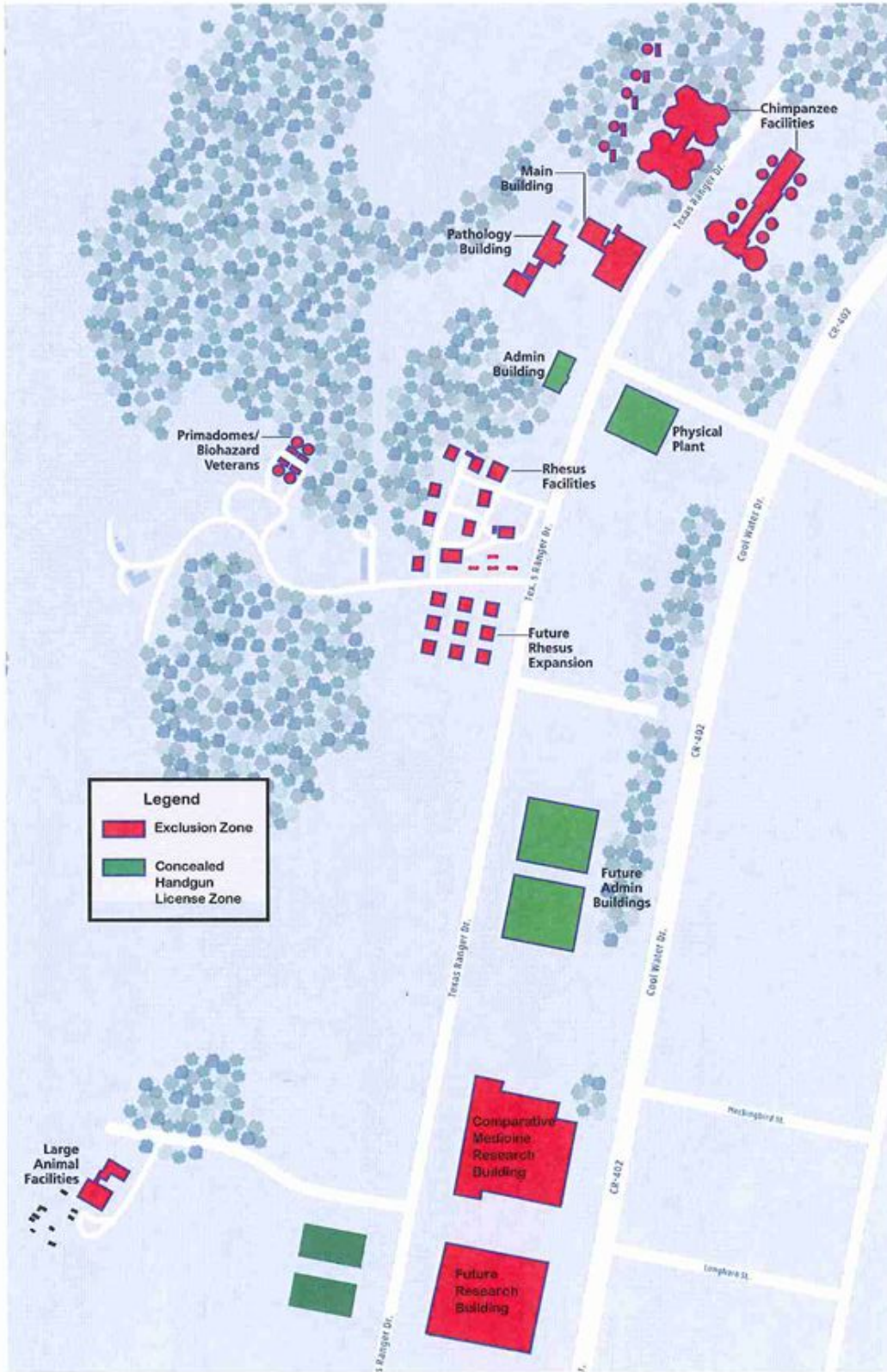




### Houston Campus

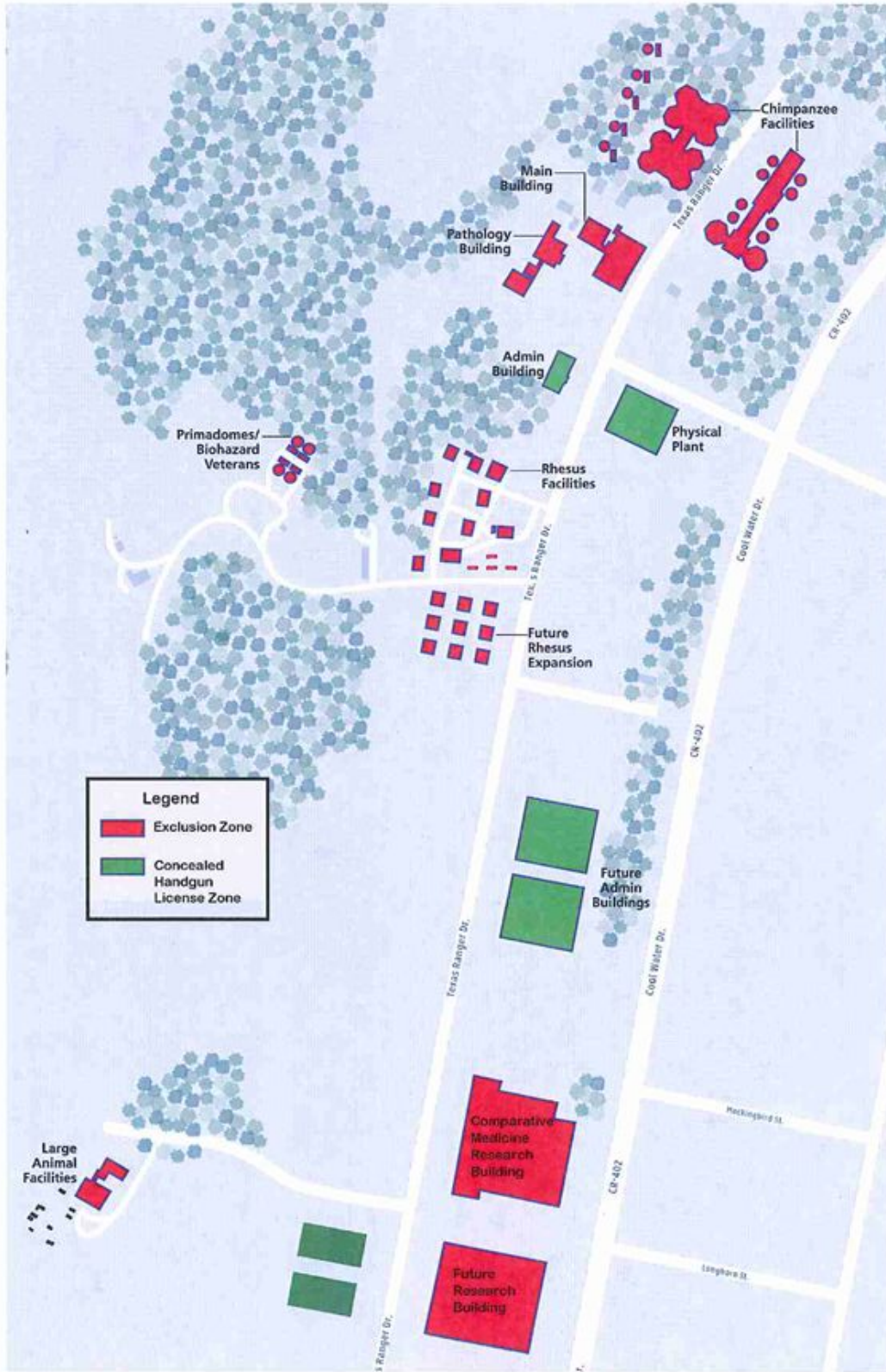
## Houston area locations





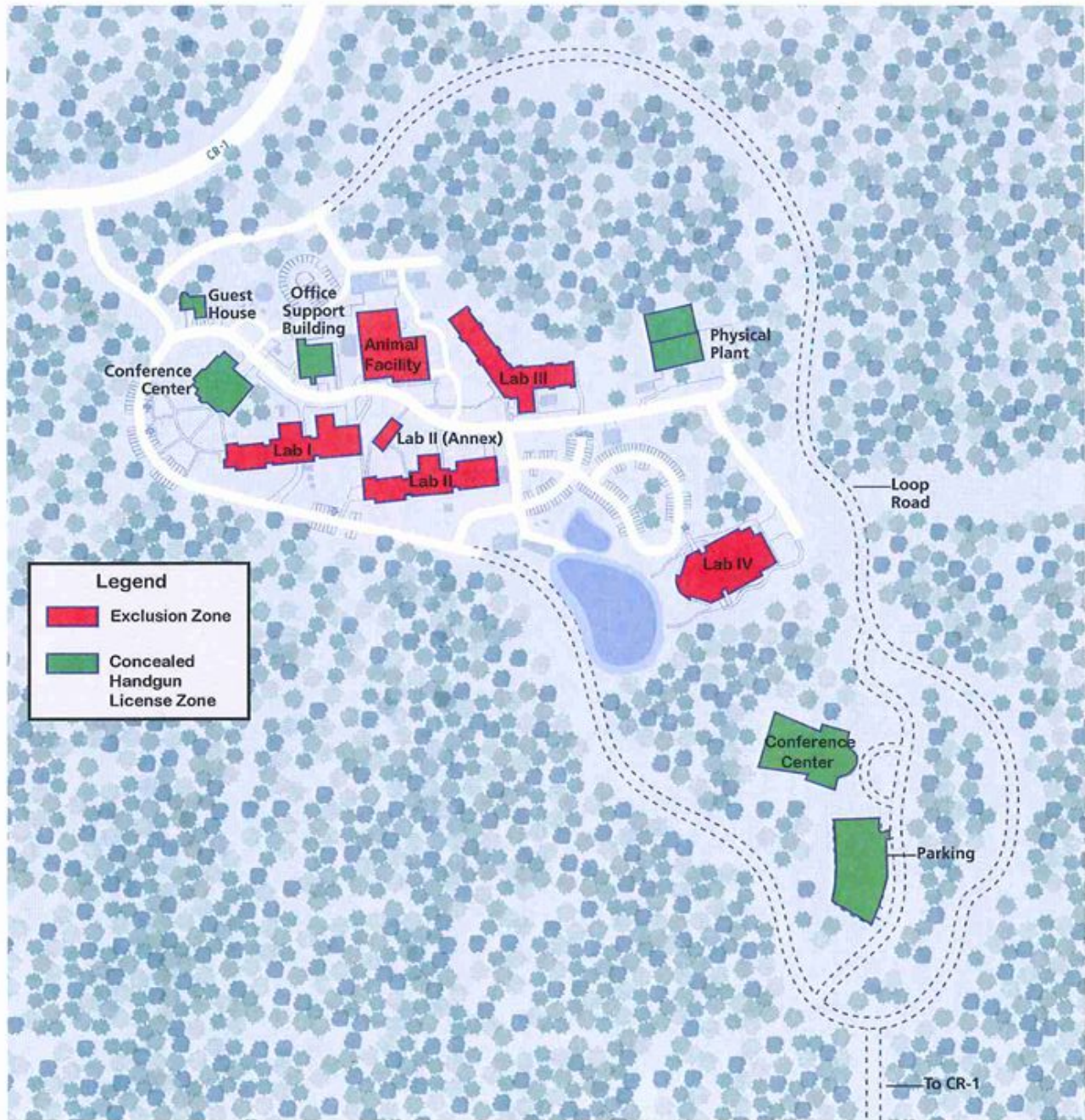
## Bastrop Campus





## Bastrop Campus





## Smithville Campus



MD Anderson Campus Carry Working Group  
Findings and Recommendations  
March 23, 2016

# S.B. 11/Campus Carry Plan

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The University of Texas MD Anderson Cancer Center • Fiscal Year 2016

THE UNIVERSITY OF TEXAS  
**MD Anderson  
Cancer Center**  
Making Cancer History®



# **S.B. 11/Campus Carry Plan**

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**The University of Texas MD Anderson Cancer Center  
Fiscal Year 2016**



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## **Attachments**

- A. S.B. 11 (Enrolled Version)
- B. Chancellor McRaven’s July 2015 Memorandum
- C. UT Systemwide working group’s recommendations
- D. DPS 2013 crime and enrollment statistics for CHL holders
- E. MD Anderson’s Campus Carry Working Group members
- F. Campus Carry at MD Anderson Comprehensive Feedback Report
- G. MD Anderson Campus Carry Qualtrics survey results
- H. MD Anderson Faculty Senate Exclusion Zones survey results
- I. The University of Texas System Fast Facts 2014
- J. MD Anderson Quick Facts 2015
- K. Draft UTMDACC INSTITUTIONAL POLICY #ADM1254, POLICY ON CONCEALED HANDGUN CARRIAGE ON MD ANDERSON’S CAMPUS
- L. MD Anderson campus maps

## Purpose

Texas Senate Bill 11, colloquially known as Campus Carry, changes the current state of Texas law to permit Concealed Handgun License (CHL) holders to carry, in a concealed fashion, handguns on the premises of institutions of higher education. By statute, MD Anderson is an institution of higher education;<sup>1</sup> therefore, MD Anderson must comply with Campus Carry.

As the MD Anderson Working Group (the “Working Group”) explains below, institutions’ presidents are vested with statutory authority to establish “reasonable rules, regulations, or other provisions regarding the carrying of concealed handguns by license holders” on their campuses.<sup>2</sup> To facilitate consistency where possible but not dictate results or outcomes, The University of Texas System Chancellor William McRaven advocated a two-tier approach to complying with Campus Carry: a UT Systemwide working group and local, institution-level working groups.<sup>3</sup> This report represents the findings of the MD Anderson Working Group. These findings generally comport with the UT Systemwide working group’s recommendations.<sup>4</sup>

## Regarding the Working Group’s findings and recommendations

The Working Group’s recommendations result from considering objective data about MD Anderson’s student population, specific safety considerations, and unique campus environment. The recommendations should not be confused as tacit criticism of CHL holders’ right to concealed carriage, a right afforded them by the Second Amendment; Article I, Section 23 of the Texas Constitution; and Section 411, Subchapter H of the Texas Government Code. Indeed, the data suggest that CHL holders are among the most law abiding of Texas citizens and take their concealed carriage right seriously. For example, in 2013, of the 50,869 convictions across the state of Texas, only 158 of those convictions involved CHL holders.<sup>5</sup> As 242,641 new CHLs were issued that same year,<sup>6</sup> these data suggest a low criminality rate among CHL holders.

On the other hand, unintentional firearm gunshot injuries do occur.<sup>7</sup> Moreover, CHL holders have discharged their handguns unintentionally on other states’ campuses that permit concealed carriage.<sup>8</sup> And given MD Anderson’s unique campus environment — dedicated almost exclusively

<sup>1</sup>See TEX. EDUC. CODE § 61.003(5), (8).

<sup>2</sup>See Act approved July 13, 2015, 84<sup>th</sup> Leg., R.S., § 1, to be codified at TEX. GOV’T. CODE § 411.2031(d-1). S.B. 11 (Enrolled Version) is attached at Attachment A.

<sup>3</sup>Chancellor McRaven’s July Memorandum is attached at Attachment B.

<sup>4</sup>See Attachment C for the UT Systemwide working group’s recommendations.

<sup>5</sup>See DPS 2013 crime and enrollment statistics for CHL holders, attached at Attachment D.

<sup>6</sup>See *id.*

<sup>7</sup>From 2001 to 2013, there were 215,422 reported unintentional firearm gunshot nonfatal injuries in the United States. In 2013, the number was 16,864, with a crude rate of 5.33 per 100,000. See Centers for Disease Control and Prevention, National Center for Injury Prevention and Control, Web-based Injury Statistics Query and Reporting System (“WISQARS”), available at [www.cdc.gov/injury/wisqars/index.html](http://www.cdc.gov/injury/wisqars/index.html).

<sup>8</sup>See *Weber State Student Accidentally Shoots Himself*, DAILY HERALD, Jan. 5, 2012, available at [www.heraldextra.com/news/local/weber-state-student-accidentally-shoots-himself/article\\_eef6a77c-37d6-11e1-860e-0019bb2963f4.html](http://www.heraldextra.com/news/local/weber-state-student-accidentally-shoots-himself/article_eef6a77c-37d6-11e1-860e-0019bb2963f4.html); Ryan Parker, *Two injured when CU staffer with concealed carry permit fires gun accidentally*, DENVER POST, Nov. 12, 2012, available at [www.denverpost.com/ci\\_21983216/two-injured-when-cu-staffer-concealed-carry-permit](http://www.denverpost.com/ci_21983216/two-injured-when-cu-staffer-concealed-carry-permit); Debbie Bryce, *ISU prof with concealed weapons permit who accidentally shot his foot in class is identified*, IDAHO STATE JOURNAL, Sept. 4, 2014, available at [www.idahostatejournal.com/news/local/isu-prof-with-concealed-weapons-permit-who-accidentally-shot-his/article\\_18228ab2-3383-11e4-af7e-001a4bcf887a.html](http://www.idahostatejournal.com/news/local/isu-prof-with-concealed-weapons-permit-who-accidentally-shot-his/article_18228ab2-3383-11e4-af7e-001a4bcf887a.html). Notably, each of the people involved in these incidents



to patient care<sup>9</sup> — handgun discharges occurring in patient care areas are of special concern.<sup>10</sup> Even patients who are CHL holders can cause dangerous discharges in patient care areas, directly<sup>11</sup> or indirectly.<sup>12</sup>

Any number of unintended but avoidable consequences can occur when guns are introduced into patient care areas and laboratories. Even the most careful, law-abiding CHL holder might, for a number of reasons, discharge his or her handgun in an area on MD Anderson's campus that would cause disproportionate harm and damage to our patients and their families; our faculty, staff, volunteers, and visitors; our life-saving research; our reputation; and/or our designation as a National Cancer Institute (NCI) Comprehensive Cancer Center.

MD Anderson's campus has been refined over the course of 75 years to provide carefully calibrated life-saving research and patient care environments that service our most vulnerable population: those facing their own mortality due to the scourge of cancer. The introduction of handguns into these delicately balanced environments creates a risk that the Working Group respectfully recommends against incurring.

### **Executive summary**

After consulting with faculty, staff, students, administrators, and patients on the nature of the student population, specific safety considerations, and the uniqueness of MD Anderson's campus environment, the Working Group finds and recommends the following:

- MD Anderson is not a traditional, student-focused campus. Its student-to-campus community ratio is disproportionately small.
- As an NCI-designated Comprehensive Cancer Center, MD Anderson is a cancer-focused, research-supported, multidisciplinary cancer care complex. Its clinical oncology, basic science, translational research, cancer prevention, and related functions and facilities are interrelated and interdependent.
- MD Anderson's large cancer patient population faces extraordinary physical and psychological challenges. The patient population also is mobile throughout MD Anderson's facilities. This combination presents unique safety considerations.

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could legally carry on Texas campuses as of August 1, 2016, per Texas's CHL reciprocity agreements with Utah, Colorado, and Idaho. See <http://www.txdps.state.tx.us/RSD/CHL/legal/reciprocity/>.

<sup>9</sup>See the Working Group's Findings, §§ I-III, *infra*.

<sup>10</sup>See Michelle Heath, *Gun goes off inside Christus facility, injures woman*, BEAUMONT ENTERPRISE, Oct. 19, 2015, available at [www.beaumontenterprise.com/news/article/Gun-goes-off-inside-Christus-facility-injures-6578001.php](http://www.beaumontenterprise.com/news/article/Gun-goes-off-inside-Christus-facility-injures-6578001.php).

<sup>11</sup>See *Tampa man accidentally fires gun at hospital ER*, TAMPA TRIBUNE, Jan. 24, 2014, available at [www.tbo.com/news/crime/tampa-man-accidently-fires-gun-at-hospital-er-20140124/](http://www.tbo.com/news/crime/tampa-man-accidently-fires-gun-at-hospital-er-20140124/).

<sup>12</sup>See Jesse Garza, *Gun taken from patient by deputy discharges at Froedtert [Hospital]*, MILWAUKEE JOURNAL SENTINEL, June 27, 2014, available at [www.jsonline.com/news/milwaukee/gun-taken-from-patient-by-deputy-discharges-at-froedtert-b99300775z1-265002421.html](http://www.jsonline.com/news/milwaukee/gun-taken-from-patient-by-deputy-discharges-at-froedtert-b99300775z1-265002421.html). In this case, the deputy emptying the patient's weapon caused the discharge after the patient, a concealed carriage license holder, either disregarded or did not know of the hospital's restrictions against handguns and brought the handgun into the hospital.

- MD Anderson’s vast basic science and translational research laboratory network contains inherently dangerous materials but is integral to MD Anderson’s cancer care delivery system, its Moon Shots Program, and its life-saving clinical trials pipelines.
- The introduction of handguns and ammunition into MD Anderson’s Comprehensive Cancer Center areas — where MD Anderson’s cancer patients and laboratories are located — would create an unnecessary and unmanageable risk. The President should exclude concealed handgun carriage in these areas.
- The introduction of handguns and ammunition into animal care areas and vivaria, in which safety protocols increase the risk of discharge, contamination, or unanticipated separation of the concealed handgun from the CHL holder, would create an unnecessary and unmanageable risk. CHL holders should be excluded from carriage of handguns in these areas.
- MD Anderson should implement a new administration (ADM) policy outlining specific rules, regulations, and other provisions consistent with these findings and recommendations.
- The policy should delineate clearly where on MD Anderson’s campus concealed handgun carriage is permitted and where it is excluded.
- The policy should outline the process by which the President will reconcile adjacent excluded and non-excluded areas.
- The policy should expressly state that CHL holders on MD Anderson’s campus should keep their concealed handguns on or about their persons when in non-excluded areas on MD Anderson’s campus.
- The policy should define activities during which CHL holders may not carry their concealed handguns, irrespective of where on MD Anderson’s campus those activities occur.
- The policy should direct immediate implementation of a robust communications and outreach plan, so that all of MD Anderson’s stakeholder populations are fully apprised of MD Anderson’s policies with respect to Campus Carry.

### **Campus Carry's requirements and the Working Group's charge**

Campus Carry requires our President to consult with a broad cross-section of MD Anderson's population on certain criteria before enacting rules to comply with Campus Carry. Specifically, Campus Carry instructs:

After consulting with students, staff, and faculty of the institution regarding the nature of the student population, specific safety considerations, and the uniqueness of the campus environment, the president or other chief executive officer of an institution of higher education shall establish reasonable rules, regulations, and other provisions regarding the carriage of concealed handguns by CHL holders on the campus of the institution or on premises located on the campus of the institution.

See S.B. 11 at Attachment A.

Thus, the Working Group made specific findings and recommendations with respect to: (a) the nature of MD Anderson's student population; (b) specific safety considerations the institution faces given its mission of multidisciplinary, research-based clinical cancer care; and (c) the uniqueness of MD Anderson's integrated research and clinical care environment.

### **MD Anderson's consultation with students, staff, faculty, and patients**

The Working Group<sup>13</sup> is an example of the required consultation: it is a large, multidisciplinary group consisting of faculty (including Faculty Senators), administrators, representatives from the Graduate School of Biomedical Sciences and School of Health Professions, and patients.<sup>14</sup> In late August 2015, the Working Group began meeting every other Monday and then every Monday to gather and consider information with respect to the three statutory criteria as applied to MD Anderson. In addition, the Working Group formulated an aggressive communications and outreach plan, consisting of an interactive intranet site,<sup>15</sup> numerous presentations, and town hall events.<sup>16</sup>

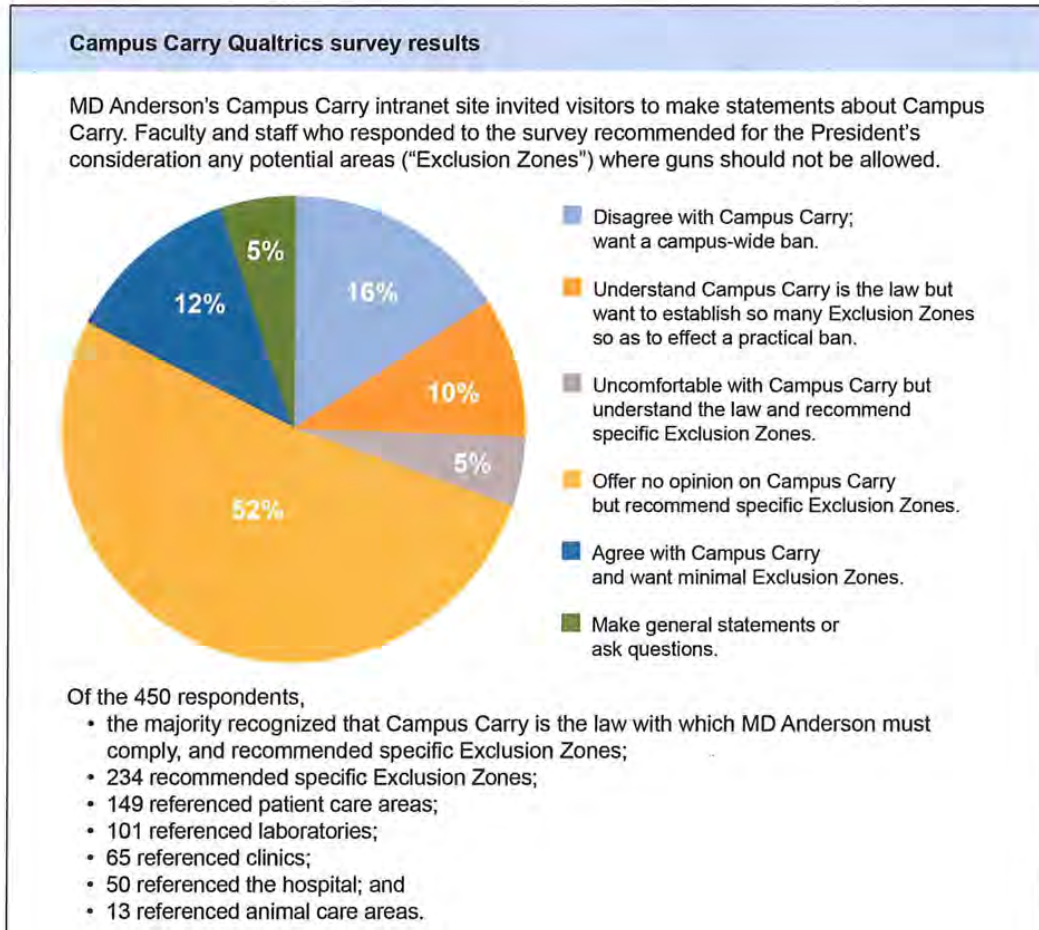
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<sup>13</sup>See Attachment E for a complete list of MD Anderson's Campus Carry Working Group members.

<sup>14</sup>The patients on the Working Group executed HIPAA authorizations, permitting their identities to be publicly associated with the Working Group.

<sup>15</sup>The intranet site contains an overview, key dates and events, answers to Frequently Asked Questions, and a short, anonymous Qualtrics survey.

<sup>16</sup>A complete list of the presentations and town hall events is included at Attachment F ("Campus Carry at MD Anderson Comprehensive Feedback Report").



Source: MD Anderson Department of Internal Communications

The various recommendations derived from the survey are included at Attachment G.

The Faculty Senate also conducted a survey regarding potential Exclusion Zones; the Faculty Senate's survey responses and accompanying comments are included at Attachment H. The majority of the responses generally comport with the Working Group's recommendations.

**Findings and recommendations: nature of the student population, specific safety considerations, and uniqueness of the campus environment**

Through its communications and outreach plan, the Working Group gathered information concerning the nature of MD Anderson's student population, specific safety considerations, and the uniqueness of MD Anderson's campus environment. Those findings are below.



**I. Nature of the student population**

- a. MD Anderson is not a traditional, student-focused campus.

The Working Group finds that MD Anderson is not a traditional, student-focused campus. It is predominantly a large, multidisciplinary cancer care center with inseparable and interdependent translational, basic science, and clinical research functions.

Using The University of Texas System<sup>17</sup> classification of “student,” which appears to account only for those enrolled in MD Anderson’s School of Health Professions (SHP), it becomes clear that MD Anderson’s campus is not dedicated primarily to students and student learning.

<b>Compare MD Anderson's environment to traditional student campuses</b>					
<b>Institution</b>	<b>Personnel</b>	<b>Faculty</b>	<b>Student</b>	<b>Total personnel</b>	<b>Ratio of students to personnel</b>
UTA	2243	1698	33329	37270	89.43%
UT Austin	11274	3366	52059	66699	78.05%
UTB	685	395	8570	9650	88.81%
UTD	2471	1045	21193	24709	85.77%
UTEP	2030	1189	22926	26145	87.69%
UTPA	1479	881	20053	22413	89.47%
UTPB	257	238	5131	5626	91.20%
UTSA	3322	1445	28623	33390	85.72%
UTT	886	436	7476	8798	84.97%
UTSWMC	10056	2219	2349	14624	16.06%
UTMB	9674	1127	3112	13913	22.37%
UTHSCH	4208	1792	4615	10615	43.38%
UTHSCSA	3775	1676	3148	8599	36.61%
<b>UTMDACC</b>	<b>17354</b>	<b>2195</b>	<b>317</b>	<b>19866</b>	<b>1.60%</b>
UTHSCT	816	99	17	932	1.82%

*Source data at Attachment I.*

MD Anderson’s non-traditional campus environment is further underscored by its designation as an NCI Comprehensive Cancer Center, as the Working Group explains below.

<sup>17</sup>See UNIVERSITY OF TEXAS SYSTEM FAST FACTS 2014, attached as Attachment I. Other than MD Anderson’s SHP, in 2014 MD Anderson’s campus had other non-traditional “students”: 1,276 clinical residents and fellows, 1,853 research trainees, 452 visitors in special programs, 1,238 nursing trainees, and 1,204 student programs participants. See MD ANDERSON QUICK FACTS 2015 at Attachment J. These students are embedded in MD Anderson’s large multidisciplinary clinics, research laboratories, allied health areas, and administrative offices. In any event, this is still a relatively small portion of MD Anderson’s ever-growing workforce: according to an Enterprise Resource Planning report, as of November 5, 2015, MD Anderson had a total of 27,104 workforce members (classified, faculty, staff, and contract workers). UTHSCT began admitting students in the fall of 2012, which likely explains the low student cohort.

- b. MD Anderson’s elite designation as an NCI Comprehensive Cancer Center reflects the interrelated and interdependent nature of its clinical, basic science, translational research, and cancer prevention functions and facilities.

MD Anderson is one of 45 facilities in the United States designated as a Comprehensive Cancer Center by the NCI. To achieve and maintain this designation, Comprehensive Cancer Centers must focus on laboratory research, population science, and clinical research involving patients and research participants.<sup>18</sup> Critically, the research must be applied and translational — when ready, the research must translate into actual care to patients.

As a Comprehensive Cancer Center, MD Anderson has designed its research, care, and cancer prevention facilities and programs to interoperate seamlessly. In FY14, there were 27,761 hospital admissions; an average of 654 inpatient beds; and 1,363,008 outpatient clinic visits, treatments, and procedures. That same year, many of these same patients were enrolled as participants in one or more of MD Anderson’s 1,101 active clinical trials.<sup>19</sup>

In sum, MD Anderson simply is not a university campus in the traditional sense. It is rather a vast, cancer-focused, research-fueled clinical care system, and it is recognized as such by the NCI. MD Anderson’s multidisciplinary approach toward research, cancer prevention, and clinical treatment of cancer are interrelated and interdependent, both physically and functionally.

## II. Specific safety considerations

- a. MD Anderson’s large and mobile cancer patient population necessitates specific safety considerations.

The Working Group finds that MD Anderson’s large cancer patient population faces extraordinary challenges to its health and well-being and, at the same time, is mobile throughout MD Anderson’s patient care areas and connecting facilities. This creates the same types of safety considerations that exclude concealed handguns from certain places by law, either permissively or mandatorily.

In keeping with its multidisciplinary approach to cancer care, and to help assure patients that they are a valued part of the broader MD Anderson community, MD Anderson has its patients travel freely and often throughout MD Anderson’s North Campus Buildings, including the Main Building (Clark Clinic, Lutheran Pavilion, Alkek Tower, and The Pavilion), ACB (Mays Clinic), and CPB (Duncan Building). In FY15, 91,929 patients made 114,224 trips from the Main Building to Mays or Duncan for same-day appointments.<sup>20</sup>

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<sup>18</sup>General information about Comprehensive Cancer Centers is available at [www.cancer.org/treatment/findingandpayingfortreatment/findingtreatmentcenters/nci-cancer-center-programs](http://www.cancer.org/treatment/findingandpayingfortreatment/findingtreatmentcenters/nci-cancer-center-programs).

<sup>19</sup>See Attachment J.

<sup>20</sup>Source: Institutional Analytics and Informatics Enterprise Information Warehouse Report (“IAI EIW Report”), available in the Institutional Compliance Office.



However, MD Anderson patients face special challenges when moving about our campus: in FY15, there were 72,621 encounters with cancer patients aged eighteen and under<sup>21</sup> and 1,091,863 encounters with patients aged 65 or older.<sup>22</sup> Additionally, in FY15, 44,064 of the patients moving between patient care areas were undergoing chemotherapy, with 17,694 of these patients receiving their chemotherapy treatments on the same day they were moving between patient care areas.<sup>23</sup> This is significant because patients undergoing chemotherapy endure challenges with cognitive functioning during their therapy.<sup>24</sup> Similarly, some pharmaceuticals prescribed to MD Anderson cancer patients have been linked to cognitive dysfunction. For example, in FY15, 1,943 MD Anderson cancer patients were prescribed Goserelin and Leuprolide,<sup>25</sup> two drugs that have been associated with adverse cognitive effects in cancer patients.<sup>26</sup>

<b>Patients are expected to travel frequently throughout campus</b>			
In FY15, 91,929 patients made 114,224 trips from the Clark Clinic to Mays or Duncan for same-day appointments.			
<b>Year/Month</b>	<b>Patients with same-day appts at Main and ACB/CPB</b>	<b>Same-day patient trips between Main or ACB/CPB</b>	<b>Total number of appointments</b>
<b>2014</b>			
Sept	7,428	9,183	31,107
Oct	7,673	9,587	32,695
Nov	6,647	8,220	27,698
Dec	7,382	9,133	30,519
<b>2015</b>			
Jan	7,600	9,417	32,700
Feb	7,309	9,136	31,517
March	7,903	9,793	34,147
April	8,252	10,345	34,897
May	7,460	9,231	30,809
June	8,231	10,150	35,148
July	8,178	10,181	34,965
Aug	7,866	9,848	33,730
<b>Total FY15</b>	<b>91,929</b>	<b>114,224</b>	<b>389,932</b>

Source: IAI EIW Report

<sup>21</sup>Source: IAI EIW Report.

<sup>22</sup>Source: IAI EIW Report.

<sup>23</sup>Source: IAI EIW Report.

<sup>24</sup>See [www.cancer.gov/about-cancer/treatment/research/understanding-chemobrain](http://www.cancer.gov/about-cancer/treatment/research/understanding-chemobrain) and [www.mdanderson.org/patient-and-cancer-information/cancer-information/cancer-topics/dealing-with-cancer-treatment/chemobrain/index.html](http://www.mdanderson.org/patient-and-cancer-information/cancer-information/cancer-topics/dealing-with-cancer-treatment/chemobrain/index.html) for general information about the cognitive challenges some patients face when undergoing chemotherapy.

<sup>25</sup>Source: Department of Pharmacy Medication Management and Analytics. Report available in the Institutional Compliance Office.

<sup>26</sup>See note 24, *supra*.

Moreover, cancer diagnoses and treatment often cause fear, anger, anxiety, and depression. In FY15, there were 13,657 scheduled encounters of various types with MD Anderson's departments of Neuropsychology, Pediatric Neuropsychiatry, Psychiatry, and Social Work.<sup>27</sup>

In sum, MD Anderson cancer patients often struggle with extraordinary challenges to their bodies, their psyches, and their mental acuity. However, as part of MD Anderson's multidisciplinary approach and culture of community, these cancer patients are expected to move freely about MD Anderson's patient care areas. Patients are also encouraged to travel among and about the common areas adjacent to Pickens Academic Tower and the Faculty Center. These buildings not only are access points from the Rotary House, an MD Anderson-owned hotel facility designated specifically for patients, they also are way stations of sorts for MD Anderson's skybridge pedestrian cart service. In FY15, 442,000 patients and their families used MD Anderson's carts to move between these buildings and spaces for appointments.<sup>28</sup>

The combination of mobility, a cancer diagnosis, a fragile physical and emotional state, and/or decreased mental acuity creates unique safety concerns for MD Anderson's large cancer patient population. Under these circumstances, patients and their families carrying concealed handguns could be a risk to each other or even themselves.<sup>29</sup> As a result, no one (save licensed law enforcement professionals) should carry concealed handguns into patient care areas; such carriage could create unintended and dangerous consequences for all populations.<sup>30</sup>

The United States Supreme Court observed in *District of Columbia v. Heller*, 554 U.S. 570 (2008), that prohibitions of handgun carriage in certain "sensitive places" including schools and certain areas of government buildings remain permissible. 554 U.S. at 626. Indeed, the Texas Legislature restricts handgun carriage in these areas.<sup>31</sup> The Working Group infers that the Legislature has deemed schools to be sensitive places due to the large and vulnerable populations found within their premises.<sup>32</sup> On the other hand, the Working Group infers that the Legislature has determined that areas within government buildings holding court also are sensitive places, for a slightly different reason: the nature of the business being conducted and the potential for heated emotions and exchanges during that business. Indeed, there is some indication that intense personal feelings

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<sup>27</sup>Source: IAI EIW Report. Notably, an applicant for a CHL may well be denied the right to concealed carriage if they are incapable of exercising sound judgment due to a condition that causes or is likely to cause substantial impairment in judgment or intellectual ability. See TEX. GOV'T. CODE § 411.172(a)(7), (d)(1).

<sup>28</sup>Source: Departments of Facilities Management and Parking and Transportation. Report available in the Institutional Compliance Office.

<sup>29</sup>One Working Group member who also is a patient advised that he locked away his handgun during his chemotherapy regimen.

<sup>30</sup>See notes 11 and 12, *supra*.

<sup>31</sup>See TEX. PEN. CODE §46.03(a)(1)(prohibiting weapons in schools without authorization); TEX. PEN. CODE §46.03(a)(3)(prohibiting weapons in government court or offices utilized by the court).

<sup>32</sup>See *Nordyke v. King*, 563 F.3d 439, 459 (9th Cir. 2009), *vacated on other grounds*, 611 F.3d 1015 (9th Cir. 2010); see also *United States v. Masciandaro*, 648 F.Supp.2d 779, 790 (E.D. Virginia 2009)(interpreting *Heller's* sensitive places to include those where there is a large gathering of defenseless people). The Legislature has also determined convalescent and nursing facilities to be sensitive places, presumably for similar reasons. See TEX. PEN. CODE § 46.035(b)(4).

during traumatic events was the Legislature's concern when it gave hospital administrators the ability to exclude concealed carriage on hospital premises.<sup>33</sup>

The Working Group finds that MD Anderson is a sensitive place for both reasons. As we explain above, its large patient population is especially vulnerable: the patient population is often weakened physically and mentally due to age and/or cancer therapies. Moreover, MD Anderson patients are under extreme physical and emotional stress due to their diagnoses. As one Working Group member who is a patient noted, MD Anderson patients are often receiving the worst news of their lives. These traumatic circumstances increase the likelihood of intense personal feelings and less than prudent actions. For these reasons, the President should exclude handgun carriage from MD Anderson's Comprehensive Cancer Center areas.

- b. MD Anderson's vast basic science and translational research laboratory network contains inherently dangerous materials.

Integral to its clinical operations and designation as an NCI Comprehensive Cancer Center, MD Anderson operates 2,300 research, basic science, and translational laboratories, occupying 89 floors of 32 buildings, used by approximately 4,459 employees in 53 different departments.<sup>34</sup> MD Anderson laboratories contain flammable solids and liquids, oxidizers, reactives, corrosives, toxics, and highly toxics as defined by the National Fire Protection Association and the Occupational Safety and Health Administration (OSHA). The laboratories contain specifically regulated flammables,<sup>35</sup> which, in OSHA-regulated facilities, must be separated from small arms ammunition "by a fire-resistive wall of 1-hour rating or by a distance of 25 feet."<sup>36</sup>

MD Anderson's laboratory safety programs are carefully calibrated to address risks to its patients, principal investigators, and other members of its workforce. The Working Group finds that the presence of handguns and ammunition in MD Anderson's research, basic science, and translational laboratories — even when in the possession of CHL holders — represents a substantial safety risk that can be managed effectively only by excluding handguns from those areas.<sup>37</sup>

### III. Uniqueness of the campus environment

- a. Even among NCI-designated Comprehensive Cancer Centers, MD Anderson's integration between translational research and cancer patient care is unique.

MD Anderson's core function of patient care is supported directly by its research laboratory facilities. MD Anderson has a vast network of clinical, translational, and basic science laboratories,

<sup>33</sup>See TEX. PEN. CODE § 46.035(b)(4); *see also* HEARINGS ON H.B. 72 AND SB. 60 BEFORE THE HOUSE COMM. ON PUBLIC SAFETY, 74<sup>th</sup> Leg., R.S., (April 11, 1995)(testimony of Representative Carter)(tape available through House Video/Audio Services Office).

<sup>34</sup>Source: Departments of Facilities Management, and Environmental Health and Safety. Report available in the Institutional Compliance Office.

<sup>35</sup>Including acetone, acetonitrile, aldehydes, and ethanol, all of which appear in OSHA's Hazardous Materials Table. *See* 49 C.F.R. § 172.101.

<sup>36</sup>*See* 29 C.F.R. § 1910.109(j)(2)(ii). This regulation illustrates that objective regulatory bodies have recognized and, with concern, assessed the risk of coupling small arms ammunition with flammables.

<sup>37</sup>*See* § V.g. for additional discussion.

located on our North and South Campuses, in our Zayed Building for Personalized Cancer Care Research, and at our Smithville and Bastrop facilities.

The translational and basic science laboratories support our clinical trials pipeline to reduce dramatically the time it takes to bring life-saving drugs to patients. This integration manifests in MD Anderson's Moon Shots Program.<sup>38</sup> The program's focus toward direct drug development expertise, prevention, cancer genetics, proteomics, immunology, preclinical trial modeling, and big data repositories and analytics support direct patient care by improving existing therapies and getting new, more powerful drugs to market faster.

For example, the Immunotherapy moon shots platform proposed the first Phase Ia and Phase IIa studies that collected patients' tumor samples and matched blood samples for laboratory studies. The laboratory studies led to the identification of a subset of effector T cells that enable tumor regression.<sup>39</sup> This is the essence of MD Anderson's uniqueness: its moon shots platforms and other initiatives accelerate the impact of research on patient care.

Another example is the groundbreaking work of the Oncology Research for Biologics and Immunotherapy Translation (ORBIT) moon shots platform. The ORBIT moon shots platform has developed an antibody that may result in the destruction of acute myeloid leukemia cells and is a prime candidate for clinical trials. The development of the antibody originated in MD Anderson's basic science and translational laboratories. Yet another ORBIT moon shots platform initiative, one that involved work with GlaxoSmithKline (GSK), has already produced a drug that has advanced to a Phase I multisite clinical trial. These efforts demonstrate the necessity of the integrated basic science and translational research in MD Anderson's patient care approach.

Sponsors, both public and private, have invested heavily in this approach. In FY14, MD Anderson received a total of \$204,676,292.12 in sponsored basic science projects, from sponsors including NCI, NIH, CPRIT, Bristol-Myers Squibb, the U.S. Department of Defense, and the U.S. Department of Veterans Affairs.<sup>40</sup> Given these investments, MD Anderson takes extraordinary care to assess risks inherent to its laboratory environments. A handgun incident in an Immunotherapy or ORBIT moon shots platform laboratory, for example, might prove catastrophically disruptive to the laboratory and its workers in the short term, but it would also most certainly have an adverse effect on patients in the near and medium term.

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<sup>38</sup>Information about MD Anderson's Moon Shots Program is available at [www.mdanderson.org/publications/conquest/issues/2012-fall/moon-shots-program.html](http://www.mdanderson.org/publications/conquest/issues/2012-fall/moon-shots-program.html) and [www.mdanderson.org/publications/conquest/issues/2015-summer/conquest-summer-2015-the-engines-powering-the-moon-shots.html](http://www.mdanderson.org/publications/conquest/issues/2015-summer/conquest-summer-2015-the-engines-powering-the-moon-shots.html).

<sup>39</sup>"These types of studies that combine expertise in clinical trials, translational research, and basic science form the foundation of the Immunotherapy platform." Joe Cavallo, *Advancing Immune Checkpoint Targeting in Cancer Treatment*, THE ASCO POST, available at [www.ascopost.com/issues/june-25,-2014/advancing-immunecheckpoint-targeting-in-cancer-treatment.aspx](http://www.ascopost.com/issues/june-25,-2014/advancing-immunecheckpoint-targeting-in-cancer-treatment.aspx) (quoting James Allison, Ph.D.).

<sup>40</sup>Source: Grants and Contracts Department. Excludes gifts. Report available in the Institutional Compliance Office.



## Rules and regulations concerning Campus Carry

Considering the findings above, the Working Group makes the following recommendations on the rules, regulations, and other provisions regarding the carriage of concealed handguns by CHL holders on MD Anderson's campus.

### IV. A new administration (ADM) policy

The Working Group recommends a new enterprise-wide administration (ADM) policy concerning MD Anderson's compliance with Campus Carry. The policy should contain at least the following elements:

- a. A policy statement, making clear MD Anderson's policy to respect Texas citizens' right to bear arms, the Texas Legislature's power to regulate the wearing of handguns and their concealment at institutions of higher education, and MD Anderson's power under Campus Carry to implement reasonable rules concerning the carriage of concealed handguns on MD Anderson's campus.
- b. A list of permissions and prohibitions concerning the carriage of concealed handguns on MD Anderson's campus. Chief among these should be the requirement that CHL holders must keep their concealed handguns on or about their persons while working in Concealed Handgun License (CHL) Zones.<sup>41</sup> In this regard, the Working Group recommends against MD Anderson providing or permitting storage via lockers, vaults, or even personal safes. The requirement for CHL holders to carry their concealed handguns on or about their persons is to reduce the risk of unintentional discharges, which appear to be more frequent when the handguns are not secured.<sup>42</sup>
- c. An explanation of how CHL Zones and Exclusion Zones<sup>43</sup> are created and implemented on MD Anderson's campus. This includes a process for reconciling adjacent Exclusion Zones and CHL Zones in which ingress and egress by CHL holders are not practicable.<sup>44</sup>
- d. A definitive listing of Exclusion Zones (*see* §V, below).
- e. An explanation of how Exclusion Zones are to be tracked at MD Anderson; specifically, by the Executive Director of Environmental Health and Safety and Chief Safety Officer via a comprehensive listing of floors in different buildings affected by Exclusion Zones.

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<sup>41</sup>CHL Zones are "the area within an MD Anderson Premises where CHL Holders may carry a Concealed Handgun." Exclusion Zones are "area[s] on MD Anderson's Campus where CHL Holders may not carry a Concealed Handgun." *See* Draft UTMDACC INSTITUTIONAL POLICY #ADM1254, Policy on Concealed Handgun Carriage on MD Anderson's Campus, attached at Attachment K.

<sup>42</sup>*See* notes 8 and 10-11, *supra*.

<sup>43</sup>*See* Attachment K.

<sup>44</sup>*See* §V.i., *infra*.

- f. A listing of Excluded Activities, which are those activities during which CHL holders may not carry their concealed handguns, irrespective of where on campus they might be. This includes activities such as providing a service directly to a patient or family member, handling extremely dangerous chemicals, transporting laboratory animals, and consuming alcohol.
- g. Policy statements concerning vendors, contractors, suppliers, auditors/monitors, and other third parties who are CHL holders and enter MD Anderson's campus with concealed handguns.
- h. Directives for a robust communications and outreach plan, so that all of MD Anderson's stakeholder populations are fully apprised of MD Anderson's policies with respect to Campus Carry.
- i. Instructions on complying with the Legislature's reporting requirement, as well as an internal reporting structure to keep the President timely notified of events that concern Campus Carry.

A draft ADM policy is included at Attachment K.

#### **V. Exclusion Zones at MD Anderson**

In accordance with its findings above, the Working Group recommends that MD Anderson implement the following Exclusion Zones:

- a. *Areas required to be excluded by law or contract.* Areas for which state or federal law, licensing requirements, or contracts require exclusion exclusively at the discretion of the state or federal government, or are required by a campus' accrediting authority.
- b. *Child care facilities and pediatric activity areas.*
- c. *NCI Designation Zone.* Section 46.035(b)(4) of the Texas Penal Code excludes, with proper signage, handgun carriage in hospitals licensed under Chapter 241 of the Texas Health and Safety Code. By analogy<sup>45</sup> and extension, all of MD Anderson's facilities dedicated to fulfilling its mission as an NCI-designated Comprehensive Cancer Center to treat and cure cancer patients should be excluded. These include MD Anderson's hospital functions, clinics, laboratories, and all other areas physically and functionally related to caring for MD Anderson's unique cancer patient population.
- d. *Police and correctional facilities.*
- e. *Chapels, synagogues, prayer rooms, and other areas designated for worship, spiritual reflection, or meditation on MD Anderson's campus.* Section 46.035(b)(6)

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<sup>45</sup>Chapter 241 does not apply to facilities maintained or operated by the state. See TEX. HEALTH & SAFETY CODE § 241.004(3).

of the Texas Penal Code excludes, with proper signage, handgun carriage on the premises of churches, synagogues, or other established places of worship. By analogy and extension, areas on MD Anderson’s premises designated for spiritual reflection should be similarly excluded.

- f. *Pediatric school areas and areas in which sponsored activities are conducted for persons under 18 years of age who are not enrolled at MD Anderson.* The Legislature’s exemption of handgun carriage in schools<sup>46</sup> surely resulted from a concern about the inherent defenselessness of that population. Similarly, MD Anderson facilities designated for the care or education of minors should remain gun-free.
- g. *Areas where discharge of a concealed handgun might cause widespread harm or catastrophic results, such as laboratories with extremely dangerous chemicals, biologic agents, or explosive agents, or equipment that is incompatible with metallic objects such as magnetic resonance imaging (MRI) machines.* There is a dearth of data on firearm discharges in laboratories — most likely because handguns are not traditionally found in these areas. There are data, however, on discharges on campuses that permit concealed carriage,<sup>47</sup> and data on the inherent risks in laboratory settings. The Working Group recommends against coupling these risks.

We know from the UCLA laboratory fire in 2008 and the Texas Tech laboratory explosion in 2010<sup>48</sup> that serious and disruptive laboratory fires and explosions are prohibitively damaging in terms of human injury, property damage, and lost research. The possibility of concealed handgun discharge in a laboratory — intentional or otherwise — would introduce a new risk into an environment that is already very difficult to manage. Moreover, the harm that may result from a laboratory incident reaches beyond immediate injury or property damage. Damage to an Immunotherapy or ORBIT moon shots platform laboratory, for example, could result in the loss of life-saving data and research. The Working Group therefore recommends against introducing this potential risk into our clinical, translational, and basic science laboratories. Due to the dynamic nature of MD Anderson’s laboratories and the material within the laboratories (chemicals and other hazardous materials move from laboratory to laboratory), all of our laboratories should be excluded. And MRIs generate magnetic fields that could attract handguns, with dangerous results.

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<sup>46</sup>See TEX. PENAL CODE § 46.03(a)(1).

<sup>47</sup>See note 8, *supra*.

<sup>48</sup>Information on these incidents may be found at the U.S. Chemical Safety Board website, located at [www.csb.gov/investigations/completed-investigations/](http://www.csb.gov/investigations/completed-investigations/). The specific CAL/OSHA findings for the UCLA laboratory incident may be found at [assets.documentcloud.org/documents/286342/cal-osha-report.pdf](https://assets.documentcloud.org/documents/286342/cal-osha-report.pdf). The reagent involved in the UCLA incident appeared on one MD Anderson MSDS at the time of this writing. Another chemical implicated in the report by the PI, hexane, is found in several MD Anderson laboratories at the time of this writing.

- h. *Animal care facilities and vivaria.* MD Anderson maintains strict protocols for humans entering and exiting its mouse rooms in order to prevent the introduction of viruses, microbes, and other hazards to the health of the mice. Entering personnel must don protective clothing and use sterile gloves to handle the animals, for example. Allowing concealed handguns into these protocols would introduce a new element into a highly controlled environment. Any concealed handgun discharge — accidental or otherwise — not only could lead to animal injury or death, but also would severely traumatize the entire population.

Moreover, MD Anderson works with non-human primates, including chimpanzees that have the ability to grab and manipulate objects snatched from humans who come near them. This is one of the reasons that MD Anderson requires special clothing in its primate areas and does not allow sharp objects such as fixed blade knives except in limited areas that require such tools.

Further, non-human primates carry viruses and bacteria that are pathogenic to humans. A firearm might become contaminated from a splash, thrown feces, or other accidental contact, and decontaminating a firearm is potentially dangerous and difficult to accomplish.

Finally, when working with Great Apes and other large primates, only personnel trained in primate behavior can assess whether a weapon could or should be used. CHL holders who lack training with these animals could pose a serious hazard to both humans and the animals.

- i. *Areas excluded by policy due to impracticability.* MD Anderson's unique campus environment — that of the pre-eminent NCI-designated Comprehensive Cancer Center in the world — features multipurpose buildings and facilities. This results in some premises being adjacent to areas that should be excluded based on the Working Group's findings above.<sup>49</sup> The President must reasonably reconcile these boundaries when they create logistical or administrative difficulties for our campus community. Accordingly, when a CHL holder's ingress or egress through CHL and Exclusion Zones is made impracticable (*i.e.*, the CHL holder cannot circumnavigate the Exclusion Zones, or Texas Penal Code §30.06 signage placement<sup>50</sup> is unreasonably difficult or confusing), or administrability or enforcement is unduly difficult, the President should deem the Carry Zone an Exclusion Zone. Similarly, when a significant portion of a building's assignable space is excluded, the President should deem the entire building to be an Exclusion Zone.

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<sup>49</sup>The Legislature allowed for this possibility when it predicted the implementation of Exclusion Zones, *see* Attachment A at §4(a-3), but proscribed a complete ban on concealed carriage on campuses, *see* Attachment A at §1(d), (d-1).

<sup>50</sup> This section outlines the requirements for signage intended to exclude CHL holders from certain premises.

## Conclusion

After consulting with students, staff, faculty, and patients of MD Anderson regarding the nature of its population, especially its large cancer patient population, its specific safety considerations arising from the research-based care of those patients, and its unique campus environment as an NCI-designated Comprehensive Cancer Center, the Working Group recommends that the President implement the rules, regulations, and other provisions referenced in this Plan and in the attached ADM policy.

## Illustration of proposed implementation

Attachment L is a map of MD Anderson's campus illustrating the likely effect of adopting the Working Group's findings and implementing the Working Group's recommendations.

## Submission page

*The following Working Group members concur with the Findings and Recommendations, and urge adoption of the Plan.*

Michelle Barton, Ph.D.	Chris Hernandez	Ronnie Pace
Gary Bentz	David Johnson, Ph.D.	Tadd Pullin
Matt Berkheiser, Dr.PH.	Patty Johnston, D.N.P.	Michael Redmond
Kelly Brassil, Ph.D.	Ann Killary, Ph.D.	Shirley Richmond
Yolan Campbell	Matt Masek, LL.M., J.D.	Max Weber, J.D.
Aundrietta Duncan	Chris McKee	
Steven Haydon, LL.M., J.D.	Gregory Montelaro	
Brandon Hernandez	Spencer Moore	

*The following Working Group members concur with portions of the Findings and Recommendations, and with the submission of the Plan for the President's consideration.*

Richard Wendt III, Ph.D.	Peter Norman, M.D.
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*The following Working Group members fully participated in examining and discussing the Findings and Recommendations but respectfully abstained from voting on concurrence with the Plan due to their institutional positions.*

William Adcox	Julie Penne
Lindsey Garner	Anthony Phillips, J.D.
Sherri Magnus, C.P.A.	Pamela Ryall
Thomas Lee Boozer II	

# Attachment A

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## S.B. 11 (Enrolled Version)



## AN ACT

relating to the carrying of handguns on the campuses of and certain other locations associated with institutions of higher education; providing a criminal penalty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter H, Chapter 411, Government Code, is amended by adding Section 411.2031 to read as follows:

Sec. 411.2031. CARRYING OF HANDGUNS BY LICENSE HOLDERS ON CERTAIN CAMPUSES. (a) For purposes of this section:

(1) "Campus" means all land and buildings owned or leased by an institution of higher education or private or independent institution of higher education.

(2) "Institution of higher education" and "private or independent institution of higher education" have the meanings assigned by Section 61.003, Education Code.

(3) "Premises" has the meaning assigned by Section 46.035, Penal Code.

(b) A license holder may carry a concealed handgun on or about the license holder's person while the license holder is on the campus of an institution of higher education or private or independent institution of higher education in this state.

(c) Except as provided by Subsection (d), (d-1), or (e), an institution of higher education or private or independent institution of higher education in this state may not adopt any rule, regulation, or other provision prohibiting license holders from carrying handguns on the campus of the institution.

(d) An institution of higher education or private or independent institution of higher education in this state may establish rules, regulations, or other provisions concerning the storage of handguns in dormitories or other residential facilities that are owned or leased and operated by the institution and located on the campus of the institution.

(d-1) After consulting with students, staff, and faculty of the institution regarding the nature of the student population, specific safety considerations, and the uniqueness of the campus environment, the president or other chief executive officer of an institution of higher education in this state shall establish reasonable rules, regulations, or other provisions regarding the carrying of concealed handguns by license holders on the campus of the institution or on premises located on the campus of the institution. The president or officer may not establish provisions that generally prohibit or have the effect of generally prohibiting license holders from carrying concealed handguns on the campus of the institution. The president or officer may amend the provisions as necessary for campus safety. The provisions take effect as determined by the president or officer unless subsequently amended by the board of regents or other governing board under Subsection (d-2). The institution must give effective notice under Section 30.06, Penal Code, with respect to any portion of a premises on which license holders may not carry.

1/5/2016

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(d-2) Not later than the 90th day after the date that the rules, regulations, or other provisions are established as described by Subsection (d-1), the board of regents or other governing board of the institution of higher education shall review the provisions. The board of regents or other governing board may, by a vote of not less than two-thirds of the board, amend wholly or partly the provisions established under Subsection (d-1). If amended under this subsection, the provisions are considered to be those of the institution as established under Subsection (d-1).

(d-3) An institution of higher education shall widely distribute the rules, regulations, or other provisions described by Subsection (d-1) to the institution's students, staff, and faculty, including by prominently publishing the provisions on the institution's Internet website.

(d-4) Not later than September 1 of each even-numbered year, each institution of higher education in this state shall submit a report to the legislature and to the standing committees of the legislature with jurisdiction over the implementation and continuation of this section that:

(1) describes its rules, regulations, or other provisions regarding the carrying of concealed handguns on the campus of the institution; and

(2) explains the reasons the institution has established those provisions.

(e) A private or independent institution of higher education in this state, after consulting with students, staff, and faculty of the institution, may establish rules, regulations, or other provisions prohibiting license holders from carrying handguns on the campus of the institution, any grounds or building on which an activity sponsored by the institution is being conducted, or a passenger transportation vehicle owned by the institution.

SECTION 2. Section 411.208, Government Code, is amended by amending Subsections (a), (b), and (d) and adding Subsection (f) to read as follows:

(a) A court may not hold the state, an agency or subdivision of the state, an officer or employee of the state, an institution of higher education, an officer or employee of an institution of higher education, a private or independent institution of higher education that has not adopted rules under Section 411.2031(e), an officer or employee of a private or independent institution of higher education that has not adopted rules under Section 411.2031(e), a peace officer, or a qualified handgun instructor liable for damages caused by:

(1) an action authorized under this subchapter or a failure to perform a duty imposed by this subchapter; or

(2) the actions of an applicant or license holder that occur after the applicant has received a license or been denied a license under this subchapter.

(b) A cause of action in damages may not be brought against the state, an agency or subdivision of the state, an officer or employee of the state, an institution of higher education, an officer or employee of an institution of higher education, a private or independent institution of higher education that has not adopted rules under Section 411.2031(e), an officer or employee of a private or independent institution of higher education that has not adopted rules under Section 411.2031(e), a peace officer, or a

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qualified handgun instructor for any damage caused by the actions of an applicant or license holder under this subchapter.

(d) The immunities granted under Subsections (a), (b), and (c) do not apply to:

(1) an act or a failure to act by the state, an agency or subdivision of the state, an officer of the state, an institution of higher education, an officer or employee of an institution of higher education, a private or independent institution of higher education that has not adopted rules under Section 411.2031(e), an officer or employee of a private or independent institution of higher education that has not adopted rules under Section 411.2031(e), or a peace officer if the act or failure to act was capricious or arbitrary; or

(2) any officer or employee of an institution of higher education or private or independent institution of higher education described by Subdivision (1) who possesses a handgun on the campus of that institution and whose conduct with regard to the handgun is made the basis of a claim for personal injury or property damage.

(f) For purposes of this section:

(1) "Campus" has the meaning assigned by Section 411.2031.

(2) "Institution of higher education" and "private or independent institution of higher education" have the meanings assigned by Section 61.003, Education Code.

SECTION 3. Sections 46.03(a) and (c), Penal Code, are amended to read as follows:

(a) A person commits an offense if the person intentionally, knowingly, or recklessly possesses or goes with a firearm, illegal knife, club, or prohibited weapon listed in Section 46.05(a):

(1) on the physical premises of a school or educational institution, any grounds or building on which an activity sponsored by a school or educational institution is being conducted, or a passenger transportation vehicle of a school or educational institution, whether the school or educational institution is public or private, unless:

(A) pursuant to written regulations or written authorization of the institution; or

(B) the person possesses or goes with a concealed handgun that the person is licensed to carry under Subchapter H, Chapter 411, Government Code, and no other weapon to which this section applies, on the premises of an institution of higher education or private or independent institution of higher education, on any grounds or building on which an activity sponsored by the institution is being conducted, or in a passenger transportation vehicle of the institution;

(2) on the premises of a polling place on the day of an election or while early voting is in progress;

(3) on the premises of any government court or offices utilized by the court, unless pursuant to written regulations or written authorization of the court;

(4) on the premises of a racetrack;

(5) in or into a secured area of an airport; or

(6) within 1,000 feet of premises the location of which is designated by the Texas Department of Criminal Justice as a place of execution under Article 43.19, Code of Criminal Procedure, on a day that a sentence of death is set to be imposed on the

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designated premises and the person received notice that:

(A) going within 1,000 feet of the premises with a weapon listed under this subsection was prohibited; or

(B) possessing a weapon listed under this subsection within 1,000 feet of the premises was prohibited.

(c) In this section:

(1) "Institution of higher education" and "private or independent institution of higher education" have the meanings assigned by Section 61.003, Education Code.

(2) "Premises" has the meaning assigned by Section 46.035.

(3) ~~[(2)]~~ "Secured area" means an area of an airport terminal building to which access is controlled by the inspection of persons and property under federal law.

SECTION 4. Section 46.035, Penal Code, is amended by adding Subsections (a-1), (a-2), (a-3), and (l) and amending Subsections (g), (h), and (j) to read as follows:

(a-1) Notwithstanding Subsection (a), a license holder commits an offense if the license holder carries a partially or wholly visible handgun, regardless of whether the handgun is holstered, on or about the license holder's person under the authority of Subchapter H, Chapter 411, Government Code, and intentionally or knowingly displays the handgun in plain view of another person:

(1) on the premises of an institution of higher education or private or independent institution of higher education; or

(2) on any public or private driveway, street, sidewalk or walkway, parking lot, parking garage, or other parking area of an institution of higher education or private or independent institution of higher education.

(a-2) Notwithstanding Subsection (a) or Section 46.03(a), a license holder commits an offense if the license holder carries a handgun on the campus of a private or independent institution of higher education in this state that has established rules, regulations, or other provisions prohibiting license holders from carrying handguns pursuant to Section 411.2031(e), Government Code, or on the grounds or building on which an activity sponsored by such an institution is being conducted, or in a passenger transportation vehicle of such an institution, regardless of whether the handgun is concealed, provided the institution gives effective notice under Section 30.06.

(a-3) Notwithstanding Subsection (a) or Section 46.03(a), a license holder commits an offense if the license holder intentionally carries a concealed handgun on a portion of a premises located on the campus of an institution of higher education in this state on which the carrying of a concealed handgun is prohibited by rules, regulations, or other provisions established under Section 411.2031(d-1), Government Code, provided the institution gives effective notice under Section 30.06 with respect to that portion.

(g) An offense under Subsection (a), ~~(a-1), (a-2), (a-3),~~ (b), (c), (d), or (e) is a Class A misdemeanor, unless the offense is committed under Subsection (b)(1) or (b)(3), in which event the offense is a felony of the third degree.

(h) It is a defense to prosecution under Subsection (a),

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(a-1), (a-2), or (a-3) that the actor, at the time of the commission of the offense, displayed the handgun under circumstances in which the actor would have been justified in the use of force or deadly

force under Chapter 9.

(j) Subsections (a), (a-1), (a-2), (a-3), and (b)(1) do not apply to a historical reenactment performed in compliance with the rules of the Texas Alcoholic Beverage Commission.

(1) Subsection (b)(2) does not apply on the premises where a collegiate sporting event is taking place if the actor was not given effective notice under Section 30.06.

SECTION 5. Section 46.035(f), Penal Code, is amended by adding Subdivision (1-a) to read as follows:

(1-a) "Institution of higher education" and "private or independent institution of higher education" have the meanings assigned by Section 61.003, Education Code.

SECTION 6. Section 411.208, Government Code, as amended by this Act, applies only to a cause of action that accrues on or after the effective date of this Act. A cause of action that accrues before the effective date of this Act is governed by the law in effect immediately before that date, and that law is continued in effect for that purpose.

SECTION 7. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 8. (a) Except as otherwise provided by this section, this Act takes effect August 1, 2016.

(b) Before August 1, 2016, the president or other chief executive officer of an institution of higher education, as defined by Section 61.003, Education Code, other than a public junior college as defined by that section, shall take any action necessary to adopt rules, regulations, or other provisions as required by Section 411.2031, Government Code, as added by this Act. Notwithstanding any other law, the president or other chief executive officer shall establish rules, regulations, or other provisions under Section 411.2031(d-1), Government Code, as added by this Act, that take effect August 1, 2016.

(c) Before August 1, 2016, a private or independent institution of higher education, as defined by Section 61.003, Education Code, may take any action necessary to adopt rules, regulations, or other provisions as authorized under Section 411.2031, Government Code, as added by this Act.

(d) This Act does not apply to a public junior college, as defined by Section 61.003, Education Code, before August 1, 2017. Not later than August 1, 2017, the president or other chief executive officer of a public junior college shall take any action necessary to adopt rules, regulations, or other provisions as required by Section 411.2031, Government Code, as added by this Act. Notwithstanding any other law, the president or other chief executive officer shall establish rules, regulations, or other provisions under Section 411.2031(d-1), Government Code, as added by this Act, that take effect August 1, 2017.

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\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 11 passed the Senate on March 19, 2015, by the following vote: Yeas 20, Nays 11; May 28, 2015, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 29, 2015, House granted request of the Senate; May 30, 2015, Senate adopted Conference Committee Report by the following vote: Yeas 20, Nays 11.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 11 passed the House, with amendments, on May 27, 2015, by the following vote: Yeas 102, Nays 44, one present not voting; May 29, 2015, House granted request of the Senate for appointment of Conference Committee; May 31, 2015, House adopted Conference Committee Report by the following vote: Yeas 98, Nays 47, one present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor



# **Attachment B**

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## **Chancellor McRaven's July 2015 Memorandum**



**The University of Texas System**  
Nine Universities. Six Health Institutions. Unlimited Possibilities.


Office of the Chancellor  
601 Colorado Street, Austin, Texas 78701-2982  
Phone: 512 499 4201 Fax: 512 499 4215

July 23, 2015

MEMORANDUM

The University of Texas at Arlington  
The University of Texas at Austin  
The University of Texas at Brownsville  
The University of Texas at Dallas  
The University of Texas at El Paso  
The University of Texas – Pan American  
The University of Texas  
of the Permian Basin  
The University of Texas at San Antonio  
The University of Texas at Tyler

TO: Presidents, The University of Texas System  
Dr. Vistasp M. Karbhari Daniel K. Podolsky, M.D.  
Dr. Gregory L. Fenves David L. Callender, M.D.  
Dr. William Richard Fannin, *ad interim* Giuseppe N. Colasurdo, M.D.  
Dr. B. Hobson Wildenthal, *ad interim* William L. Henrich, M.D.  
Dr. Diana S. Natalicio Ronald A. DePinho, M.D.  
Dr. Havidán Rodríguez, *ad interim* Kirk A. Calhoun, M.D.  
Dr. W. David Watts  
Dr. Guy Bailey  
Dr. Ricardo Romo  
Dr. Rodney H. Mabry

FROM: William H. McRaven 

The University of Texas  
Southwestern Medical Centre  
The University of Texas  
Medical Branch at Galveston  
The University of Texas  
Health Science Center at Houston  
The University of Texas  
Health Science Center at San Antonio  
The University of Texas  
M. D. Anderson Cancer Center  
The University of Texas  
Health Science Center at Tyler

www.uttyler.edu

The 84<sup>th</sup> Regular Session of the Texas Legislature passed S.B. 11, commonly referred to as “campus carry,” which authorizes the carrying of concealed handguns into campus buildings. The law takes effect on August 1, 2016. This memorandum outlines the process that our campuses and System Administration will follow to implement the requirements of the law.

As I have stated before, above all else, we will do everything in our power to maintain safe and secure campuses. As we implement this paramount principle into specific campus practices, we will be guided by consultative processes at each campus that engage students, faculty and staff. We will carry out this work in a coordinated manner, facilitated by U. T. System Administration, to share ideas and knowledge. The consultative process will result in campus-specific rules, policies and practices, which we anticipate will vary from campus to campus. However, we expect that some categories of buildings will be treated similarly at each campus, such as those areas common to each type of campus where there is consensus that concealed handguns should be excluded or times or events during the academic year when consideration should be given to limitations.

As we get started with this process, it is helpful to understand the essential elements of the law, which are:

- Effective August 1, 2016, the holder of a concealed handgun license may carry a concealed handgun on the campus of both academic and health related institutions. “Campus” includes all land and buildings owned or leased by the institution.
- An institution may adopt policies concerning the storage of handguns in residential facilities.

Presidents, The University of Texas System  
July 23, 2015  
Page 2

- In addition, after consulting with students, staff and faculty regarding the nature of the student population, specific safety considerations and the uniqueness of the campus environment, the president of the institution may adopt policies regarding the carrying of concealed handguns by license holders.
- The policies adopted by the president may not generally prohibit license holders from carrying concealed handguns on the campus.
- Where campus policy prohibits concealed handguns from any portion of a building, the institution must post effective notice of that exclusion.
- Within 90 days after adopting policies for the campus, the president must submit those policies to the Board of Regents for review. The law permits the Board to amend the policies, but only by a two-thirds vote.
- The institution must widely distribute the policies, including prominent display on its website.
- Not later than September 1 of each even-numbered year, each institution must report to the Texas Legislature a description of the institutional policies and the reasons the institution has established those policies.
- The legislation requires that we consider the individual characteristics of each campus in adopting these policies, and that the consultation with students, faculty, and staff include these considerations.

I note that H.B. No. 910, separate legislation on “open carry,” expressly prohibits a license holder from openly carrying a handgun on the campus of an institution of higher education.

Guidance regarding legislative intent may be gleaned from discussion of the legislation on the floor of both chambers and in conversations with members and staff. For example, all the following were mentioned as possible areas of exclusion: laboratories that contain chemical agents, student counseling and crisis centers, health clinics, on-campus day care centers and places where MRIs are operating. Another excluded area, one which I personally endorse, would be our hospitals. Non-university hospitals are excluded under other provisions of state law, and I see no reason why our hospitals should be treated differently. Identifying consensus categories of buildings to be designated “exclusion zones,” as I will call them, on all our campuses will be a useful first step and will help frame the agendas for the conversations on the individual campuses.

It will be the responsibility of each president to convene a campus working group consisting of students, faculty and staff. I encourage each president to consider expanding the consultation to include parents, alumni and other stakeholders in campus life, such as representatives of businesses that conduct operations on the campus. I also encourage each

Presidents, The University of Texas System  
July 23, 2015  
Page 3

president to begin identifying both the individuals and the type of persons to be included in these consultations, so that they may begin quickly at the appropriate time.

I have asked Deputy Chancellor David E. Daniel to be the point person from the U. T. System Administration to facilitate and coordinate our planning efforts. I have asked Dr. Daniel to assemble a working group that includes a liaison from each campus to begin discussing implementation of the law and identification of consensus exclusion zones. I ask each president to provide Dr. Daniel with the name of your campus liaison by August 1. The campus liaison will be responsible for working closely with the president, communicating with all appropriate campus personnel such as police, academic officers and business officers, and bringing information and suggestions to the working group. The liaison should be a member of the campus working group (perhaps the chair of that group) to ensure good communication within and between the working groups.

Target deadlines for accomplishing our work are:

August 17, 2015	Presidents name liaisons to System-wide working group
September 10, 2015	System-wide working group organized and convened
September 15, 2015	Campus working groups fully engaged and operational
November 1, 2015	Consensus recommendations regarding any categories of space to be designated as exclusion zones at all campuses
December 4, 2015	Campus presidents submit preliminary campus plans to U. T. System Administration for review
December 11, 2015	U. T. System Administration provides feedback to presidents
December 18, 2015	Campus presidents submit final plans to U. T. System Administration for review by the Board of Regents
February 10, 2016	Board of Regents meets and reviews campus plans
February 15, 2016	Campuses begin implementing plans
July 1, 2016	All new physical facilities such as storage lockers are in place, and acquisition of required elements such as signage is complete
August 1, 2016	Law takes effect

I have directed Dr. Daniel to ensure that our campuses have the support that they need, including research into legal issues, law enforcement issues, best practices at other institutions, and sharing of information between working groups, to facilitate this effort.

Presidents, The University of Texas System  
July 23, 2015  
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I look forward to engaging personally in this process. By working in a coordinated manner, I am confident that we will take the best possible actions to maintain safe and secure campuses.

WHM:plc

cc: Dr. David E. Daniel  
Raymond S. Greenberg, M.D., Ph.D.  
Dr. Scott C. Kelley  
Dr. Steven Leslie  
Dr. Stephanie B. Huie  
Dr. Patricia D. Hurn  
Dr. Barry McBee  
Dr. Randa S. Safady  
Dr. Daniel H. Sharphorn  
Dr. William H. Shute  
Dr. Amy Shaw Thomas

# Attachment C

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## UT Systemwide working group's recommendations





THE UNIVERSITY of TEXAS SYSTEM  
FOURTEEN INSTITUTIONS. UNLIMITED POSSIBILITIES.

Office of the Chancellor  
601 Colorado Street  
Austin, Texas 78701  
512-499-4201  
WWW.UTSYSTEM.EDU

January 11, 2016

MEMORANDUM

To: Chancellor William H. McRaven  
Presidents, The University of Texas System

Dr. Vistasp M. Karbhari	Daniel K. Podolsky, M.D.
Dr. Gregory L. Fenves	David L. Callender, M.D.
Dr. B. Hobson Wildenthal, <i>ad interim</i>	Giuseppe N. Colasurdo, M.D.
Dr. Diana S. Natalicio	William L. Henrich, M.D.
Dr. W. David Watts	Ronald A. DePinho, M.D.
Dr. Guy Bailey	Kirk A Calhoun, M.D.
Dr. Ricardo Romo	
Dr. Rodney H. Mabry	

From: Concealed Carry Working Group

Subject: Recommendations Regarding Concealed Carry on Campuses

Executive Summary

The Texas Legislature recently passed Senate Bill 11, which permits license holders to carry concealed handguns in public university buildings beginning August 1, 2016. License holders must be at least 21 years old (unless active duty military or a veteran) and meet certain requirements. The law allows institution presidents to “establish reasonable rules” and to evaluate “the nature of the student population, specific safety considerations, and the uniqueness of the campus environment.” However, a president “may not establish provisions that generally prohibit or have the effect of generally prohibiting license holders from carrying concealed handguns on the campus of the institution.” The provisions established by the president take effect unless amended by the institution’s Board of Regents by not less than a two-thirds vote. Presidents may over time amend an institution’s rules, although amendments are subject to the same potential action by the Board of Regents.

Chancellor William H. McRaven  
Presidents, The University of Texas System  
January 11, 2016

To assist in the implementation process, a working group was formed that consists of at least one representative from each institution and representatives of U. T. System administration. The charge was to discuss the law and its interpretation, share information and perspectives, and develop recommendations for facilities common to many campuses. The guiding principles used by the working group were:

1. Follow the law.
2. Focus on safety.
3. Strive for a campus environment in which students, staff, and faculty can focus on their studies, research, and work with minimal distraction.

Decisions about rules, regulations, and exclusion zones are the responsibility of an institution's president. This report is advisory to presidents. The working group's objective was to facilitate discussion and to assist campus consultative groups and presidents as they evaluate their campus requirements. Recommendations are not intended to constitute a complete list of exclusion zones or areas to be considered by an institution's president.

Existing state laws exclude certain areas from concealed carry including schools, collegiate sporting events, and premises on which school sponsored activities are taking place. No further action appears to be necessary to exclude these from U. T. System campuses. The working group recommends that presidents consider, as a starting point, the following exclusion zones:

1. Areas for which state or federal law, licensing requirements, or contracts require exclusion exclusively at the discretion of state or federal government, or in which handguns are prohibited by an accrediting authority, such as child-care facilities.
2. Patient care areas, including those where mental health care services are provided.
3. Premises in or on which a ticketed sporting event is taking place.
4. Areas in which discharge of a handgun might cause widespread harm, such as laboratories with extremely dangerous chemicals, biologic agents, or explosive agents, or areas with equipment that is incompatible with metallic objects such as magnetic resonance imagining machines.

Chancellor William H. McRaven  
Presidents, The University of Texas System  
January 11, 2016

5. Animal care areas and vivaria in which protocols increase the risk of discharge or contamination of a concealed handgun, or its unanticipated separation from the license holder.

The working group offers comments on other issues that were discussed:

- Mixed use buildings. Buildings may have some excludable space. The decision about whether to exclude the entire building rather than just certain areas should be made on a case-by-case basis considering the practicality of limiting only certain areas.
- Notification. Notification that concealed handguns are not permitted in a building or area must be provided in writing, orally, or with prominent signage. The working group believes that the law ordinarily requires signage at the entrances to areas excluded by an institution (buildings or areas within a building). The working group noted that signage all over the place could create a false impression that concealed carry is common on campus and run counter to the goal of continuing the work of the university with as little distraction as possible.
- Handgun storage. The law does not require institutions to have handgun storage facilities – the law simply requires that a license holder be permitted to carry their handgun on or about their person. Institutions should take note that handgun storage facilities are not required elsewhere in Texas.
- Residential facilities. The law provides that institutions may establish rules for storage of handguns in dormitories or other residential facilities. Some people believe that this language reinforces an opinion that the intent of the law is to permit concealed carry in residential facilities. Others believe that the law empowers presidents to exclude concealed carry without limitation, other than the requirement that the president “may not establish provisions that generally prohibit or have the effect of generally prohibiting license holders from carrying concealed handguns on the campus of the institution.”
- Classrooms. Some people believe that the intent of the law is to allow concealed carry in classrooms (consistent with making concealed carry generally available on a campus). Others believe that the law authorizes presidents to exclude handguns from classrooms based on consideration of “the nature of the student population ... and the uniqueness of the campus environment.” The working group had a range of opinion about these differing perspectives and did not reach consensus.

Chancellor William H. McRaven  
Presidents, The University of Texas System  
January 11, 2016

### Introduction

In the 84<sup>th</sup> Regular Legislative Session, the Texas Legislature passed Senate Bill 11, which allows licensed individuals to carry concealed handguns on public university campuses, effective August 1, 2016. The law defines “campus” as all land and buildings owned or leased by an institution of higher education. By law, a license holder must be at least 21 years old (or be active military or a veteran), be a resident of Texas, meet other requirements such as no record of felony conviction, and be fully qualified under federal and state law to purchase a handgun. Per 18 USC § 922(g), aliens admitted to the U.S. under a nonimmigrant visa are prohibited from possessing, shipping, transporting, or receiving any firearm or ammunition. International students attending universities are typically in the U.S. with non-immigrant visas and therefore ineligible under federal law to possess any firearm or ammunition.

Senate Bill 11 permits institution presidents to exclude certain zones as follows:

*“After consulting with students, staff, and faculty of the institution regarding the nature of the student population, specific safety considerations, and the uniqueness of the campus environment, the president or other chief executive officer of an institution of higher education in this state shall establish reasonable rules, regulations, or other provisions regarding the carrying of concealed handguns by license holders on the campus of the institution or on premises located on the campus of the institution. The president or officer may not establish provisions that generally prohibit or have the effect of generally prohibiting license holders from carrying concealed handguns on the campus of the institution. The president or officer may amend the provisions as necessary for campus safety. The provisions take effect as determined by the president or officer unless subsequently amended by the board of regents or other governing board.”*

To facilitate the establishment of rules by presidents of U. T. System institutions, a working group was formed consisting of at least one representative from each institution and representatives of U. T. System administration (Appendix A). The charge to the working group was to discuss the law and its interpretation, share information and perspectives, and develop recommendations for facilities common to many campuses.

Chancellor William H. McRaven  
Presidents, The University of Texas System  
January 11, 2016

Each institution has unique programs, facilities, and operations. The observations and recommendations presented herein are advisory and are not intended to constitute a complete list of exclusion zones or areas to be considered for exclusion by an institution's president. The working group's objective was to facilitate discussion and to assist presidents as they evaluate their campus requirements.

Decisions about establishment of rules and exclusion zones are the responsibility of institution presidents. Senate Bill 11 requires that an institution's Board of Regents review the provisions established by a president within 90 days of establishment. The institution's Board of Regents may by not less than a two-thirds vote to amend those provisions. Over time, a president may revise rules; such revisions are also subject to amendment by the Board of Regents by not less than a two-thirds vote.

Coordinated and consistent policies, where appropriate, facilitate consistency in enforcement, which benefits both the campuses and holders of licenses to carry a concealed handgun.

### **Guiding Principles**

Three over-arching principles guided the working group:

1. Follow the law.
2. Focus on safety.
3. Strive for a campus environment in which students, staff, and faculty can focus on their studies, research, and work with minimal distraction.

Chancellor William H. McRaven  
Presidents, The University of Texas System  
January 11, 2016

**Locations Excluded by Law or Rule**

The Texas Penal Code does not permit firearms and other specific weapons at the following locations relevant to issues of carrying concealed handguns on campuses:

- “on the physical premises of a school ..., any grounds or building on which an activity sponsored by a school ... is being conducted” (46.03(a)(1). The law does not define “school” for these purposes but the working group believes that a reasonable interpretation is pre-K through 12 as the meaning of “school.”
- “on the premises of any government court or offices utilized by the court” (46.03(a)(3)).
- “on the premises where a high school, collegiate, or professional sporting event or interscholastic event is taking place” (46.035(b)(2)).
- “on the premises of a hospital licensed under Chapter 241, Health and Safety Code” (46.035(b)(4)).
- “at any meeting of a government entity” (46.035(c)) “if the meeting is an open meeting subject to Chapter 551, Government Code, and the entity provided notice as required by that chapter” (amendment per HB 910).

The working group believes that because law excludes concealed carry from schools, collegiate sporting events, and school-sponsored activities, no further action is needed to exclude concealed handguns from these already-excluded locations.

As a matter of information, the working group understands that U. T. System hospitals are not licensed under Chapter 241 of the Health and Safety Code. Thus, the exclusion provided by the Texas Penal Code for hospitals is not directly applicable to U. T. System institutions, although by analogy and extension, U. T. System institutions might exclude their hospitals and other patient treatment locations.

There may be certain areas on some campuses where handguns are prohibited by federal law or other licensing requirements. It seems reasonable to provide an exclusion where required by law, licensing rules, or an accrediting authority.



Chancellor William H. McRaven  
Presidents, The University of Texas System  
January 11, 2016

### Recommended Exclusion Zones

The responsibility for establishing exclusion zones rests with an institution's president. The campus advisory groups, U. T. System Administration, and this report are advisory to presidents.

Certain areas are already excluded by law, e.g., schools and activities sponsored by schools, and, thus, apparently need not be specifically identified as exclusion zones by campus presidents. The working group did not attempt to develop a complete list of exclusion zones that institutions might want to consider. The working group recommends that presidents consider the following exclusion zones among others that might be unique to a particular campus:

1. **Areas for which state or federal law, licensing requirements, or contracts require exclusion exclusively at the discretion of the state or federal government, or in which handguns are prohibited by an accrediting authority.** The working group has not attempted to identify all such areas. Certain licensing agencies prohibit handguns, such as for nuclear research reactors. Certain contracts- required for hosting the administration of a college entrance examination- might require no handguns. Perhaps the main example of a type of facility in this category is:
  - **Child-Care Facilities.** Rules of the Texas Department of Family and Protective Services prohibit the possession of firearms on the premises of licensed facilities with before- or after-school care and for licensed child-care centers (40 TAC Secs. 744.2607 and 746.3707). However, because there is no enforcement mechanism in the Penal Code other than possibly suspension or revocation of the child-care center's license, the law may be viewed as not specifically prohibiting the carrying of concealed handguns in such locations. The working group believes that the exclusion of concealed carry on the premises of child-care facilities at U. T. System institutions is sensible and recommends that presidents consider excluding them.

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**2. Areas analogous to state law requirements that prohibit concealed handguns:**

- **Patient care areas.** Section 46.035(b)(4) of the Penal Code excludes hospitals licensed under Chapter 241 – by analogy and extension, the working group recommends that patient care areas be excluded including hospitals, clinics, and mental health treatment areas. The working group suggests that “patient care area” could be restricted to patients for whom a formal record of treatment is maintained.
- **Premises in or on which a ticketed sporting event is taking place.** Section 46.035(b)(2) of the Penal Code prohibits concealed handguns at collegiate sporting events. The working group recommends that by analogy and extension, any ticketed sporting event be excluded on U. T. System campuses, whether an intercollegiate event or not.

**3. Areas where discharge of a handgun might cause widespread harm, such as laboratories with extremely dangerous chemicals, biologic agents, or explosive agents, or equipment that is incompatible with metallic objects such as magnetic resonance imaging machines.**

Training of concealed handgun license holders on safe use of handguns in such facilities is not practical. Accidental or purposeful discharge of a handgun in such areas could cause grave and catastrophic harm. Handguns are inappropriate in the vicinity of some types of equipment, e.g., magnetic resonance imaging equipment because of the very strong magnetic field present. Exclusion may be appropriate for these areas to ensure campus safety.

**4. Animal care areas and vivaria in which protocols increase the risk of discharge or contamination of a concealed handgun, or its unanticipated separation from the licensed holder.**

Some animal care facilities have strict protocols for entering and exiting the facility, including requirements for protective clothing and sterile gloves. Animals may carry viruses and bacteria that can be pathogenic to humans, which may require careful control over objects that are brought into or leave a facility. In large animal care facilities, primates, if present, have the ability to grab and manipulate objects. The many safety risks associated with such facilities give cause to recommend that concealed handguns be excluded.

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### Discussion of Various Topics

Working group discussions touched on many topics of interest. Key elements from these discussions are summarized as follows.

Mixed-Use Buildings. Many buildings have mixed use in terms of potential exclusion zones. The question is: when is the proportion of excluded area sufficiently large to warrant exclusion of the whole building? The working group offers the following observations:

- If a small number of rooms or a small fraction of assignable space in a building is subject to exclusion, only the rooms or areas that qualify for exclusion could be excluded. Appropriate notice such as signage needs to be provided for those rooms or areas that are excluded.
- If a significant fraction of the building in terms of number of rooms or assignable space is subject to exclusion, or if the excludable space is not separable from other space, then as a matter of practicality, the whole building could be excluded. Appropriate notice such as through signage must be provided for the building.
- There is a “gray area” in which the excludable space within a building is neither minimal nor obviously dominant. The decision of whether to exclude the entire building should be made on a case-by-case basis, based on how practical it is to exclude only certain rooms or areas of the building.

Some spaces have mixed use in terms of when space is used for certain purposes. For example, some areas are excluded only when a ticketed sporting event is taking place. Thus, signage indicating exclusion may need to be temporary and removable in some cases.

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Requirement for Holster. Senate Bill 11 authorizes presidents to establish reasonable rules. One concern expressed within the working group is the potential for a handgun to discharge accidentally when carried in a purse or backpack. One requirement that UT Austin is considering that the working group recommends for consideration by all presidents is a safety requirement that could something similar to the following:

- “A license holder who carries a handgun on campus must carry it in a holster that completely covers the trigger and the entire trigger guard area. The holster must have sufficient tension or grip on the handgun to retain it in the holster even when subjected to unexpected jostling.”

The working group believes that SB 11 provides authority for presidents to establish such a requirement, which would minimize the potential for accidental discharge if the handgun is jostled about or if the purse or backpack is dropped.

Notification and Signage. Section 30.06 of the Texas Penal Code describes general requirements for notification where concealed carry is not permitted. The law states that, “a person receives notice if the owner of the property or someone with apparent authority to act for the owner provides notice to the person by oral or written communication.” The written communication must state the following:

- "Pursuant to Section 30.06, Penal Code (trespass by holder of license to carry a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (concealed handgun law), may not enter this property with a concealed handgun".

Written communication may be conveyed in one of two ways:

- A card or other written document that contains the language above, or
- Signage in both Spanish and English displayed in a conspicuous manner clearly visible to the public, with contrasting colors and block letters at least one inch in height.

The best option for informing the public of exclusion at ticketed events such as sporting events might be the printing of exclusion information on the back of the ticket. In situations where an individual must review and sign a form (such as a consent form signed by parents for their children), written notification might be provided on the form.

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No notification is required by statute for schools or school-sponsored activities. License holders are expected to know that these areas are excluded without specific notification.

Oral notification is a permitted means of notification under the law. Although oral notification may be impractical in regards to entry to many areas, there may be certain areas or situations in which oral notification is effective. Moreover, Section 30.06 also criminalizes remaining on property after being advised that concealed handguns are not permitted; that is an example of a situation when oral notice becomes practical.

The working group addressed the question of whether signage is needed on each excluded building or excluded area, or whether a few generic signs at strategic locations would suffice. The prevailing legal opinion is that signage must be on each building or area within a building, in large part because the law requires the signage to state, "... may not enter this property with a concealed handgun." If there were only a few generic signs on campus, "this property" would seem to imply the whole campus. Even if "this property" pointed to specific buildings or areas within a building, the requirements of the law for signage displayed in a "conspicuous manner" with large-block letters seems to require signage at the entrance to excluded buildings or areas within a building.

Residential Facilities. Senate Bill 11 provides that, "An institution of higher education ... may establish rules, regulations, or other provisions concerning the storage of handguns in dormitories or other residential facilities that are owned or leased and operated by the institution and located on the campus of the institution."

On-campus housing takes many forms across U. T. System institutions, including residences in which one or more people live in a single room, multi-room units that may have a common living room area and several bedrooms, and apartments. Students are the dominant occupants of residential facilities, but in some cases faculty and staff members live in university owned or leased residential facilities. Some U. T. System institutions host summer camps for children and house the children in residence halls.

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The working group addressed the question of whether the law permits exclusion of concealed carry in residential facilities. Two opinions were expressed. One opinion is that most legislators who supported SB 11 intended for concealed handguns to be permitted in dormitories and residential facilities, and that the language of the statute allowing storage in residential settings reinforces this view. However, the law also says that presidents may take into account “the nature of the student population, specific safety considerations, and the uniqueness of the campus environment”; thus, if a campus has residential facilities for which exclusion is judged by a president to be appropriate, one might opine that the law permits exclusion.

Because residential facilities cover such a broad spectrum of circumstances across U. T. System institutions, no across-the-board recommendations are offered.

The working group discussed whether an individual could request a roommate who is not a license holder for residential facilities that permit concealed carry. Such a request is problematic because a license holder is not compelled to respond to an inquiry about status as a licensed carrier except when the query comes from a law enforcement officer. The working group suggests that campuses that wish to provide an opportunity for residents to self-select a non-license holder as a roommate be asked to indicate on the residential application form something along the lines of, “I voluntarily disclose that I am not licensed to carry a concealed handgun, and I request a roommate who has made this same voluntary disclosure.”

Handgun Storage Facilities. The law permits license holders to carry their concealed handgun on or about their person, but it does not compel institutions to provide or allow storage of handguns when the licensees do not have the handgun on or about their person. The working group could not identify any legal requirement to provide storage, nor could it identify any restriction on an institution’s authority to prohibit storage. Should an institution choose to permit storage of handguns within university buildings, the establishment of minimum storage requirements is reasonable. If a particular campus chooses to provide for handgun storage, the working group notes that issues of safety, security, accessibility, and privacy will likely need to be addressed.



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Classrooms. The working group discussed the subject of excluding concealed handguns from classrooms. Different schools of thought were expressed. One opinion is that the law intends if not outright requires allowance of concealed carry in classrooms through the requirement that rules may not “have the effect of generally prohibiting license holders from carrying concealed handguns on the campus of the institution.” Meeting this requirement might be a challenge especially if the classroom exclusion is coupled with the exclusion of concealed handguns broadly or in numerous buildings. In addition, several legislators have said that the intent of the law is to allow concealed carry in classrooms.

Some members of the working group expressed the opinion that a president has the latitude and authority to establish rules that prohibit concealed handguns from classrooms. The law allows presidents to establish reasonable rules taking into consideration “the nature of the student population, specific safety considerations, and the uniqueness of the campus environment.” From this point of view, a decision to exclude concealed handguns from classrooms appears to be allowable under the law. Some legislators have expressed the opinion that institution presidents have ultimate authority over campus carry policy, including decisions about classrooms.

The working group members discussed the varying points of view, but did not reach consensus. Ultimately, the decision is up to each institution president, subject to potential amendment by the U. T. System Board of Regents.

The working group members agree that excluding concealed handguns from classrooms would introduce complicating questions such as:

- Is it feasible to exclude classrooms without excluding the entire building that contains classrooms?
- Would exclusion of classrooms have the effect of generally prohibiting license holders from carrying concealed handguns on the campus?
- If classrooms are excluded, must one consider handgun storage lockers for times when students are in class?
- Would the signage that might be required give people the false impression that concealed handguns are widespread on campus and run counter to the objective of striving for a campus environment in which students, staff, and faculty can focus on their studies, research, and work with minimal distraction?

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Leased Space. Senate Bill 11 permits the carry of concealed handguns on the premises of campuses, and defines campus as “all land and buildings owned or leased by an institution of higher education.” The law does not expressly distinguish between property “leased” as a lessor (in which the higher education institution owns the property but leases it to a third party for other uses) or “leased” as a lessee (in which the higher education institution does not own the property but leases it for university use). The common meaning of “campus” would include only the geographic boundaries of the buildings and grounds used for university purposes, and there is no indication of a legislative intent to include property outside those boundaries that is owned by the university but leased to a third party for other uses.

For property within the boundaries of a campus, such as campus bookstore, a lessee may have property rights under the lease. However, in some cases a private entity may not have private property rights, such as might be the case for a food-service provider in a dining hall, because they are an agent of the university providing a service that the university could provide.

There is no indication that the legislature intended the campus carry legislation to override private property rights. In fact, the Senate author of the legislation made the point during debate that private institutions of higher education were given an opt-out because of respect for private property rights. Even for property within the geographic boundaries of a campus, it seems reasonable to conclude that private property rights are paramount. Section 30.06 of the Penal Code allows an entity (other than a governmental entity) to exclude concealed carry by giving notice, usually through signage. In addition, 411.203, Government Code, provides that the licensing statute does not limit the right of a private employer to prohibit concealed carry license holders from carrying on the premises of the business. AG Op. No. DM-363 determined that an employer could restrict the carrying of concealed handguns on property it controls by posting notice.

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The power of the lessee on the campus to exclude concealed handguns is, of course, subject to the terms of the lease. Assuming that the lease is silent on the subject, the working group believes the lessee may have the power to exclude concealed handguns without regard to the exclusion zones adopted by the campus, provided adequate notice is given, for example, via signage. By this same token, if the university leases space from a private entity and that entity wishes concealed carry to be excluded, the president of an institution appears to be on solid ground in establishing the leased space as an exclusion zone on the basis of the preference of the private property owner.

Parking areas are expressly different. Section 46.035 of the Penal Code, by means of defining “premises,” has always permitted licensed concealed carry on public or private parking lots, garages, or other parking areas. Parking facilities are especially important to a licensee because the licensee’s handgun may be stored in a locked vehicle. It appears that SB 11 does not change that, so the private operator of a parking facility on space leased from a university likely lacks the authority to exclude concealed handguns under any circumstances. However, some parking garages have retail space, often leased to a private entity that has nothing to do with parking, such food service. In such situations, where there is no parked car in the leased space, it may be possible to consider exclusion.

Formal Hearing Areas. Section 46.03(a)(3) of the Penal Code excludes “any government court or offices utilized by the court.” By analogy and extension, an institution could exclude any facility used as a hearing room that operates similar to a court, i.e., where an individual or panel is designated under institutional policy to adjudicate the rights or privileges of a student or an employee of the institution. This does not cover a non-hearing environment such as processing of forms or claims. There are many nuances and complications regarding such interpretation, such as what constitutes a formal hearing. The working group recommends that this potential type of exclusion be handled at the institutional level, considering the unique circumstances at each campus. It may help to clarify in an institution’s rules which hearings are excluded for concealed carry.

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Areas in which Sponsored Activities Are Conducted for Persons under 18 years of Age Who Are Not Enrolled at the Institution. Section 46.03(a)(1) of the Penal Code prohibits the carrying of handguns on “any grounds or building on which an activity sponsored by a school ... is being conducted.” All U. T. System institutions host events for school-age children. If the activity is sponsored by a school, the carrying of handguns is automatically excluded per 46.03(a)(1) of the Penal Code. Nothing further is required from an institution to exclude concealed carry for activities sponsored by a school. No specific notification is required under the law, although an institution might consider signage stating something to the effect of, “School-Sponsored Activity in Progress.”

Numerous events occur on campuses that are not sponsored by a school but, rather, are sponsored by the higher education institution or by others. By analogy and extension, events for children sponsored by or conducted in coordination with the institution could be considered for exclusion of concealed handguns. However, institutional discretion will likely be needed to determine which sponsored events rise to a level appropriate for exclusion. Institutions may choose to exclude concealed carry for parents, employees, or volunteers working with the children on a sponsored event while on campus. Exclusion may not be practical for everyone on campus during the transit of children from one location on campus to another, or for informal gatherings such as lunch in a cafeteria.

Sponsored events cover such a broad array of potential activities that no blanket recommendations are appropriate, except as required by law for school sponsored events. The working group recommends that each institution consider possible exclusion for times and locations when non-school-sponsored events are taking place for persons under the age of 18 who are not enrolled on campus.

Temporal Exclusions. Senate Bill 11 allows presidents to establish rules, and these could be for certain times. For example, an area might be excluded only when there is a ticketed sporting event. The working group did not discuss broader temporal exclusions, such as during final exam week and would note the significance of notification requirements.

The group briefly discussed the special case of a situation in which a student is not allowed to bring anything into the classroom besides a pencil (no purses, backpacks, hats, etc.) when a test is given. The question raised is: may the institution exclude concealed handguns? No definitive answer was provided, but the issue raised reinforces the unique circumstances of college campuses.

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Reporting Requirements. Senate Bill 11 requires a report to the legislature each even-numbered year that “describes [the institution’s] rules, regulations, or other provisions regarding the carrying of concealed handguns on the campus of the institution; and ... explains the reasons the institution has established those provisions.” The reporting requirements to the legislature appear not to require a building-by-building accounting but, rather, a more general description.

For institutional reports to the Board of Regents regarding exclusion zones, campuses are expected to explain which areas have been excluded and why, and are not expected to provide a building-by-building explanation. Further consideration will be given to guidelines for institutions in reporting to the Board of Regents.

Violations. The working group discussed how to handle violations of concealed carry provisions. If a person is believed to have improperly displayed a handgun or carried a handgun into a location where concealed carry is not permitted, the campus police should be contacted. The question of what further penalties might be permissible was discussed and the following guidance developed:

- The licensing statute, Chapter 411, Government Code, effectively requires that the handgun be “concealed,” meaning that the gun’s presence is “not openly discernable to the ordinary observation of a reasonable person.” Similarly, Section 46.035, Penal Code, on unlawful carry by a licensed holder, prohibits intentional display of the handgun in plain view of another person in a public place as well as possession, whether or not concealed, in specific areas.
- Sections 46.03 and 46.035 address which violations are criminal. Both sections include “state of mind” requirements, and these state of mind requirements vary. Under section 46.03, it is a crime to “intentionally, knowingly, or recklessly” carry a handgun into in a place designated by that section as an exclusion zone (e.g., a pre-K through 12 school). Under section 46.035, however, it is a crime for a license holder to “intentionally” carry a concealed handgun into an area excluded under the rules and regulations established by a university, provided proper notice is given. With regard to the open display of a handgun on campus, section 46.035 makes it a crime for a license holder to “intentionally or knowingly” display the handgun in plain view of another person on a university campus. Texas Penal Code § 6.03 assigns particular meaning to the terms “intentionally,” “knowingly,” and “recklessly.” Under section 46.035, however, license holders do not commit a crime if they mistakenly bring a concealed handgun into an exclusion zone –

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(e.g., if the holder forgot they had the gun with them). As explained below, however, individual institutions may provide that any violation of their concealed carry rules and regulations constitutes a sanctionable offense under their institutional rules.

- Section 411.2031, Government Code, as added by SB 11, expressly authorizes an institution “to establish reasonable rules ... regarding the carrying of concealed handguns by license holders on the campus,” with specific regard to “safety considerations” and “campus safety.” Violations of campus rules about how to carry or store handguns may be acts subject to disciplinary action by an institution.
- Under Section 46.02, Penal Code, which prohibits the carrying of certain weapons “on or about” a person, Texas courts have held that “on or about” includes “the area nearby, close at hand, convenient of access, and within such distance of the party so that, without materially changing his position, the party could get his hand on it” and to include a portfolio or purse [Contreras v. State, 853 S.W. 2d 694 (Tex. App. Houston (1<sup>st</sup> Dist.), 1993)] The working group was not able to identify any cases under Sec. 46.035, Penal Code, that have specifically considered the meaning of “on or about” in the context of that Penal Code provision governing unlawful carry by a concealed handgun holder.
- The following language is offered to campuses for consideration as they establish rules:
  - "License holders bear the responsibility for safeguarding their handguns at all times, and must take all necessary precautions to ensure their handguns are secured in a manner that is most likely to prevent theft, loss, damage or misuse. License holders affiliated with [institution] who fail to use reasonable care in securing their handguns or acts negligently are subject to disciplinary action, up to and including termination or non-renewal of appointment, or dismissal from [institution]."



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- “A license holder fails to use reasonable care when he/she does not exercise the care which a reasonable or prudent person would exercise in similar circumstances, or takes action which a reasonable or prudent person would not take. Failing to secure or control a backpack or purse with a handgun at all times on the [institution’s] campus would be considered a failure to use reasonable care.”

Institutional Rules. Institutions may wish to modify certain institutional rules and procedures in an effort to minimize any ambiguity regarding concealed carry. For example, an institution might exclude concealed carry from a room in which a formal hearing under a specific provision in the code of student discipline and conduct. Such specific provisions might remove any possible ambiguity about whether a certain type of hearing is meant to constitute a formal proceeding for which concealed carry is not allowed.

Communications and Training. Once campus rules are established, there may be an important role for the U. T. System and the campuses to play in sharing information related to communicating to campus communities and training of individuals.

### Concluding Remarks

The members of the concealed carry working group benefited from the sharing of information, discussion of the law and its interpretation, and sharing of best practices taking place at each campus. In developing these recommendations, the working group recognized that the law empowers each institution president to make appropriate provisions. The working group hopes that these observations and recommendations will assist campus presidents.

The working group stands ready to assist the System and institution presidents as needed or desired, and will be happy to answer questions or address additional issues.

DED/jlb

cc: Raymond S. Greenberg, M.D., Ph.D.  
Dr. Steven W. Leslie

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Presidents, The University of Texas System  
January 11, 2016

## APPENDIX A

### Members of the Concealed Carry Working Group

#### Institutions

- U. T. Arlington: John Hall, Vice President for Administration
- U. T. Austin: Steven Goode, JD, Professor, Law
- U. T. Dallas: Alex Piquero, Professor, Criminology
- U. T. El Paso: Gary Edens, Vice President for Student Affairs
- U. T. Permian Basin: Teresa Sewell, Senior Associate Vice President for Student Affairs
- U. T. Rio Grande Valley: Ben Reyna, Associate Vice President for Security and Campus Affairs
- U. T. San Antonio: Kathy Funk-Baxter, Vice President for Business Affairs, and also Steve Barrera, Chief of Police
- U. T. Tyler: Tammy Cowart, JD, Associate Professor, Business Law
- U. T. Health – Houston: George Stancel, Executive Vice President for Academic and Research Affairs
- U. T. Medical Branch – Galveston: Michael Ainsworth, MD, Vice Dean for Academic Affairs, School of Medicine
- U. T. M. D. Anderson – Max Weber, JD, Associate Vice President and Deputy Chief Compliance Officer
- U. T. San Antonio HSC – Michael Parks, Chief of Police, and Dr. Jacqueline Lee Mok, Vice President for Academic, Faculty, and Student Affairs
- U. T. Southwestern – Charles Ginsburg, MD, Senior Associate Dean
- U. T. Tyler HSC – Robert Cromley, Chief of Police

#### U. T. System Administration

- Committee Chair: David E. Daniel, Deputy Chancellor
- Office of the Chancellor: Jana Pankratz, Executive Director
- Director of Police: Michael Heidingsfield
- Government Relations: Barry McBee, JD, Vice Chancellor and Chief Governmental Relations Officer, and Steve Collins, JD, Associate Vice Chancellor for Government and Special Counsel for Governmental Relations and Special Counsel to the Office of General Counsel
- Board of Regents: Kristy Orr, JD, Associate General Counsel
- Office of General Counsel: Tamra English, JD, Assistant General Counsel
- Office of Academic Affairs: Wanda Mercer, Associate Vice Chancellor
- Office of Health Affairs: Patrick Francis, Associate Vice Chancellor
- Risk Management: Patrick Durbin, Assistant Director, Risk Control
- External Relations: John Morton, Senior Communications Writer

# Attachment D

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## **DPS 2013 crime and enrollment statistics for CHL holders**

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**Conviction Rates for Concealed Handgun License Holders**  
**Reporting Period : 01/01/2013 - 12/31/2013**

<u>Offense</u>	<u>Total Convictions in Texas</u>	<u>Convictions of CHL Holders</u>	<u>CHL Holder Percentage of Total Convictions</u>
ABANDON ENDANGER CHILD CRIMINAL NEGLIGENCE	506	0	0.0000%
ABANDON ENDANGER CHILD IMMINENT DANGER BODI	65	0	0.0000%
ABANDON ENDANGER CHILD W/INTENT TO RETURN	118	0	0.0000%
ABANDON ENDANGER CHILD W/O INTENT TO RETURN	9	0	0.0000%
AGG ASSAULT AGAINST PUBLIC SERVANT	148	0	0.0000%
AGG ASSAULT AGAINST SECURITY OFFICER	4	0	0.0000%
AGG ASSAULT BY PUBLIC SERVANT	8	0	0.0000%
AGG ASSAULT CAUSES SERIOUS BODILY INJ	568	0	0.0000%
AGG ASSAULT DATE/FAMILY/HOUSE W/WEAPON	159	0	0.0000%
AGG ASSAULT IN RETALIATION	3	0	0.0000%
AGG ASSAULT W/DEADLY WEAPON	2,292	10	0.4363%
AGG KIDNAPPING	91	0	0.0000%
AGG KIDNAPPING BI/SEXUAL ABUSE	5	0	0.0000%
AGG KIDNAPPING BI/SEXUAL ABUSE SAFE RELEASE	0	0	0.0000%
AGG KIDNAPPING FACILITATE	0	0	0.0000%
AGG KIDNAPPING FACILITATE SAFE RELEASE	0	0	0.0000%
AGG KIDNAPPING FOR RANSOM/REWARD	0	0	0.0000%
AGG KIDNAPPING FOR RANSOM/REWARD SAFE RELEA	1	0	0.0000%
AGG KIDNAPPING INTERFERE PERFORMANCE	0	0	0.0000%
AGG KIDNAPPING INTERFERE PERFORMANCE SAFE R	0	0	0.0000%
AGG KIDNAPPING RELEASE VICTIM SAFEPLACE	0	0	0.0000%
AGG KIDNAPPING TERRORIZE	3	0	0.0000%
AGG KIDNAPPING TERRORIZE SAFE RELEASE	1	0	0.0000%
AGG KIDNAPPING USE AS SHIELD/HOSTAGE	2	0	0.0000%
AGG KIDNAPPING USE AS SHIELD/HOSTAGE SAFE REL	0	0	0.0000%
AGG ROBBERY	1,696	1	0.0590%
AGG SEXUAL ASSAULT	117	1	0.8547%
AGG SEXUAL ASSAULT CHILD	1,016	15	1.4764%
AGG SEXUAL ASSAULT OF ELDERLY/DISABLED PERSO	26	0	0.0000%
AIDING SUICIDE/SBI	0	0	0.0000%
ASSAULT AGAINST ELDERLY OR DISABLED INDIVIDUA	32	0	0.0000%
ASSAULT AGAINST GOVERNMENT CONTRACTOR/EMP	1	0	0.0000%
ASSAULT AGAINST SPORTS PARTICIPANT	3	0	0.0000%
ASSAULT CAUSES BI CONVICTED ANOTHER STATE	0	0	0.0000%
ASSAULT CAUSES BI RETALIATION W/GOVERN	2	0	0.0000%
ASSAULT CAUSES BODILY INJ	6,494	13	0.2002%
ASSAULT CAUSES BODILY INJ DATE/FAMILY/HOUSE	291	0	0.0000%
ASSAULT CAUSES BODILY INJURY FAMILY VIOLENCE	14,633	19	0.1298%
ASSAULT ON SECURITY OFFICER	18	0	0.0000%
ASSAULT PUBLIC SERVANT	756	1	0.1323%

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**Conviction Rates for Concealed Handgun License Holders**  
**Reporting Period : 01/01/2013 - 12/31/2013**

<u>Offense</u>	<u>Total Convictions in Texas</u>	<u>Convictions of CHL Holders</u>	<u>CHL Holder Percentage of Total Convictions</u>
BURGLARY HABITATION INTEND OTHER FELONY	243	0	0.0000%
BURGLARY HABITATION INTEND SEX OFFENSE	15	0	0.0000%
BURGLARY OF BUILDING	3,067	0	0.0000%
BURGLARY OF HABITATION	4,405	1	0.0227%
CAPITAL MURDER ANOTHER PERSON IN PRISON	0	0	0.0000%
CAPITAL MURDER BY TERROR THREAT/OTHER FELON	47	1	2.1277%
CAPITAL MURDER FOR RETALIATION JUDGE/JUSTICE	0	0	0.0000%
CAPITAL MURDER OF A PEACE OFFICER OR FIREMAN	14	0	0.0000%
CAPITAL MURDER OF MULTIPLE PERSONS	22	0	0.0000%
CAPITAL MURDER PERSON UNDER SIX YEARS OF AGE	5	0	0.0000%
CAPITAL MURDER PERSON WHILE ESCAPING/ATTEMP	0	0	0.0000%
CAPITAL MURDER WHILE REMUNERATION	3	0	0.0000%
COERCE SOLICIT INDUCE GANG MEMBERSHIP	9	0	0.0000%
COERCE SOLICIT INDUCE GANG MEMBERSHIP BI	0	0	0.0000%
CRIMINAL NEGLIGENT HOMICIDE	37	0	0.0000%
DEADLY CONDUCT	887	16	1.8038%
DEADLY CONDUCT DISCHARGE FIREARM	204	1	0.4902%
DEADLY WEAPON IN PENAL INSTITUTION	28	0	0.0000%
DISPLAY HANDGUN LICENSE REFUSAL 2ND	0	0	0.0000%
HARRASSMENT BY PERSON IN CORRECTIONAL/DETENT	50	0	0.0000%
HARRASSMENT OF PUBLIC SERVANT	263	0	0.0000%
HOAX BOMB WEAPONS FREE ZONE	0	0	0.0000%
HOAX BOMBS	2	0	0.0000%
IMPROPER PHOTO/VISUAL RECORDING AROUSE/GRA	9	0	0.0000%
IMPROPER PHOTO/VISUAL RECORDING W/OUT CONSE	10	0	0.0000%
IMPROPER RELATIONSHIP BETWEEN EDUCATOR/STU	32	0	0.0000%
INDECENCY W/A CHILD EXPOSES	208	2	0.9615%
INDECENCY W/CHILD SEXUAL CONTACT	938	17	1.8124%
INDECENT EXPOSURE	467	0	0.0000%
INJURY CHILD/ELDERLY/DISABLE RECKLESS SBI/MENT	63	0	0.0000%
INJURY CHILD/ELDERLY/DISABLE W/INT BODILY INJ	527	0	0.0000%
INJURY CHILD/ELDERLY/DISABLE W/INT SBI/MENTAL	79	0	0.0000%
INJURY CHILD/ELDERLY/DISABLED CRIMINAL NEGLIGE	44	0	0.0000%
INJURY CHILD/ELDERLY/DISABLED RECKLESS BODILY	76	0	0.0000%
KIDNAPPING	49	0	0.0000%
MANSLAUGHTER	91	0	0.0000%
MURDER	364	3	0.8242%
MURDER UNDER INFLUENCE OF SUDDEN PASSION	2	0	0.0000%
OWNER/OPER/EMP GROUP/NURSE W/INT DISABLE/EX	0	0	0.0000%
OWNER/OPERATOR/EMP GROUP/NURSE W/INT VIOL	0	0	0.0000%

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**Conviction Rates for Concealed Handgun License Holders**  
**Reporting Period : 01/01/2013 - 12/31/2013**

<b>Offense</b>	<b>Total Convictions in Texas</b>	<b>Convictions of CHL Holders</b>	<b>CHL Holder Percentage of Total Convictions</b>
OWNER/OPR/EMP GRP/NURSE NEGL.PC 22.04(a)(1)	0	0	0.0000%
OWNER/OPR/EMP GRP/NURSE NEGL.PC22.04(g)	0	0	0.0000%
OWNER/OPR/EMP GRP/NURSE RECKLESS PC 22.04(e)	0	0	0.0000%
OWNER/OPR/EMP GRP/NURSE RECKLESS PC 22.04(f)	0	0	0.0000%
PLACE WEAPONS PROHIBITED	78	0	0.0000%
PROH WEAPON	113	0	0.0000%
PROH WEAPON SWITCHBLADE/KNUCKLE WEAPONS F	1	0	0.0000%
PROH WEAPON SWITCHBLADE/KNUCKLES	794	2	0.2519%
PROH WEAPON/WEAPONS FREE ZONE	1	0	0.0000%
PUBLIC LEWDNESS	190	1	0.5263%
ROBBERY	1,495	0	0.0000%
SEXUAL ASSAULT	210	3	1.4286%
SEXUAL ASSAULT CHILD	693	20	2.8860%
SEXUAL ASSLT BIGAMY	26	0	0.0000%
SEXUAL ASSLT PROH/PURPORT SPOUSE	2	0	0.0000%
SEXUAL ASSLT PROH/PURPORT SPOUSE UNDER 14YO	5	4	80.0000%
TAMPER W/CONSUMER PRODUCT	0	0	0.0000%
TAMPER W/CONSUMER PRODUCT SBI	0	0	0.0000%
TAMPER W/CONSUMER PRODUCT THREAT	0	0	0.0000%
TERRORISTIC THREAT	1,078	0	0.0000%
TERRORISTIC THREAT AGAINST PUBLIC SERVANT	121	1	0.8264%
TERRORISTIC THREAT CAUSES PECUNIARY LOSS OF	3	0	0.0000%
TERRORISTIC THREAT IMPAIR PUBLIC/GOV SERVICE	12	0	0.0000%
TERRORISTIC THREAT INTERRUPT PUBLIC PLACE	176	1	0.5682%
TERRORISTIC THREAT OF FAMILY/HOUSEHOLD	628	1	0.1592%
TRAFFICKING A PERSON CAUSING DEATH	0	0	0.0000%
TRAFFICKING OF PERSON	3	0	0.0000%
TRAFFICKING OF PERSON YOUNGER THAN 14 YOA	0	0	0.0000%
UNL CARRY HANDGUN LIC HOLDER	18	7	38.8889%
UNL CARRY HANDGUN LIC HOLDER ALCH PREM/CORR	2	0	0.0000%
UNL CARRY WEAPON/WEAPONS FREE ZONE	4	0	0.0000%
UNL CARRYING WEAPON	1,947	16	0.8218%
UNL CARRYING WEAPON ON ALCOHOL PREMISES	42	0	0.0000%
UNL POSS FIREARM BY FELON	1,469	0	0.0000%
UNL POSS FIREARM BY FELON WEAPONS FREE ZONE	3	0	0.0000%
UNL POSS FIREARM INVOLVING FAMILY/HOUSEHOLD	19	0	0.0000%
UNL POSS METAL OR BODY ARMOR BY FELON	33	0	0.0000%
UNL RESTRAINT	308	1	0.3247%
UNL RESTRAINT EXPOSE TO SBI	36	0	0.0000%
UNL RESTRAINT LESS THAN 17 YRS OF AGE	16	0	0.0000%

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**Conviction Rates for Concealed Handgun License Holders**  
**Reporting Period : 01/01/2013 - 12/31/2013**

<u>Offense</u>	<u>Total Convictions in Texas</u>	<u>Convictions of CHL Holders</u>	<u>CHL Holder Percentage of Total Convictions</u>
UNL RESTRAINT OF PUBLIC SERVANT	3	0	0.0000%
UNL TRANSF CERTAIN WEAPONS U/18 WEAPONS FRE	0	0	0.0000%
UNL TRANSF CERTAIN WEAPONS/WEAPONS FREE ZO	0	0	0.0000%
UNL TRANSF HANDGUN UNDER 18YOA	0	0	0.0000%
UNL TRANSF OF CERTAIN WEAPONS	12	0	0.0000%
UNL TRANSP OF PERSON FOR PECUNIARY BENEFIT	0	0	0.0000%
<b>Total Offenses</b>	<b>50,869</b>	<b>158</b>	<b>0.3106%</b>

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RANDY WATSON

## Demographic Information by Residence County

Period: 01/01/2013 - 12/31/2013

License Applications: Issued

County	Number of Applicants	Percent	County	Number of Applicants	Percent
ANDERSON	618	0.25%	COKE	54	0.02%
ANDREWS	213	0.09%	COLEMAN	142	0.06%
ANGELINA	1,139	0.47%	COLLIN	9,171	3.78%
ARANSAS	352	0.15%	COLLINGSWORTH	32	0.01%
ARCHER	196	0.08%	COLORADO	325	0.13%
ARMSTRONG	61	0.03%	COMAL	2,166	0.89%
ATASCOSA	525	0.22%	COMANCHE	170	0.07%
AUSTIN	419	0.17%	CONCHO	55	0.02%
BAILEY	83	0.03%	COOKE	543	0.22%
BANDERA	458	0.19%	CORYELL	1,073	0.44%
BASTROP	733	0.30%	COTTLE	25	0.01%
BAYLOR	60	0.02%	CRANE	57	0.02%
BEE	196	0.08%	CROCKETT	38	0.02%
BELL	4,460	1.84%	CROSBY	78	0.03%
BEXAR	13,056	5.38%	CULBERSON	22	0.01%
BLANCO	205	0.08%	DALLAM	85	0.04%
BORDEN	33	0.01%	DALLAS	13,783	5.68%
BOSQUE	319	0.13%	DAWSON	131	0.05%
BOWIE	1,247	0.51%	DEAF SMITH	204	0.08%
BRAZORIA	4,120	1.70%	DELTA	70	0.03%
BRAZOS	1,818	0.75%	DENTON	7,990	3.29%
BREWSTER	126	0.05%	DEWITT	205	0.08%
BRISCOE	47	0.02%	DICKENS	48	0.02%
BROOKS	65	0.03%	DIMMIT	56	0.02%
BROWN	608	0.25%	DONLEY	53	0.02%
BURLESON	244	0.10%	DUVAL	39	0.02%
BURNET	621	0.26%	EASTLAND	200	0.08%
CALDWELL	281	0.12%	ECTOR	1,535	0.63%
CALHOUN	214	0.09%	EDWARDS	41	0.02%
CALLAHAN	258	0.11%	ELLIS	2,348	0.97%
CAMERON	1,451	0.60%	EL PASO	2,795	1.15%
CAMP	143	0.06%	ERATH	540	0.22%
CARSON	146	0.06%	FALLS	189	0.08%
CASS	424	0.17%	FANNIN	466	0.19%
CASTRO	62	0.03%	FAYETTE	353	0.15%
CHAMBERS	846	0.35%	FISHER	31	0.01%
CHEROKEE	552	0.23%	FLOYD	97	0.04%
CHILDRESS	147	0.06%	FOARD	16	0.01%
CLAY	228	0.09%	FORT BEND	5,975	2.46%
COCHRAN	17	0.01%	FRANKLIN	160	0.07%

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### Demographic Information by Residence County

Period: 01/01/2013 - 12/31/2013

License Applications: Issued

County	Number of Applicants	Percent	County	Number of Applicants	Percent
FREESTONE	326	0.13%	JASPER	506	0.21%
FRIO	98	0.04%	JEFF DAVIS	38	0.02%
GAINES	256	0.11%	JEFFERSON	2,812	1.16%
GALVESTON	3,645	1.50%	JIM HOGG	23	0.01%
GARZA	78	0.03%	JIM WELLS	308	0.13%
GILLESPIE	448	0.18%	JOHNSON	2,262	0.93%
GLASSCOCK	28	0.01%	JONES	192	0.08%
GOLIAD	112	0.05%	KARNES	106	0.04%
GONZALES	175	0.07%	KAUFMAN	1,569	0.65%
GRAY	323	0.13%	KENDALL	753	0.31%
GRAYSON	1,694	0.70%	KENEDY	1	0.00%
GREGG	1,520	0.63%	KENT	42	0.02%
GRIMES	282	0.12%	KERR	896	0.37%
GUADALUPE	1,706	0.70%	KIMBLE	68	0.03%
HALE	322	0.13%	KING	14	0.01%
HALL	35	0.01%	KINNEY	55	0.02%
HAMILTON	146	0.06%	KLEBERG	231	0.10%
HANSFORD	72	0.03%	KNOX	45	0.02%
HARDEMAN	88	0.04%	LAMAR	615	0.25%
HARDIN	982	0.40%	LAMB	169	0.07%
HARRIS	31,470	12.97%	LAMPASAS	491	0.20%
HARRISON	937	0.39%	LA SALLE	29	0.01%
HARTLEY	97	0.04%	LAVACA	182	0.08%
HASKELL	58	0.02%	LEE	162	0.07%
HAYS	1,619	0.67%	LEON	285	0.12%
HEMPHILL	107	0.04%	LIBERTY	1,069	0.44%
HENDERSON	1,005	0.41%	LIMESTONE	232	0.10%
HIDALGO	2,276	0.94%	LIPSCOMB	76	0.03%
HILL	458	0.19%	LIVE OAK	167	0.07%
HOCKLEY	271	0.11%	LLANO	311	0.13%
HOOD	841	0.35%	LOVING	2	0.00%
HOPKINS	451	0.19%	LUBBOCK	3,692	1.52%
HOUSTON	343	0.14%	LYNN	131	0.05%
HOWARD	438	0.18%	MC CULLOCH	148	0.06%
HUDSPETH	14	0.01%	MC LENNAN	2,973	1.23%
HUNT	1,190	0.49%	MC MULLEN	31	0.01%
HUTCHINSON	389	0.16%	MADISON	138	0.06%
IRION	41	0.02%	MARION	99	0.04%
JACK	157	0.06%	MARTIN	119	0.05%
JACKSON	210	0.09%	MASON	52	0.02%

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**Demographic Information by Residence County**  
 Period: 01/01/2013 - 12/31/2013  
 License Applications: Issued

<u>County</u>	<u>Number of Applicants</u>	<u>Percent</u>	<u>County</u>	<u>Number of Applicants</u>	<u>Percent</u>
MATAGORDA	444	0.18%	RUSK	575	0.24%
MAVERICK	122	0.05%	SABINE	172	0.07%
MEDINA	545	0.22%	SAN AUGUSTINE	115	0.05%
MENARD	20	0.01%	SAN JACINTO	386	0.16%
MIDLAND	2,228	0.92%	SAN PATRICIO	673	0.28%
MILAM	244	0.10%	SAN SABA	88	0.04%
MILLS	126	0.05%	SCHLEICHER	43	0.02%
MITCHELL	90	0.04%	SCURRY	242	0.10%
MONTAGUE	393	0.16%	SHACKELFORD	72	0.03%
MONTGOMERY	7,068	2.91%	SHELBY	238	0.10%
MOORE	291	0.12%	SHERMAN	49	0.02%
MORRIS	150	0.06%	SMITH	2,666	1.10%
MOTLEY	49	0.02%	SOMERVELL	155	0.06%
NACOGDOCHES	820	0.34%	STARR	116	0.05%
NAVARRO	512	0.21%	STEPHENS	113	0.05%
NEWTON	165	0.07%	STERLING	17	0.01%
NOLAN	171	0.07%	STONEWALL	15	0.01%
NUECES	3,000	1.24%	SUTTON	80	0.03%
OCHILTREE	97	0.04%	SWISHER	84	0.03%
OLDHAM	48	0.02%	TARRANT	17,876	7.37%
ORANGE	1,248	0.51%	TAYLOR	1,715	0.71%
PALO PINTO	387	0.16%	TERRELL	22	0.01%
PANOLA	337	0.14%	TERRY	110	0.05%
PARKER	2,340	0.96%	THROCKMORTON	19	0.01%
PARMER	81	0.03%	TITUS	300	0.12%
PECOS	170	0.07%	TOM GREEN	1,258	0.52%
POLK	752	0.31%	TRAVIS	6,754	2.78%
POTTER	1,122	0.46%	TRINITY	157	0.06%
PRESIDIO	18	0.01%	TYLER	256	0.11%
RAINS	163	0.07%	UPSHUR	646	0.27%
RANDALL	2,409	0.99%	UPTON	42	0.02%
REAGAN	29	0.01%	UVALDE	197	0.08%
REAL	77	0.03%	VAL VERDE	225	0.09%
RED RIVER	171	0.07%	VAN ZANDT	809	0.33%
REEVES	45	0.02%	VICTORIA	779	0.32%
REFUGIO	79	0.03%	WALKER	718	0.30%
ROBERTS	29	0.01%	WALLER	569	0.23%
ROBERTSON	176	0.07%	WARD	148	0.06%
ROCKWALL	1,315	0.54%	WASHINGTON	402	0.17%
RUNNELS	134	0.06%	WEBB	715	0.29%

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### Demographic Information by Residence County

Period: 01/01/2013 - 12/31/2013

License Applications: Issued

<u>County</u>	<u>Number of Applicants</u>	<u>Percent</u>
WHARTON	410	0.17%
WHEELER	113	0.05%
WICHITA	1,632	0.67%
WILBARGER	180	0.07%
WILLACY	56	0.02%
WILLIAMSON	4,628	1.91%
WILSON	672	0.28%
WINKLER	30	0.01%
WISE	1,093	0.45%
WOOD	677	0.28%
YOAKUM	78	0.03%
YOUNG	321	0.13%
ZAPATA	40	0.02%
ZAVALA	42	0.02%
[Out of State County]	1,434	0.59%
<b>Total</b>	<b>242,641</b>	<b>100.00%</b>

End of Report

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# **Attachment E**

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## **MD Anderson's Campus Carry Working Group members**



## MD Anderson Campus Carry Working Group

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### Faculty representation

- Michelle Barton, Ph.D., Dean Graduate School Biomedical Sciences
- David Johnson, Ph.D., Professor, Epigenet and Mol Carcinogenesis
- Ann Killary, Ph.D., Professor, Translational Molecular Pathology
- Peter Norman, M.D., Professor, Anesthesiology and Perioperative Medicine
- Shirley Richmond, Ed.D., Dean School of Health Profession
- Richard Wendt, III, Ph.D., Professor, Imaging Physics

### Patient representation

- Gary Bentz
- Gregory Montelaro
- Ronnie Pace

### Student representation

- Aundrietta Duncan, Graduate School of Biomedical Sciences at Houston
- Kaleena Ramirez, School of Health Professions
- Eduardo Chacon Zavala, School of Health Professions

### Staff representation

- William Adcox, Chief of Police, UT Police
- Matt Berkheiser, Dr.PH, Executive Director, Environmental Health and Safety
- Lee Boozer, Manager, Institutional Compliance
- Kelly Brassil, Director, Nursing Programs
- Yolán Campbell, Executive Director, HR Strategic Partners
- Raymond Gerwitz, Jr., Director, Police Administration and Support Services, UT Police
- Steve Haydon, Associate Vice President and Deputy Chief Legal Officer
- Chris Hernandez, Executive Director, Patient Advocacy
- Brandon Hernandez, Associate Director, Academic and Student Affairs, School of Health Professions
- Patty Johnston, DNP, Executive Director, Clinical Nursing Practice
- Sherri Magnus, Vice President and Chief Audit Officer
- Matt Masek, Vice President and Chief Legal Officer
- Spencer Moore, Vice President and Chief Facilities Officer
- Chris McKee, Vice President, Business Operations
- Julie Penne, Associate Director, External Communications
- Tony Phillips, Senior Legal Officer, Institutional Compliance
- Tadd Pullin, Senior Vice President, Institutional Advancement
- Michael Redmond, Lieutenant, UT Police
- Pam Ryall, Program Manager, Institutional Compliance
- Susan Stafford, Executive Director, Nursing Professional Practice
- Max Weber, Associate Vice President and Deputy Chief Compliance Officer, Institutional Compliance

# **Attachment F**

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## **Campus Carry at MD Anderson Comprehensive Feedback Report**

# Campus Carry at MD Anderson

## Exclusion Zones Feedback Report

The following report reflects feedback from the MD Anderson community on potential Campus Carry exclusion zones. Feedback was gathered via an online Qualtrics survey, the Campus Carry email box, Inside Line, in-person at townhall meetings and in-person at institutional meetings. [See the appendix for more details.](#)

### Patient care and clinical areas

**Overall sentiment:**

Although we try our best, some patients will have poor outcomes. I cannot begin to imagine the horrific scenarios that may play out when frustration, anger, and other emotions of patients and families are mixed with a health care setting and the people who are trying to care for those patients.

As a provider I would feel unsafe and hindered in my ability to speak openly and frankly with patients around hard issues such as positive test findings and end of life issues, if I knew that guns may readily be available. In addition, patients can have disease-related confusion due to treatments.

**Areas to be excluded:**

- Waiting rooms
- Lobbies
- Patient Advocacy
- Diagnostic Labs
- Pharmacies
- Skybridges
- Emergency Center
- Main Building
- Pediatrics/Children's Cancer Hospital
- All inpatient and outpatient areas
- ICU
- Outpatient testing locations (lab, GI, GU, GYN, etc)
- Any area where patient care activities take place
- Inpatient areas
- Clinics
- Ambulatory centers
- Infusion areas
- Radiology
- Operating rooms (fire hazard)
- Pain Clinic
- Proton Therapy Building
- Diagnostic Imaging
- Radiation oncology
- MRI areas

Updated: 11/2/2015

- Psychiatric area (Brain and Spine)
- Cyclotron areas for patients' treatment or radioactive sources for laboratory use
- Exam rooms
- Surgical suites
- Faculty Center (seen as an extension of clinical space)
- Anywhere there are billable services, e.g. Radiologists read scans on floors 14 through 16 in Pickens Tower. (Example of rationale for identifying patient care areas)
- Areas that have oxygen tanks (fire hazard).

## Conflict resolution areas

### **Overall sentiment:**

Guns shouldn't be allowed in areas where emotions run high.

### **Areas to be excluded:**

- Human Resources
- Employee Assistance Program
- Compliance

## Research and laboratory areas

### **Overall sentiment:**

Risk that an errant bullet could cause an explosion or unleash a dangerous chemical/material, or negatively impact research activities.

### **Areas to be excluded:**

- Animal facilities/veterinary medicine
- Laboratories
- Laboratories with flammable materials
- Animal research areas
- Areas that contain radiological materials
- Areas that have compressed gas
- MSF Facility (MSF1.1103) Liquid Nitrogen Freezer Room, MSF1.1202-MSF 1.1208
- ISO7 classified laboratory areas
- High voltage magnets
- Research labs that contain biohazardous, biologically active, radioactive substances, cells, viruses, bacteria, human-derived samples
- Animal vivarium
- Any lab or building that has CB2 or high reagents
- SCRB 3 AND 4
- Any lab or building that contains labs that use BSL2 organisms, such as lentivirus.
- All laboratories (wouldn't be known in advance what's kept in each)
- Hallways/areas adjacent to places with flammable/explosive materials
- Floors 5, 7, 9, 11, 13, 15 of the Basic Science Research Building. These are floors on which there are laboratories that can have highly flammable and explosive materials.

Updated: 11/2/2015

- All laboratory space in GSBS, and zones (yellow, tan, blue, and pink). These zones contain many rooms with highly flammable cabinets (storing flammable reagents). Similarly, rooms vested for tissue culture often contain gas under high pressure which could also provide an explosive target. Similarly, rooms that store liquid nitrogen should also be off limits.
- I would include areas with compressed gas cylinders, radioactive materials (especially cesium or cobalt sources), and toxic or biohazardous materials, battery rooms, etc.

## General suggestions

The following suggestions don't fall into one similar category.

### Areas to be excluded:

- Rotary House - worry about guns being allowed there due to patients' psychological states.
- Pickens Academic Tower
- Research Medical Library
- Chaplaincy/chapel
- Pharmacy deposit where stock drugs are kept
- Medical supply areas
- Child visitation rooms
- MD Anderson accredited K-12 private school
- Shuttles
- President and EVP offices
- Any faculty administrative areas, including faculty office areas, hallways, conference rooms, work rooms, etc., as well as crosswalks that communicate these areas.
- Volunteer Services
- Auditoriums
- Cafeterias/dining areas
- The Park
- Office areas
- Conference rooms
- Any of the school areas associated with the School of Health Professions. This includes classrooms, faculty and staff offices, the student lounge, and laboratories. The SHP faculty offices in YB (yellow basement) are especially at risk. There are very limited exits from this area, and the faculty offices are cut off from the rest of the institution which would delay the arrival of help and limit the exit possibilities for endangered faculty and staff.
- Areas of campus whose primary function is the same as areas which are already excluded by law, such as churches and hospitals.
- Events or functions, as well as areas. For example, a holiday party at which alcohol is being served. Concealed carry should be excluded for events like that, even though the area it is held in (e.g. a conference room) may ordinarily not be excluded.

Updated: 11/2/2015

## Appendix:

Feedback in this report came from the following vehicles and meetings.

### **Campus Carry Survey**

The Campus Carry Survey launched Sept. 29 and is still open. The survey includes two questions: the first asked responders to identify what workforce population they represent and the second asks responders to suggest potential exclusion zones, along with reasoning to support.

Survey responders included:

- Faculty: 223
- Staff: 345
- Students: 5
- Volunteers: 4
- Contract workers: 2

Total responses: 579

### **Townhall meetings**

The first Campus Carry Townhall was held on Oct. 19 at 2 a.m. (Main Building, Floor 10, Elevator F, Conference Room G10.3315). This townhall targeted feedback from our nightshift employees. 25 people attended. Each represented different units/groups and were tasked with taking information back to their areas.

The second Campus Carry Townhall was held on Oct. 21 at 3 p.m. (Main Building, Floor 2, Elevator D, AT&T Auditorium (B2.4750). This townhall targeted feedback from employees working traditional business hours. It was streamed live on MD Anderson Live for people to watch from their computers if they couldn't attend in person. 98 people attended and 134 watched online.

### **Institutional meetings**

Presentations on Campus Carry have been made to the following groups:

- Faculty Senate
- Division Heads
- Institutional Research Executive Committee
- Institutional Safety Committee
- Research Administrators
- Diversity Council
- Clinical Department Chairs
- Institutional Patient Safety Committee
- Faculty Senate
- IREC
- Clinical Department Chairs
- Division Heads
- GSBS faculty
- Institutional Safety Committee
- Division Administrators Weekly Group Meeting

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- Research Department Administrators Meeting
- Diversity Council
- Education Council
- Graduate Medical Education Committee
- Institutional Patient Safety Committee
- Anesthesiology Grand Rounds
- Division of Cancer Medicine leadership/chairs

**Campus Carry email box**

Approximately 45 emails have been received in the [campuscarry@mdanderson.org](mailto:campuscarry@mdanderson.org) mailbox.

**Inside Line**

Five questions/statements were submitted via [Inside Line](#).

Updated: 11/2/2015



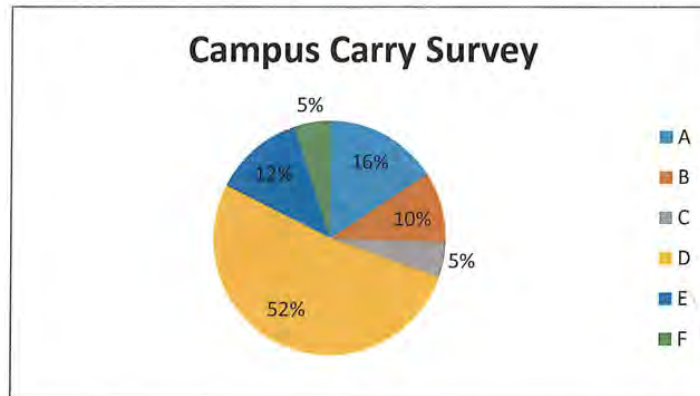
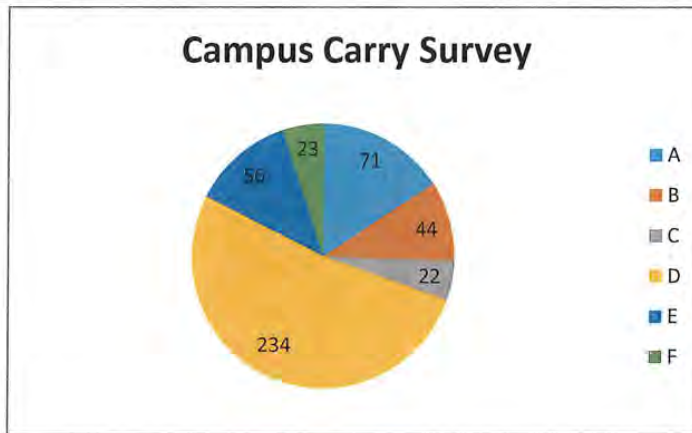
# **Attachment G**

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## **MD Anderson Campus Carry Qualtrics survey results**

The following survey results are from Sept. 29 through Nov. 10 and are categorized into the following types of responses (see corresponding tabs to read all responses):

Tab	Overall theme of response	Number	Percentage
A	No mention of Campus Carry. Disagree with the law. Want a campus ban on handguns or suggest exclusion zones that would take the effect of a campus-wide ban.	71	16%
B	Understand Campus Carry is law, but still want a campus ban on handguns or to establish so many exclusion zones that they would take the effect of a campus-wide ban.	44	10%
C	Uncomfortable with Campus Carry, but understand its law and recommend specific exclusion zones.	22	5%
D	Offer no opinion on the law, only specific exclusion zones.	234	52%
E	Agree with Campus Carry and want minimal or no exclusion zones.	56	12%
F	General statements or questions.	23	5%
<b>Total responses:</b>		<b>450</b>	



**A: No mention of Campus Carry. Disagree with the law. Want a campus ban on handguns or suggest exclusion zones that would take the effect of a campus-wide ban.**

Gun are inherently unsafe. Should be excluded from everywhere that patients are.

Except on UT Police, I don't want guns anywhere on our campus at MD Anderson. Not anywhere!!!! I absolutely do not want to work at an institution where people can carry concealed handguns.

I searched this page out because the other day I saw a banner go by on the Inside MDA page and didn't have time to read it. I am glad you have this survey up because I absolutely want to be heard on this issue and do

Absolutely opposed to this rule in any form. No guns in hospital for sure, no guns in HR, no guns in auditoriums.

Absolutely no concealed handguns on campus. There is no reason to allow them. If patients or families want to enter MD Anderson, they should leave their handguns at home or in their vehicle, but there should be no reason for them in a hospital.

NO handguns anywhere on campus, in the hospital, in the skyways, Pickens, Mays, .... basically ANYWHERE... please!

All areas of the institution.

An upset and angry worker with a handgun is a legitimate concern for employees with management responsibilities.

In my opinion it is an absurd to carry gun in he campus. That is why we have UT police. It makes no sense.

MD Anderson cancer center at all campuses, should be a potential exclusion zone.

The American Medical Association has identified gun use and gun violence as a major medical problem in the US. Therefore, it is incumbent upon us as a health care institution to reflect the medical priorities and the values of those of us who have taken oaths to care for the health of others. We should not permit firearms of any sort in any building engaged in health care delivery to patients, or in which the presence of firearms would be inhibitory to the science and free exchange of academic ideas related to patient health care provision. ANY building related to the health care enterprise should be an exclusion zone. If we don't permit smoking, we should not permit lethal weapons.

I am not comfortable with concealed handguns anywhere on the MD Anderson Campus. It contradicts our mission and the research in this area does not support the notion that a greater level of safety will be accomplished with the addition of guns to our campus.

All indoor locations at MDACC where patients and health care providers are located should be exclusion zones. entire facility

I hope our campus is gun free. Too many tragedies of campus shooting, can MD Anderson put it to STOP on our

The entire campus.

~~/ I would like to go on record saying that I believe the entire MDACC hospital and facility should be GUN FREE.~~

I am 100% opposed to anyone carrying a weapon that has the sole intent on hurting another human-being. / MDACC is a caring facility in which we are trying to save lives against a deadly disease. We do not need another potential killer in our waiting rooms. / This institution went SMOKE-FREE (another deadly weapon) years ago... why on earth would we allow handguns? / In NO SANE WORLD is it appropriate to bring a weapon into this medical facility and endanger the lives of patients, family and caregivers. / / I will be asking my patients to not carry weapons anywhere around my clinical activities. / And, if they refuse, I will politely refer them to another

I think all zones should be excluded. Thank you

I am very concerned about having concealed or any other kind of weapon at a cancer hospital. We make difficult decisions about patients' lives all the time. / I think the question also needs to be asked how would a patient or their family feel if they knew that their doctor was carrying? / I think guns should not be allowed anywhere on
Whole hospital should be exclusion zone.
No guns anywhere on campus.
There should be no guns on the campus at all. This is outrageous that we cannot prevent this.
Would exclude the entire campus. The people who passed this law are misinformed, though they meant well. Several references seem to show that our chances of being shot will now INCREASE! It is less likely that the gun
I would prefer if all the MDACC clinical areas, classrooms, meeting rooms and cafeterias are made exclusion zones. I would feel safer if guns are not allowed in most areas within MDACC. I see no reason why guns should <del>to begin with, I find it very troubling that those who should be carrying weapons, CH1 Police, actually do not do</del>
so. / So now, we are going to let anybody bring in weapons to an Institution that has radioactive materials and could be a potential terrorist target when we don't even have armed guards! / If this Policy is carried out, I guess we will be forced to bring our own bullet proof vests and wear them on rounds just in case we suffer a Code Black scenario.... / I just don't know what we are thinking any more.
in general smoking is banned on the campus because it kills, guns should be banned because they kill even more efficiently than smoking! / to be excluded: all areas of the campus except surroundings and parking lots (even if I would not feel safe in a parking lot in which concealed guns are allowed)
Exclude all areas except those that cannot be monitored with metal detectors. / / Guns must be checked in and deposited with a guard before entering the exclusion zones.
I am completely opposed to allowing handguns on campus. I feel strongly that UT MD Anderson is responsible for providing a safe workplace for all employees, including me. I feel strongly that by allowing concealed weapons MD Anderson campus should remain a gun free zone.
All buildings all zones, no where should guns be allowed other than in your car
The whole hospital.
no guns everywhere on the campus please
the entire MDACC should be exempt as a site for patient care and research
The whole campus has to be an exclusion zone.
Any area within the MD Anderson campus. There is no need to carry a weapon here, concealed or otherwise.
It should be excluded from all the patient care areas. Recent incidents in many hospitals and colleges urge us to
Handguns should not be allowed on any areas of the MDA Hospital, offices, laboratories, restaurants, gym, and
The Whole Campus!! What were those idiot legislators thinking of!
I am totally against concealed carry on campus. I do not think it appropriate anywhere. Please exclude all administrative offices, meeting rooms, hallways, and the fitness center.
Guns, concealed or otherwise, should not be allowed. What does a patient with CHL do with their gun when he/she gets undressed for the exam? Do they hang it on the door or under their clothes on the chair? What do they do with the gun when they go for an MRI? What if the gun is exposed when they have to get blood tests? It would be very hard for guns to stay concealed in our working environment. We do not need to be policing our patients in order to adhere to the law, in addition to our other responsibilities, and it would create a potentially chaotic, unsafe work environment. Please do not allow guns in patient care areas, which is anywhere in the
Guns have NO business on MD Anderson campus.
I would not allow handguns on campus at all. Even though policies and procedures are set for people who have concealed gun license, doesn't mean that all will follow the rules. Some will and some will not and, some will
I can not limit my suggestions to anything other than: The entire campus of an organization expected to be respected by modern society, where people are expected to focus on work in a modern organization with the expectation that concealed weapons are not being carried by others around them. / Should this law truly be implemented, it will motivate me to take the knowledge and skills that I've developed at MD Anderson Cancer

I believe the entire campus should be excluded as are other hospital campuses.
/ I do not see any reason for anyone to have guns anywhere in this campus at all, considering large number of employees and all cancer patients and their family which are already naturally unhappy can be trigger mishaps. / this is a hospital not combat zone and we have the UT police to take care of our safety. / / please NO GUNS here
All areas should be excluded. I don't feel safe knowing my coworkers could be carrying firearms.
Exclude as many areas as possible. Please, and thank you.
All indoor areas and areas within 200 feet from any entrance to any building should be exclusion zones. Parking lots and garages can be exceptions, so people can leave their firearms in their cars.
The more exclusion zones, the better. / It is almost impossible to conceive of a situation that will be improved by having anyone with a concealed handgun. / Please do everything possible to minimize the number of concealed
I think the entire MD Anderson hospital facility should be a gun-free zone.
I'd suggest excluding any department/location where more than 5 employees work. I would not feel safe or at ease where employees or patients/visitors are allowed to carry firearms, open or not. There are too many disgruntled or psychologically or emotionally at-risk employees, as well as patients or family members unhappy with treatment outcomes for this (open carry) to be a good idea. / / Public health data shows that access to gun is positively correlated with more deaths by gun. To the argument that having armed people would prevent tragedies, I'd invite them to explain the high fatalities at Ft. Hood. I also do not want to be caught in the crossfire
Inside any MDACC building. Any office.
All of MDACC needs to be an exclusion zone - it is going to be too easy for an upset employee, patient, or family member to act in the "heat of the moment" if a concealed handgun is readily available.
The entire center! The examples listed above are dangerous in the event a gun goes off, which is an incredibly fatalistic standpoint to take. I should be able to feel safe coming to work, and an area with highly flammable material is not the only place I should be able to go without worrying about getting accidentally shot. The first time I see a weapon being openly carried on campus will be the first time I call the police to report a potential
Being intimately associated with research laboratories, I believe that detonating a firearm in that environment will make the severity of what would already be a serious situation exponentially worse. You have flammables, oxidizers, toxics, compressed gases, biohazard materials, all of which would be made vulnerable to this activity. As far as patient care areas, our patients should be prioritized over anything else. I believe that the potential for confrontations with multiple firearms going off at once (e.g. a hostile intruder is met with equal force by more than one carrier) is not how cancer patients envision spending what could potentially be their final days. We have people come here from all over the world and that is NOT what they come here for. If institutions are allowed exclusions, MD Anderson should place its mission above single-minded fanaticism and consider our whole
Patient care areas, parking garages, stairwells in non patient care areas, and elevators - these are already high risk areas. Combining the highly volatile circumstances that occur on a daily basis with the allowance for guns is a dangerous environment for patients, who are an inherently vulnerable population (many are not able to fight off attackers or flee from them) and staff, who give terrible, emotionally charged news on a daily basis to people who may want to retaliate and can now approach them with the intent to harm. I strongly believe that it is
<b>NO GUNS SHOULD BE ALLOWED EXCEPT FOR LAW ENFORCEMENT OFFICERS ANYWHERE ASSOCIATED WITH</b>
ALL zones that are not directly related to higher education should be excluded from this law. Not sure where these higher educational zones are and whether or not they intertwine with administrative and patient zones, but if intermixing exists, then get someone to donate funds to build a new building just for academics that is
The entire campus should be an exclusion zone. I do not feel comfortable in any workspace where someone has a concealed firearm. I feel that concealed firearms create a hostile work environment. We are not police officers
Permitting guns ,concealed or not, is a terrible idea anywhere in MDA.
All zones should be exclusion zones.
<b>THERE SHOULD BE NO GUNS ALLOWED ANYWHERE EXCEPT FOR THE LAW ENFORCEMENT PEOPLE WHOSE JOB</b>

<p>I have been with the institution for a short time period, transferring from an institution in New England where I was witness to two instances where patients shot their doctors within the hospital setting. Shot them dead. / / Patients, staff, faculty, volunteers, workers, etc come to the institution to get treated for a disease that makes them feel unsafe. The one thing they can count on is their safety at MDACC. Why in the world would we compromise this feeling!? This level of trust!?! / / Guns should NOT BE ALLOWED anywhere in the institution.</p>
<p>I honestly think that the whole institution should not allow handguns. It would be hard for me to feel completely safe knowing that there are patients and caregivers bringing their guns to our campus. If not possible to include the whole campus, I would only allow these in the public areas, such as the park. I do not feel that they should be allowed in patient rooms, outpatient clinics, radiation treatment rooms, surgical rooms, chemotherapy or waiting rooms. Any appointment with a medical staff - including supportive staff, should be an exclusion zone. I know that our patients can be upset, stressed, and having a gun on them at times when they</p>
<p>Do not allow campus carry to CHL anywhere in MDACC campus. Just ban it.</p>
<p>Only allow guns in classrooms and area with the specific purpose of education.</p>
<p>In my opinion all inside areas where patients and employees are present should be excluded. The only places I feel would be partially OK are the parking areas. Inside should be approved for staff with law enforcement</p>
<p>All locations where MD Anderson staff, contract workers, and patients are located should be considered</p>
<p>Not a single place exists that is safer with guns present.</p>
<p>I believe that a hand gun should not be on the premises of the building or parking lot. I feel unsafe knowing that someone is carrying a hand gun around the campus and parking lot.</p>
<p>Exclusion zones should be all areas - we do not need handguns in our work place.</p>
<p>Exclusion zones- twenty feet around all entry and egress points of buildings. This is why: <a href="http://www.click2houston.com/news/deputies-2-dead-2-injured-in-shooting-at-northwest-harris-county-">http://www.click2houston.com/news/deputies-2-dead-2-injured-in-shooting-at-northwest-harris-county-</a></p>
<p>All of the campus should be gun free. There are too many areas where the guns cannot be permitted due to medical procedures. If allowed to bring the guns in the buildings, there would need to lockers or a staff member responsible for the repository of guns. A locker system will attract those looking to steal a gun. The later option, is not fair to staff to ask them to responsible in any way for someone's weapon. Overall, this is a place that is too</p>



**B: Understand Campus Carry is law, but still want a campus ban on handguns or to establish so many exclusion zones that they would take the effect of a campus-wide ban.**

First, I feel compelled to comment that SB 11 is insanity; there is no justification for encouraging the carrying of murder weapons on college campuses. Our state government has clearly learned nothing from what are now virtually everyday events, from Columbine to Sandy Hook and now Umpqua Community College. Is the University of Texas ready for another sniper?

It is likewise a travesty to require our campus to define exclusion zones, as if this is going to stop people from carrying murder weapons from an "allowable" zone into an exclusion zone. But as this is what we're asked to do, my suggestions mirror those mentioned in the Chancellor's letter. The following must be exclusion zones:

1. The hospital, all outpatient clinics, and all waiting areas. In short, any area where patients will be.
2. This, of course, would include all diagnostic imaging and radiation oncology areas, because MRI scanners and other devices with powerful magnetic fields are now in use in both departments.
3. All laboratories, because it will not always be known in advance whether "explosive chemicals" are being kept there, many non-explosive chemicals can be just as hazardous if dispersed by a barrage of machine-gun bullets, and laboratory use changes from time to time.
4. Faculty offices. Our state legislators are proud of their "right to life" stance. Don't I have a right to life, and a right to work without fear of an unstable student or staff member?

Finally, I think the University should fight this. If mine is a minority opinion, then I'll go work somewhere else. But I sincerely doubt that I'm alone. There is no need for the state's flagship university, and the world's leading cancer center, to knuckle under to this misguided, unnecessary legislation.

about myself, my staff, or my patients. In fact, this makes me feel worse for my safety, staff safety, and patient safety. This sets a dangerous tone to society that having guns on campus is ok and it will take a split second decision for a person to pull out their weapon in times of stress or anger to kill other people. I am embarrassed for our institution and our state for allowing such a ridiculous and dangerous policy.

Patient care areas, laboratories - flammable and dangerous environments, and all associated hallways. Any where except where there are regular presence of armed UT police.

Please restrict the the carry zones as much as possible. Although we try our best, some patients will have poor outcomes. I cannot begin to imagine the horrific scenarios that may play out when frustration, anger, and other emotions of patients and families are mixed with a health care setting and the people who are trying to care for

Please exclude as many zones as you can get it pass the law. I feel very UNSAFE when perople are allowed to carry handguns, concealed or not. Because we are humans, and humans make mistakes, which include using the guns where and when they should not have been used, intentionally or non-intentionally, by the carrier or children or someone totally unrelated. I don't trust the rules imposing on the gun carriers. Rules will not be obeyed, and the guns will be mis-used. Allowing it on campus only makes the opportunity for mistakes more

This survey and policy is deeply, deeply concerning. I realize the "entire" institution can not be protected, however I believe leaving 1 inch of concealed carry space in an off campus parking lot is appropriate. I am appalled this is even a discussion point and deeply saddened this is even up for discussion. I am strongly considering leaving the institution and state of Texas when this is instituted. This is a safety issue for faculty and Entire hospital, including all research labs/campuses, should be considered as exclusion zones. If the policy limits the entire campus being "gun-free", we may designate a symbolic area and place signs and advertise that area beign known as "gun-friendly". There should be no further sacrifice, in my opinion.



<p>There is no place that is suitable to have a concealed handgun. It makes the entire workplace feel unsafe. An academic institution and hospital is an extremely high-stress environment that can predispose to irrational actions; it is not a suitable environment to allow concealed handguns (even if the person has a license to have a concealed carry status). The faculty and staff at MDA should protest this ridiculous and unsafe law.</p>
<p>I am very concerned about guns where family members of patients may have access to faculty members. Twice in my career I have had credible threats against me where I felt threatened in the work place. / / Exclusion areas should include any area where patients, families and MDACC physicians and allied professionals mix. Areas where concealed weapons are allowed should be limited designated parking areas and the lobbies of our major entrances where armed UT security personal are regularly posted. / / / Charles Levenback MD</p>
<p>i do not think it is a good idea at all, we rarely have concerning safety issues, for the majority of us who do not own a gun and will never own one this is a threatening move and it will only benefit the minority who will carry a gun. / i strongly feel against this policy and i hope it will not be carried. as is MDACC is a safe environment /</p>
<p>I agree with excluding laboratories with ANY flammable or dangerous chemicals. I think that should include strong and caustic bases and acids. Also any place where radiation sources are present or radioactive chemicals are used. / Also animal areas should be excluded. In places there have been illegal and destructive actions by so call animal rights extremists. Those are also no place for guns. / I was appalled with the Campus Carry Law in the first place, so I would want to maximize the exclusion zones, consistent with the law. I would hope that guns can</p>
<p>I am against this Campus Carry Policy. / So now anybody who walks in the campus can be a possible threat to working staff. / I am a Research Faculty and people here work at all odd times..we walk in at early morning hours and I personally have worked till late nights..i dont think i would be comfortable knowing that someone around me is carrying one possibly..what if they thought i was a threat and shoot at me though i might have just walked in to a core facility to use an instrument?? and they mistake that i was lurking around them trying to harm them. / I am against this policy. I would like the research zones to be excluded from this policy please. It poses a</p>
<p>I am very concerned, and feel unsafe, with this new legislation. I believe, to maximize safety of patients, that concealed handguns not be allowed in any patient areas. There are too many people who would be victims in a</p>
<p>I am opposed to the concept of allowing any handguns on campus, but recognize that is a legislative issue and outside the scope of this survey. / / I would like the following areas considered for exclusion: / 1. Patient care areas to include the hospital, all clinics, all treatment areas, all radiology areas, all blood draw areas, and all physical/occupational therapy areas. / 2. Laboratories with research chemicals /</p>
<p>This is all very concerning for the security of all care givers and health care staff and I really hope no incidents will occur in the future after this. I would like to say they shouldn't be allowed anywhere, but as stated in the email this is not possible. To limit as much as possible the presence of guns in our institution I recommend the following: / Exclusion zones should maybe include all areas were active patient care is being rendered. By this I mean medical floors, ICUs, ORs, PACUs, clinic areas, laboratory tests, imaging tests, cardiology, PFTs, bronchoscopy and endoscopy suites, and areas of IR and radiation therapy. Also centers at which chemotherapy</p>
<p>while i understand that this is a passed bill and cant be change for now, I would favor to do as many areas as possible no carry zone. That should include also areas of high traffic like sky bridge.</p>
<p>I feel strongly that there is no place for guns on the campus of the Univ. of Texas M.D. Anderson Cancer Center. The presence of guns and people carrying concealed weapons is the very antithesis of both health care and academic activities. This is an ill-considered political initiative that gives no consideration of citizens' rights to work, train and function in a gun-free environment. I feel that all efforts should be expended to prevent any such threatening intrusion within MDACC, and indeed in the Texas Medical Center.</p>

I think it is horrible passed bill that patients, family members, and staff can bring concealed weapons into our hospital. How many of these patients are on opioids or other strong Schedule II medications? How many caregivers are stressed out about finances and how to care for their loved ones and could explode at any time? How many patients will think it's our fault we weren't allowed to "make their cancer history" as our advertisements suggest and perhaps take it out on the people who work here? How many of our staff have committed suicide or tried to kill someone with poison? / / I think it is a horrible idea ANYWHERE on campus, and that is why we have paid, real, CAMPUS POLICE to protect us if a situation goes down! We don't need

I can't understand the rationale of why the legislature would encourage and legalize a law allowing individuals that we have no knowledge of their emotional state and personal problems to bring weapons into my workplace. UT Police provides the security on this campus. It is without question they have been trained to do so and should be the only ones carrying weapons. Hopefully the Committee will consider the FHB Building a gun My only suggestion is to have any many exclusion zones as possible. I do owe a handgun and believe in my right to do so; however, I am not in support of this bill. Our schools have been looking like a turkey shoot at times. Now they will look like the shot out at the OK corral. Is this really better?

I am very concerned that our patients and their families that are routinely experiencing very emotional and complex situations will be able to have a handgun available at moments of their most extreme mental distress. We all know that people do not act rationally under such circumstances and the thought that we as health care providers may now be exposed to gun violence is very disturbing. How many providers will need to be shot and killed by an irate patient or their family before the state legislature realizes that guns have no place in hospital campuses. It makes no sense whatsoever. I am so very disappointed that the health and welfare of those who dedicate their lives in the service and healing of others is so callously disregarded. Why are my rights to a safe work environment less than the right for people to carry firearms. I guess I should start carrying a gun so that

Operating and patient areas with oxygen being used - also explosive. Also prefer guns not be in the work areas of employees - very scary stuff. What if they loose it and pull the gun on the rest of us. Guns at home for protection of your home is one thing, but bringing them into the work place is totally different. Now you are infringing on my rights to not have to have guns right next to me when I'm trying to eradicate cancer. This is detrimental to my ability to concentrate and feel safe. There has to be some compromise here. If that is the case, then I want more armed officers walking in the work areas and having their presence close by. None of us really know our co-workers well enough for me to say I'd trust them with a gun in our work space. I always have appreciated the fact that weapons were NOT allowed on campus. This is really a drastic change and Austin

I worry about ALL areas of campus, frankly. I'm very concerned about the safety in clinics where stressed, anxious, and sometimes very angry patients confront clinical staff and faculty. Those situations are highly charged. No guns anywhere in clinic areas or hospital zones. / Labs are also at risk. Faculty losing funding and facing losing their careers, labs being closed or downsized make for enormous stress and fear. I'm thinking more about the human dimension of this law rather than things like where flammable materials might be housed. Where are inflamed people are likely to show up? It could be anywhere including garages where it would be

I think this is a f\$#king terrible idea. Notwithstanding the fact that I don't want to have to worry about people carrying around firearms at my workplace for my own safety, there are flammable chemicals, pressurized gas tanks, radioactive materials, etc. that are unique to a laboratory and hospital setting. / / What's more, is that concealed carry is still prohibited in churches, snyagogues, and "other places of worship?" How is that fair? Some of us don't worship and stupid deity, but come pretty close to worshipping the scientific method. So this is my place of worship, as far as that goes. / / Instead of wasting money passing these idiotic laws and making committees about exclusion zones, why don't we hire a couple more UTPD officers who are trained and certified and accountable for their firearm use? / / Thanks for giving me another reason to hate this sweaty crotch of a

I think you should create as many exclusion zones as possible because this whole law is a bad idea.

My apologies in advance for the soapbox. While I consider myself an independent who is balanced on various platforms I am not sure why anyone would need to exercise their right to bare arms in a workplace setting. Gov. Abbott, who is wheelchair bound from a gunshot wound, apparently caved to the pressures of the NRA and actively seeking another term in Texas. Second, I believe in the right to bare arms to protect oneself and property. That said, are we working in a "dangerous" environment that would necessitate someone needing to exercise this right lawfully? I think this is a terrible idea. We can say not vigilantes and no policing by non-officers but really? We have a hard time navigating our patients around this large organization and now we are going to be a TSA. This haphazardly invites unnecessary liabilities and dangers into an academic healthcare setting. While it is true that someone who wants to commit a crime will do so without regard for the law, this does not address, circumvent or cure a broken system that is riddled by process inefficiencies and problematic vetting processes to carry a weapon. We should consider that it is also true that criminal behavior will dismiss and bypass the tightest system of security systems MD Anderson implements. Are we now saying that the right

I do not agree with the Texas Legislature allowing Campus Carry. There have been too many instances of gun violence from individuals who obtained their weapons legally and carried out dispicable acts of violence upon innocent people. On the whole, I support gun ownership and gun rights but only up to the point that it does not impinge upon others rights. This is a bad idea to have a gun at any MD Anderson campus especially given that it

This is just crazy, we should have laws with more gun prevention. Allowing employees who carry a gun on campus, licensed or not is just proving our loss of control as people. As an employee, I could not tell who is licensed or not. Half the people in our society are already taking antidepressants, and can go off at any moment. I see this being a major domino effect, and a bad example for patients/family members to think they can do the

Honestly, with this law going into effect, I will never feel safe at work again. And I can't imagine how our patients and visitors will feel safe. MD Anderson is a place dedicated to healing and caring, surviving and nurturing. It is hard to reconcile our core value of caring with the presence on campus of weapons that are only designed for one thing--to kill. Gun violence kills more Americans than do some cancers. It's absurd that we can (rightly, of course) ban tobacco but not guns on our campus. // Since the Texas Legislature has taken away our rights to make our own decisions about the policies that best suit our work environments and we can no longer have a blanket prohibition on guns on campus, I suggest excluding everyplace but parking lots and outdoor areas. I say let the guns stay outside buildings. Outside is bad enough. Inside our buildings, it's only a matter of time until there's a situation in which someone gets hurt, whether accidentally or intentionally. I shudder to think of a carelessly handled gun misfiring in a patient care area, a cafe, an office space, or a laboratory. I shudder to think of a young visitor getting his or her hands on an inappropriately secured gun. Since the Texas Legislature doesn't

Exclude patient clinic buildings. Exclude areas in which radioactive materials are used and or stored. in fact, now that I am thinking about this topic I REALLY want you to exclude EVERY MD Anderson buildings and facilities. Nothing good is going to come of this rule.

I know it's the law, but please exclude as many places as you can on our campuses. This is an emotional place to work and live. We face enough road rage driving into the Texas Medical Center and we do not need to see that carry over onto campus. I do not believe allowing individual/non peace officers carrying weapons will make anything more safe, and I ask that you also please consider limiting allowance for weapons in administrative buildings. I appreciate your asking faculty and staff to weigh in. Thank you very much.

Guns have no place in an academic facility. The entire campus should be excluded by repeal of this terrible law

The entire campus should be smoke- and gun-free. If guns have to be allowed in "campus" areas, I would limit them to classrooms or the smallest areas possible. Certainly I don't think guns should be allowed in the hospital,

I think this Bill is an egregious affront on MY right to NOT be assaulted by a firearm. I'm tempted to follow UT Austin's suit & carry a dildo openly to work just to make a statement, no doubt I'd catch more wind in so doing than if I had a GUN on me. Ridiculous state, ridiculous priorities. Sometimes I'm just ashamed to be attached to

<p>Personally, I believe the entire campus should be excluded but unfortunately the law does not allow that option. / / Hospital, labs, classrooms, meeting rooms, study spaces should certainly be excluded. Seems to me that the problem of where one might be able to store a weapon other than locked in the trunk of their vehicle and not bringing it into the building is going to be a problem. What would be an acceptable secure storage locker space</p>
<p>All areas with patient access; all labs with sensitive equipment, not just flammable but also equipment that is delicately calibrated; parking structures because cars are explosive. / / Please make as many exclusion zones as possible within the scope of the bill. I hate this bill and think it will discourage future faculty and staff from choosing MD Anderson as a place of employment. It also has the potential to cause current faculty and staff to take positions elsewhere to avoid the requirements of this bill. / / While you can't control what the state senate decided, I appreciate your effort to receive input from those effected by it. Question: How will the exclusion zones be enforced? It's called "concealed" carry for a reason. Are we assuming the honor system? Will there be</p>
<p>ALL areas of MD Anderson should be excluded! This is an irresponsible law that will endanger the lives of fellow employees and patients. With over 17, 000 employees (if I recall correctly) the chances of someone who is not in the proper state of mind being allowed to carry a deadly weapon on campus will eventually lead to a potential tragic event. I have two sets of loved ones who are active patients at MD Anderson and I will not sit quietly</p>
<p>I am a clinical provider. Twice during my work here, I have examined a patient carrying a concealed weapon. / I was unnerved on both occasions. I left the room as we were instructed to do in our inservice by UTPD, and reported this event to UTPD. The patient stated he was a retired police officer, but how can you be sure. This patient became very angry with me, after he was contacted by the UTPD. / / I tell this story to demonstrate a point. How do you know if the weapon carrier is licensed to carry? How do you know if they are telling you the truth? And when you are in a room, by yourself, with a patient, and a gun, it is scary. / / Therefore, I advocate, for as many exclusion zones as possible at MD Anderson. Certainly, all patient care areas should be an exclusion zone. I know this is law, now, but I feel, that as an employee, I have rights as well. There is no reason to carry a</p>
<p>First I am alarmed that the Texas Legislature passed the Senate Bill 11. This makes me feel extremely unsafe. I imagine that at least every day there is either a patient or volunteer annoyed, pissed off or angry with their diagnoses or their job. What if that patient or employee is pushed to their brink and happens to be carry a concealed handgun? This bill puts our patients and staffs' safety at risk. I understand that we have to abide by this new law. I just wish there was something we could do to not allow guns in our hospital and workplace.</p>
<p>Everywhere. I do not see how adding guns to our environment is going to make anyone feel safer. Is UT or MDA working to repeal this action? / / Exclusion zones: Main Campus, 1MC, Mays Clinic, etc...</p>
<p>I think all of the hospital should be excluded from this new regulation. I don't see any need for anyone other than UPD to come to this campus armed with a concealed handgun. This is inviting criminals and others that should not carry weapons into a hospital setting.</p>
<p>I support the exclusion / exception of our entire campus. Although we are an institute of higher education, we primarily are an oncologic care and research facility. This is an emotionally charged, high-stress environment in which firearms have no place. I sincerely hope we lobby for an exception to the campus carry law because we are an academic campus only in the most minimal sense. For the Texas legislature to categorize all campuses under one umbrella is short-sighted in the extreme. Perhaps it may consider a weighted score in which each campus is assessed independently; those that provide more patient care than academic activities would be</p>
<p>/ I strongly disagree with this initiative. I disagree with the notion of giving alcohol infuzed teenagers encouragement to carry guns, I don't think they Institutions of healing should be forced to allow guns as well. We are an institution of healing, not killing, and I don't think it is appropriate for gun-loving militants force their opinions on the masses who would rather not have to be worried that more crazies out there get to have more easy-to-obtain guns. / / I encourage our institutional leadership communicate back to the legislature that this</p>

I am opposed to weapons in high stress areas, laboratory space areas where hazardous material are present, and areas where animal research areas. / High stress areas include patient care areas or areas where workload is by nature (human resources areas where disciplinary actions or employment separation are carried out) or by volume is so high as to induce high stress (call centers, radiology and pathology interpretation areas). / Additionally, weapons present a distraction for caregivers and investigators and we must maintain focus at all times. Anything that detracts from that that we can help alleviate, we have the responsibility to do so. / From an

**C: Uncomfortable with Campus Carry, but understand its law and recommend specific exclusion zones.**

Suggestions following recommended as above

Any lab or building that has CB2 or high reagents including any building that stores such reagents.

Any lab or building that can or does store radioactive material (prevent people from coming after dirty bombs).

Any lab or building that can or does contain labs that utilize BSL2 organisms such as lentivirus.

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Actual recommendation that we are except from this idiotic legislation because the vast majority of the people on the campus DO NOT WANT IT!!

I'm sorry, but allowing people to carry handguns onto the MD Anderson campus is ridiculous! I would say that the exclusion zones should be any medical area and any laboratory area. People receiving bad news (whether about their health or about their grades in class, or about their status as a faculty or trainee) have been known to respond badly. We don't need a massacre here like has happened at other institutions.

The chancellor refers to laboratories that use "explosive chemicals", and argues that these should be exclusion zones. Of course, they should. What about laboratories that use caustic, carcinogenic, or other hazardous chemicals? These can be just as harmful to employees and patients as an explosion. Many laboratories, diagnostic centers, and treatment facilities use radioactive materials. The discharge of a murder weapon in these areas would be the equivalent of a "dirty bomb"; even if the even caused no injuries, the ensuing panic could be the larger disaster.

Exclusions should include any patient care areas, laboratories with highly flammable and explosive materials, and where there is limited security such as Pickens tower.

I oppose this law and am very concerned for my safety. Any precautions that can be implemented to place boundaries on carrying concealed weapons would be appreciated. Ideally, if anyone has a licences to carry a concealed handgun, they should be required to be identified for the safety of everyone. Also, I would encourage the leadership to measure any adverse events that occur before and after the law goes into effect to ensure that

clinical areas - clinics, clinic buildings, waiting areas for clinics, hospital itself

Academic offices - since these areas are open to the public pts walk through these areas from rotary house to get the clinics, or located just above the clinical areas over near mays and cpb) we need to make sure our faculty are protected from on campus weapons

the most recent offense of note which comes to mind is the pt's son at the Brigham Women's hospital who shot his mother's cardiothoracic surgeon, blaming him for her death one year later.

we all are in the unfortunate position at a cancer hospital of breaking bad news, in a world where anyone can be armed, the range of responses and risk to the messenger is very high. Sanctioned weapon carrying increases this risk.

Sadly, I think we will not only need to address this policy, but also ensure that we are prepared in all of our areas for response to an active shooter, building a proper response and regular training for all staff - clinical, research and admin. This practiced and prepared response is a critical next step in our expansion of the gun policy.

I hope MD Anderson will work to ensure a safe working environment for its staff and faculty.

I'd like to distinguish between a crazy person who comes to kill people, and everyday people who carry a gun for self-defense. I don't think any campus carry laws will impact the former, but we can prevent people from being in a volatile emotional situations and have the opportunity to reach for a gun.

I think that with all the emotional tension surrounding diagnosis and end-of-life for patients and families with cancer, this is not a good environment for people to be armed. Anger is a natural stage in dealing with the emotional trauma of being diagnosed with and losing a loved one to cancer. We have had several parents over the last 10 years threaten harm/death to the medical team. This in an opportunity for us to de-escalate the situation with caring and compassionate. But if handguns are allowed into our hospital, our patients and families will have the potential to make an unfortunate choice in the heat of the moment to draw a gun on a medical team member, or on another family member. Should staff then arm themselves in protection? Should we have armed guards on every floor? To me these are obviously only going to escalate the situation, with potentially deadly consequences. How can we protect the safety of our employees and guests if we allow guns in this environment.

Although my preference is to restrict weapons in any part of the hospital, I believe the argument above should at least restrict weapons in all inpatient areas. But if you allow guns in outpatient clinic, it will be difficult to enforce no guns in the inpatient units. Let be pragmatic, the best opportunity for a gun owner to put their weapon into

I am deeply disturbed by this new law and particularly concerned about the disastrous consequences that it could have in a highly emotionally strung environment such as the one we work in here at MD Anderson. I am especially referring to the clinical settings, where we often have to deliver bad news and outcomes are often adverse despite our best efforts because of the nature of the diseases we treat. We are all acquainted with the case of the fatal shooting of a cardiothoracic surgeon at one of the Harvard hospitals by the enraged son of a patient. In that particular case, the physician had taken out time from his clinic schedule to meet with the son to explain things to him, something many of us would do out of feeling for our patients and their families, even if it



1. In general, weapons should not be allowed into our hospital, any more than cigarettes are allowed. However, we are stuck with the stupidity of our elected officials, and have to comply. / 2. I think that any patient treatment area (clinical areas) should be off-limits. These are "non-public" areas. This would mean anywhere a nurse works behind closed doors. In this way, a person could carry a weapon in the public area (in the waiting area) but not into the clinical work area, where the patient and family enter behind normally locked doors. This

It is beyond shameful that the Texas legislature would pander to gun lobbies by passing a law explicitly allowing guns into institutions of higher learning, which in our particular case includes a hospital taking care of patients with cancer. This is why people throughout the country and the world have such a dim view of this state. / / In any event, the law doesn't allow an institution to ban guns from the entire institution, but I would argue that in addition to locations with explosive materials, MD Anderson should take a stand and ban guns at least from all clinical care areas, including the main building and the Mays clinic. There are few areas where emotions run

Clearly any patient care areas should be exclusion zones - patients here are under a tremendous amount of psychosocial stress and there is no need to place vulnerable people at increased risk for impulsive harm to self or others. As so many zones are interconnected, I do not see a feasible way to exclude patient care areas while allowing concealed carry in areas that are technically not patient care but are connected (e.g., skybridges, Faculty Center, Pickens, dining areas). I understand that there is some legal technicality that makes MD Anderson something more than a hospital, but I think our patients feel they come to a hospital for their care; they (and we) should be able to focus on their care rather than how taking a step from one hallway into the next

If they must be allowed to carry, I feel that they should only be allowed in outdoors setting on campus, I don't see why anyone needs to carry within the walls of m.d. Anderson when we have UTPD and security all over the

Personally I'm against the entire law. But if I have to choose, there should be exclusion zone for all patients areas, such as clinics, in patients hospital areas, consider the stress that our patients have already have to deal with their illness, the last thing they have to deal with is thinking of someone may carry a gun next to them(in the patient waiting area or next to patient rooms). or worry that some lunatics may use the gun to harm our

Wish we could exclude the entire campus because this is a little scary. I don't want co-workers carrying concealed guns around. Obviously areas with highly flammable and explosive materials and high voltage magnets should be excluded. The Children's hospital area should not have people with concealed guns. I also would recommend the Ombuds Office, EAP and FAP areas not to allow concealed guns since emotions can run

Frankly, I'm very uncomfortable with this new law. You never know peoples mentality, people kill people. Therefore, while MD Anderson doesn't have security to monitor who comes and go, I'd like for the Purple Zone

I would prefer that guns not be permitted anywhere on mdacc campuses. However, I understand that making a blanket statement is not permissible under this law. Thus, I would recommend that guns not be permitted in any active patient care areas (ie clinic, ATC, diagnostic imaging, outpatient surgery inpatient floors.)

I do not want handguns or any other guns anywhere on campus. I believe that anywhere where patients or study participants may be at should be exclusion zones, as well as the HR area. Any area that is more likely to have

Personnally, I am not a fan of this Bill. / / I definitely think the laboratories and other area that has or stores flammable/explosive materials should be exclusion zones. Also, I think patient care areas should be exclusionary

Patient and research areas should be excluded. I would really like the entire campus to be excluded but recognize that is not realistic. Being a nurse, I have found knives in patients rooms and been threatened by patients. It is very concerning to me to think that this is being made easier with concealed handguns allowed on

I know we are not allowed to prohibit the concealed handguns on campus but I think there should be as many exclusion areas as possible. They should certainly not be allowed in clinical areas, in labs, or in staff areas that

While I respect everyone's rights, I'm concerned about having guns on campus. I can recall a time I came upon a disgruntled caregiver in a hallway in the Main Building. In his anger he kicked a hole in the wall while swearing. He was frustrated and needed an outlet. I can't imagine if he had a gun. With the emotional rollercoaster a

Aside from excluding guns altogether, / / They should be removed from pa

I am against concealed handguns being on campus in any area. / / \* Office/research areas deal with sensitive issues on a daily basis, such as budget/spending, employment/termination, facility/space reduction, etc. These issues are highly sensitive and often involve escalated negative emotions from multiple parties. / / \* Hospital/patient areas deal with sensitive issues on a daily basis, such as delivering terminal illness/treatment news to families, which can produce unstable emotions. / / \* Laboratory areas contain flammable and explosive materials and it would be unsafe to have handguns in those areas. / / \* Garage areas are locations that have been known to have crime occur in them from individuals that have no official business on campus. If employees or patients are permitted to carry concealed handguns in those areas, there is the chance that increased harm may come to innocent bystanders, as folks who typically park in those areas are aware of the

**D: Offer no opinion on the law, only specific exclusion zones.**

<p>laboratories with flammable material                  animal research areas                  high-emotion experiences: employee performance evaluations, graduate candidacy exam (oral exam), thesis defense meetings.</p>
<p>Pediatric clinical care areas should not allow firearms under any circumstances. We cannot take any risk that a firearm will end up in the hands of a child.</p>
<p>Parents may sleep over in a room, leave it in a purse etc. where a child may access the firearm. This could result in an unacceptable risk to our pediatric patients.</p>
<p>At the Pain Clinic we deal with some patients that abuse or divert drugs; so we often have to confront and dismiss them from the clinic. It is a minority of patients, but I strongly believe that it should be a gun free zone! I have been threatened twice.</p>
<p>In my current position I do not encounter areas which would qualify as an exclusion zone. Cubicles, shared break rooms and public spaces should not be zoned as an exclusion zone.</p>
<p>All patient care areas should be part of the exclusion zone.</p>
<p>well what if a person or worker loses his or her gun around the hospital .. and a kid finds it and goes around playing with it.. what if someone mistaken it for a gun and it be something else more dangerous. yeah I agree with carrying gun is ok but what if some one having a horrible day and go left.. it just not yet safe for CHLaround the hospital</p>
<p>All patient care areas. Office areas. Research labs with flammable, toxic chemicals, corrosives and with compressed gas cylinders (puncture of a compressed gas cylinder could be extremely dangerous) / liquid nitrogen tanks.</p>
<ol style="list-style-type: none"> <li>1. All patient care areas</li> <li>2. All common areas- Including lobbies, gift shops, cafeterias</li> <li>3. Laboratory areas</li> </ol>
<p>All laboratories and adjacent office space should be considered an exclusion zone.</p>
<p>laboratories, physician offices, patient care areas, pretty much should not be carried on campus.</p>
<p>Exclude                  hospital and clinics, and adjacent office space (Faculty Center) which is an extension of the clinical space.                  laboratories (many have hazardous chemicals that need to be away from weapons)</p>
<p>All laboratory sapces                  All animal spaces                  All clinical spaces</p>
<p>Areas with highly flammable and explosive materials</p>
<p>officer with a gun.</p>
<p>I take no issue with the current proposal as stated. Agree with limitations as designated by institutions and locations as mentioned. Laboratories with flammable and explosive material, operating rooms, imaging centers</p>

<p>Floors 5, 7, 9, 11, 13, 15 of the Basic Science Research Building                  These are floors on which there are laboratories that can have highly flammable and explosive materials                  All laboratory space within MDAnderson should be an exclusion zone.</p>
<p>Exclude licensed concealed carry holders from regions ONLY where safety is an obvious issue. Such as near powerful magnets (MR scanners), etc. Be as stingy with this as possible - the fewer restricted zones the better.</p>
<p>Handguns should be excluded from any of the school areas associated with the School of Health Professions. This includes classrooms, faculty and staff offices, the student lounge, and laboratories. Allowing handguns in these areas puts the students, faculty, and staff at increased risk for college-campus associated violence.</p>
<p>The SHP faculty offices in YB (yellow basement) are especially at risk. There are very limited exits from this area, and the faculty offices are cut off from the rest of the institution which would delay the arrival of help and limit</p>
<p>I suggest the animal facilities and research areas be included as exclusion zones. Inadvertent gunfire could result in significant explosive or otherwise catastrophic events due to chemicals, gases, imaging equipment etc. Additionally, when personnel change into PPE to enter the animal facility, they will inevitably expose their concealed weapons, negating the definition of concealment.</p>
<p>I do not recommend carrying guns in work places, offices and laboratories.</p>
<p>Exclusion Zone Recommendations</p> <ol style="list-style-type: none"> <li>1. Patient care areas</li> <li>2. Staff conference and meeting room facilities</li> <li>3. Laboratories with flammable and explosive materials</li> </ol>
<p>All laboratory space in GSBS, and zones (yellow, tan, blue, and pink). These zones contain many rooms with highly flammable cabinets (storing flammable reagents). Similarly, rooms vested for tissue culture often contain gas under high pressure which could also provide an explosive target. Similarly, rooms that store liquid nitrogen</p>
<p>All wet bench laboratories including those with highly flammable and explosive materials                  Instructional areas, i.e., classrooms, offices, seminar rooms                  Patient-care areas                  Areas for patient and staff (including faculty and students) visitors                  Dining areas                  Loading-zone areas, could contain highly flammable and explosive materials                  Animal housing areas                  Location of irradiation equipment</p>
<p>I work in a research lab where flammable chemicals, gas lines, solvents are prevalent. Even an accidental discharge of a handgun in this environment poses additional hazards. I recommend that guns not be allowed in</p>
<p>NO GUNS WHAT SO EVER ESPECIALLY IN THE FOLLOWING AREAS:                  PAIN CLINIC                  PATIENT'S FLOORS/WARDS                  LABORATORIES                  FACULTY OFFICE AREAS                  CAFETERIAS</p>
<p>All laboratories, but especially those with flammables or explosive materials. With all of our efforts to promote safety and responsibility in the labs, this is an obvious unnecessary risk to our staff, students and property.</p>
<p>All hospital areas, including patient areas (in-patient and out-patient clinics), nursing areas, visitation areas, waiting areas, the cafeteria and park.</p>
<p>No handguns in research lab...</p>

<p>Any patient care area                  Any laboratory with flammable or explosive materials or select agents                  Any animal housing area                  Any site where alcohol is served on a regular basis (e.g. Oaks restaurant)</p>
<p>All patient care areas should be excluded. (inpatient units, clinics, phlebotomy areas, radiology, surgery etc).</p>
<p>Please consider exclusion zones in patient care areas including imaging, clinics, and operating rooms. Please also consider zones that include flammable and explosive materials such as laboratories.</p>
<p>Exclusion zones should include the clinics, research laboratories, auditoriums, administrative offices, vivariums,</p>
<p>I would like exclusions zones in all laboratories and conference rooms. I think almost all wet labs will have flammable and potentially explosive materials and therefore should be exclusion zones. As conference rooms</p>
<p>Laboratories with highly flammable, explosive and radioactive materials.                  Classrooms and student labs where there is the potential for misunderstandings and innocent by-standers.                  Patient areas where there is potentially considerable tension between family members as well as between families and physicians.</p>
<p>I don't think that concealed handguns should be allowed in any patient care or administrative area.</p>
<p>Fire arms should not be allowed in our hospital because the hospital is a very special place. We rely on the police officers to protect us, not by carrying a concealed handgun. We have checkpoints at every entrance. A carrying</p>
<p>Would recommend that exclusion zones include all patient care areas (clinics, inpatient areas, laboratory areas, imaging, etc).</p>
<p>This would be for the safety and comfort of both patients and employees.</p>
<p>I strongly believe all clinical areas - i.e. where patients interact with providers and staff for tests, consults, and procedures - should be exclusion zones. Patients have have highly charged emotions in these areas - due to pain, fear, grief over bad news, frustration, conflict, etc. It is not uncommon for patients (and occasionally even family members) to report suicidal feelings in clinic. Having concealed guns in these environment will only add to the heightened emotions in these areas. As a provider I would feel unsafe and hindered in my ability to speak</p>
<p>No guns are necessary for laboratories.</p>
<p>the most important information with the bill is that it applies to employee with concealed handguns.</p>
<p>It is not reasonable to have in ICU or operating rooms.</p>
<p>Everywhere else should be safe.</p>
<p>It is important to understand that the CHL is obtained by people whom are trained in gun safety, Not everyone will have a gun, also, that violent crimes are least likely to be committed by people with CHL.....</p>
<p>Intensive care unit, palliative care unit, emergency centers - areas where there are extremely high acute levels of</p>
<p>The goal should be to maintain an environment that is safe from the threat of danger from concealed weapons. Patient care areas should never allow concealed weapons. Faculty towers/offices should also not allow</p>
<p>No where in clinic, faculty center, or anywhere in the hospital. Patients are emotional due to their diagnosis or their loved ones diagnosis. This is not the place for guns.</p>
<p>No handguns should be allowed in any patient care area: inpatient nursing units and rooms (oxygen flow, emotionally distraught patients and family members) or any of the office suites.</p>
<p>patient areas such as in clinic, OR and on the floor</p>

obviously can't carry into the MR scanners -- will it be safe for patients to lock the arms in the patient lockers? is any extra security needed in that case? Is it better to make the MRI scan areas an exclusion zone?
please exclude all laboratories and patient areas
faculty research:
laboratories with highly flammable and explosive materials.
Classrooms
Intensive care units
Pediatric inpatient and out patient units
Research Laboratories, hospital buildings and units with patients need O2 supplies, and faculty centers should be
Hello,
As a Faculty Member, I am highly concerned that relatives of patients could be permitted to bring firearms into the hospital. There are emotionally charged situations in cancer care, where patients' families and doctors do not always agree and regrettably, sometimes, there are poor outcomes in which the families could blame doctors. The tragic shooting murder of a cardiothoracic surgeon in Boston was a perfect example of this. While no law can ever 100% prevent such tragedies (in that particular case, it was planned and pre-meditated), I believe that "heat of the moment" use of firearms WOULD effectively be prevented by such laws.
Would recommend exclusion in main hospital and in clinics
Faculty Office and meeting rooms. Currently MD Anderson is a safe institution. Things will change if patients
Please exclude research building such as SCRB4 and 3. These are areas where people are under prolong stress from their research. It will be most unfortunate to have gun bringing into the building and create unfortunate
Exclusion zones where fireguns should not be allowed.
1) any laboratory, not only the ones that have highly flammables or explosive materials. There are other potential dangerous reagents in all laboratories, such as corrosive material, biohazard materials, etc.
2) Pharmacy deposit where stock drugs are kept.
3) Hospital areas where hospitalized patients are.
4) Ciclotron areas for patients treatment or radioactive sources for laboratory use.
laboratories
animal vivariums where people change clothes frequently thus exposing firearms
cafeterias
shuttles
All laboratory spaces and clinical spaces
I think that any building where patients are cared for or receive treatments should be an exclusion zone.
All patient care areas including clinic and in patient floors, laboratory areas should be excluded without any flexibility. That will in effect exclude all places except perhaps 1MC
The hospital and clinics are areas of high emotion. Patients and families are often not in their usual state of mind when discussing their loved ones cancer diagnosis. There is not need to someone to have a gun nearby in this
exclusion - in the clinics and operating room waiting areas
Clinical patient care should be strictly off limits for concealed weapons. Patient care encounters can be emotionally charged, especially with the patient population we deal with at MDACC. Allowing concealed guns can lead to dangerous situation for the medical team. / / The following areas should be off limit / - All inpatient
hospital grounds, labs with flammable or explosive materials, storage facilities with flammable or explosive

All patient care areas ( including clinics, the EC and hospital inpatient areas). / All entrance areas to the hospital. / All auditoriums and lecture halls. / All dining facilities.
The ICU is a highly emotionally charged environment where extremely sick patients and very worried and often exhausted family members are present. A patient's clinical condition can change dramatically in the ICU including cardiac arrests, which can be very traumatic for patient's families. In addition, very frequently there are difficult conversations about life and death, in which different family members may not agree. In such settings, anger,
As a physician in the intensive care unit, I believe all patient care areas should be excluded. In the ICU, we frequently have distraught families when their loved ones become critically ill, particularly when they subsequently die. These people often manifest their grief by erratic behavior which at times becomes violent. I suspect similar reactions occur in other patient care areas in the hospital as well. If guns are placed into the mix, I'm certain it will only be a matter of time before there is an incident of gun violence against one of our patients, a member of their family, or a member of our staff. / I think metal detectors/screening at the entrances to our patient care areas would likely be effective in helping to keep our patients and staff safe. Indeed, some of our
For the protection of patients and staff, handguns should not be allowed in any patient care areas or in any laboratory / any lecture or seminar room
Patient areas (they are vulnerable) and surgery waiting areas for patient families / Surgery areas (anesthesia equipment, robotic equipment, etc) / Laboratory areas (for reasons you have mentioned) / Machinery areas such as radiology / I would only allow it in the public lobbies and parking lots (which are also high risk zones)
I believe there shouldn't be a concealed handgun carried in areas of patient care. As a physician, I would like to think that my place of work was a safe place. So I hope we can ensure the safety of patients and staff despite the ability to carry concealed weapons on campus. With all the recent shootings on several institutions around the
Exclusion Zones should include; / 1. Surgical and MEDical ICU / 2. Operating room and PACU / 3. Pediatric ICU / 4. President/EVP offices / 5. Meeting rooms during meetings
Guns should not be in patient care areas - our patients and their families can become very emotional when discussing bad news. It is not a good idea to have guns in these volatile situations. / / Of note - this is one of the reasons I am leaving MD Anderson to take a position in another state. I do not want to be in a workplace where
Patient care areas such as the Mays clinic, Altek tower, inpatient hospital bed areas
I recommend that guns be excluded from all patient care areas, including but not limited to outpatient clinics, inpatient wards, outpatient radiology and outpatient testing locations (lab, GI, GU, GYN, etc). They should also
Any location where patient care occurs should be excluded. At times, our patients are receiving stressful/bad news from their physicians. This is an emotional experience and they should not be allowed to be armed at such times. / / Furthermore, at times physicians interact poorly with each other whether it's arguing over a patient's care or a personal romance (as MDACC knows from personal experience). The more limit out access to
In my opinion, according to the law, concealed handguns should be permitted in areas of didactic instruction (e.g. lecture halls) and common areas (e.g. cafeteria, courtyards) but should not be allowed in any clinical areas
All patient areas, including clinics, preoperative areas, recovery room, imaging facilities, etc. I would expand that to include cafeterias and other public areas where patients may gather or visit - for example, The Park. / / All laboratories with flammable materials such as solvents. I would expand that to include non-flammable materials that might become dangerous in case of accidental discharge of gun - for example liquid nitrogen. / / If possible, I'd encourage UT Police to screen visitors for concealed weapons, and make sure that anyone entering with a
All faculty offices (faculty center etc) should be excluded. / / /
All clinic care delivery areas / Mendelshon and Pickens faculty towers
All patient care areas and areas generally open to the public (lobbies, sky bridges, etc.) should remain handgun-
Guns should not be allowed in any of the following areas: / 1. Any area where patient care activities take place (including inpatient areas, clinics, ambulatory centers, infusion areas, laboratory, radiology, etc). / 2. Any faculty administrative areas, including faculty office areas, hallways, conference rooms, work rooms, etc. / 3. Crosswalks



<p>Patient care areas / Laboratories with highly flammable and explosive materials / child care areas / Areas where a large number of people congregate (i.e. eating establishments, waiting rooms) / Physician offices / Areas of</p>
<p>1.) Hospital and all patient care areas (there was a recent incident in TX where a dropped gun discharged and hurt an innocent bystander in a hospital) / / 2.) All clinical and research facilities with large powerful magnets (i.e., human/animal/sample MRI/NMR, etc) / / 3.) Areas where an accidental discharge has a relatively larger probability of resulting in damage or injuries (i.e., near flammable equipment, crowded clinical areas). / / 4.) Anywhere where someone will be reasonably expected to surrender their weapon, there needs to be</p>
<p>No patient areas where there might be patients who are terminal. I worry about distraught family members who might not be able to handle themselves well when there is nothing more to be done about the impending death</p>
<p>All patient care areas, and all laboratories.</p>
<p>Research laboratories with flammable chemicals (alcohols, ethers) or other toxic chemicals that could be broken and spilled (strong acids, bases, fixatives) should definitely be exclusion zones. Laboratories containing equipment that could malfunction in dangerous ways if damaged by a bullet (centrifuges, freezers, liquid nitrogen tanks, pressurized equipment) should also be within exclusion zones. / / Not to be flippant but so should any laboratories containing working human beings. Because humans are more important than chemicals</p>
<p>Faculty Center and Pickens Tower</p>
<p>Clinics and radiation oncology treatment machines. There are a lot of people in these facilities. An irate patient or family member that decides to use the gun, could kill and/or harm many people.</p>
<p>Patient Care Areas of the Main Building, Mays Clinic (not the cafeteria), Radiology Outpatient Center, Duncan Family Building (Cancer Prevention Building - only that portion: remainder is offices and cafeteria), NOT the skybridges, NOT the Pressler Garage, NOT the Pickens Tower, NOT the Mendelsohn Faculty Tower, NOT the</p>
<p>Emergency room / ICU / Surgery waiting areas / Inpatient floors / outpatient clinics</p>
<p>I would recommend exclusion of handguns in any area with clinical care, including inpatient floors, outpatient</p>
<p>1. The entirety of the inpatient portion of the hospital. / 2. OR/procedure areas (like IR, cardiology suites) / 3. Clinical work areas (exam rooms, radiology exam rooms, phlebotomy work areas) / / Basically, restrictions should be placed so that providers and staff do not need to feel concerned that a patient who may be upset or highly emotional has access to them or to other patients with a deadly weapon. I personally would feel very unsafe if I knew a patient had a weapon on their person when I was alone in a closed room with that patient.</p>
<p>Hospital and clinic areas.</p>
<p>All in-patient and out-patient care areas are zones where augmented levels of stress and emotional volatility exist, and therefore should be exclusion zones for firearms. / / Do not hesitate to call on me if I can help or</p>
<p>It would be remarkably bad for firearms to be discharged where supplemental oxygen is available, either as cannisters or built in to the wall. Therefore, I think all patient care areas should be exclusion zones.</p>
<p>I would exclude any patient care area or research/laboratory area. I would allow carrying in parking garages and main lobbies and dining areas and skybridges only.</p>
<p>Patient care area (Clinics, Hospital beds section, and treatment area) should be excluded as well as classrooms</p>
<p>1. Laboratories with flammable and explosive chemicals. / 2. Offices, elevators, stairs and corridors that can become hazard zones for trampling and other accidents, when people have to rush out. / 3. Restrooms where</p>
<p>No patient care areas at all--not in clinic, hospital, radiology, and not in any lab spaces / ok for gun to be in</p>
<p>All Patient care areas, all faculty offices, all labs should be exclusion zones.</p>
<p>Exclusion should encompass all patient care areas, e.g. hospital, clinic, radiology sites.</p>
<p>Exclusion zones should be all areas in which patient care occurs, as well as all laboratory space which always contains potentially flammable and explosive reagents. Also, I would not feel safe if guns were allowed in any</p>
<p>patient areas / laboratories with flammable materials / laboratories with radioactive materials / laboratories</p>
<p>While there are obvious areas that should be exclusion zones (labs with flammable and explosive material), we have a history of Faculty members being shot and killed in their offices. Faculty offices should be exclusion zones.</p>

Since the vast majority of the institution has clinical/hospital activities, and, since entrances and passageways contain people involved in clinical/hospital activities, the entire institution that is connected by the sky bridge
Any areas where patients are present. / / I think this is a very dangerous bill that will put patients, visitors, physicians, and staff at risk. I will no longer be working at this institution starting next month and this is part of
operating room areas- patient care areas- hospital bed regions
large crowded areas should be excluded-cafeteria, the park, the walkways. / / All MD offices should be excluded. There should be no reason to have a concealed weapon with you while talking to your MD. / / All laboratory spaces should be excluded. / / All OR and pre-op sites should be excluded. / / Any room including
Exclusion zones should be: / 1. All patient care areas (main hospital and clinics) / 2. Faculty office areas / 3. Critical infrastructure areas (electrical, HVAC, plumbing, data centers, etc.) / 4. Any areas tha could potentially contain hazardous materials (biologic, chemical, volatile, radioactive) / 5. Research labs (both clinical and pre-
All patient areas / All meeting areas / All clinical and research laboratories /
No handguns in MRI. Should be OK anywhere else. The exclusions for labs with flammable and explosive materials is really not founded for any safety reasons. If these are dangerous areas then we should set up screening for illegal guns such as a metal detector, not the legal ones we should worry about. Also are we screening for cigarette lighters? If safety is our true concern in these areas, why are we simply using "the honor
Given the history of disgruntled family members shooting medical staff in boston and baltimore, I think weapons in patient care areas are a terrible idea. Laboratories, with hazardous chemicals and open floor plans as well as
There should be exclusion only for patient care areas
should not be allowed in clinical or administrative/office areas / i am in lab areas but would suggest that
Prohibit carrying in any laboratory areas, operating waiting rooms or PACU and patient rooms.
/ I think high stress areas should be prohibited from carry... / Hospital; ER areas. / / /
Please exclude patient care areas.
Labs and any portion of the institution with patient contact.
Pickens Academic Tower and specifically the Research Medical Library.
Handguns should not be allowed in any patient care areas, in-patient or outpatient.
anywhere there are hazardous and flammable materials/gases. Around children.
Pedi Floor
The hypocritic oath, the basis for every hospital, states "I will, according to my ability and judgment, prescribe a regimen for the health of the sick; but I will utterly reject harm and mischief". Granting the ability to carry a firearm to anybody who wants to one violates the "rejecting harm" portion of the hospital's credo. / /
Therefore, any treatment area (patients' rooms, operating centers, even waiting rooms for patients [especially pediatrics]) should be off limits. Administrative areas and parking garages should, in good concience, be the only
Potential exclusion zones: direct patient care areas; laboratories or areas with caustic, explosive and/or flammable materials, chaplain service areas (worship/reflection area). However, at the same time I am not too sure if any area, other than those as listed under law, should necessarily be identified as an exclusion areas.
Potential exclusion zones: / - Laboratories with highly flammable and explosive / - Operating/surgery room /
All inpatient areas and outpatient clinic areas where direct patient care takes place.
Patient's rooms due to oxygen set up / / prohibit from hospital setting in general
Laboratories / Areas where patients are involved
I agree that any area where explosive materials are located should be an exclusion zone. I myself have a concealed carry license and feel no conceivable reason to carry anywhere in the institution except from my parking garage to my locker and back. We have enough security located in the institution to meet other security needs but with as much crime/armed robberies as have been occurring in the medical center area it would be a
1. Patient safety: all patient areas including rooms, clinics, walkways, and visiting or waiting areas, should be gun-free zones / 2. Everyone's safety: all areas susceptible to fire or explosion should be gun-free zones / 3. Provide refresher training for an updated "Hostile Intruder" class / 4. Should we install metal detectors in some areas

laboratories with highly flammable and explosive materials. / Caution signs where patients with oxygen may
All patient care areas. All research laboratories.
MSF Facility- MSF 1.1103 Liquid Nitrogen Freezer Room, MSF 1.1202-MSF 1.1208- ISO 7 classified laboratory areas. / / I do not feel that concealed handguns make us safer. To the contrary, I feel less safe knowing that
Highly emotional Hospital areas and laboratories with highly flammable and explosive materials should be exempt. HR should be able to exempt public meetings spaces during meetings with volatile topics or reviews with proper signage under 30.06 and 30.07 while 1MC should be Campus Carry. Law abiding CHL holders should be allowed to carry concealed on buses, in parking structures and on all bridges. I do not agree that data centers
Hospital main building and emergency center.
/ Research labs in general should be exclusion zones because they contain biohazardous, biologically active, radioactive substances, cells, viruses, bacteria, human-derived (potentially dangerous) samples etc. They should be declared guns-free zones for safety reasons / / MDACC is a hospital first of all, and our patients should be
Exclusion zones should include: / treatment areas in facilities / UTP-H (Police Dept). / Proton Therapy Building / Pharmacies and medical supply areas / / Patients receiving treatment should not be allowed to carry
Exclusion Zones: Child Visitation Rooms, MD Anderson Accredited K-12 Hospital Private School, Lab areas, MRI areas, Psychiatric area (Brain and Spine), Radiology areas, Pharmacy areas, Pediatrics, Clinics (Exam Rooms and Consultation Rooms), etc. / / Allowed in Commons areas: 1st Floor Areas, Cafeterias, Lobbies, Crosswalk, Alkek
I personally would not like to allow carrying a concealed firearm in laboratories, employee lounges, and patient
I would recommend all biohazard lab areas, in and out patient areas and associated administrative and patient waiting areas be excluded. Additionally, human resources, employee health areas be excluded due to potential
Areas with much patient density and/or activity such as patient waiting areas and children's play facilities should be excluded zones, at least until employees learn how to effectively conceal their weapon. Obviously, areas with combustible materials should be excluded. / / Areas adjacent to parking areas or garages SHOULD NOT be excluded. If they are classified excluded (no carry) then a weapon check-in and lockup should be made available
I believe that the only areas that firearms should not be allowed in are the ones in which there is a specific hazard, such as in areas where there are flammable or explosive materials. I think that their possession in all
No gun should be allowed in patient care area
my suggestion for a exclusion zone would include Hospital Areas all of Green Zone, Purple Zone and inside the Clinic Areas in Rose zone, ACB, and CPB 2 floor prevention clinic.
1MC should be excluded. It is a staff area. No courses for credit towards a degree are earned in this building.
Working in Payroll there are times when employees do not like the answers they receive. Pay is very personal to employees and there are times when employees may get upset and unreasonable. Especially when the perception is that we can fix their problems by pulling out a check book. By allowing concealed guns when dealing with emotional situations for employees adds an additional level of risk to the payroll staff that are trying
Inpatient areas and in the clinics. Guns have absolutely no place in an area with sick people and where people are getting all sorts of good or bad news. I don't think guns should be allowed on campus in the first place. In
I work at the Bastrop campus and since we have campus police and security, I would prefer that they be the only ones allowed to carry on our campus. We are small enough, even though spread out somewhat, that help would be able to get somewhere quickly if the need arose. It would make it easier if they responded to a threat to know who the hostile person was immediately and not have to guess. Also, most of our buildings are badge
all patient care areas should be excluded-patients from other areas of the country without such liberal gun policies and patients from other countries might not want to be exposed to gun issues.
Inpatient night shift nursing: Exclude inpatient patient rooms and units. Please do not allow people to bring their guns into units in the middle of the night. Patients get sundowners, hospital psychosis, disease related confusion and guns close by is a recipe for disaster. Nursing is already stressful enough without worrying if some gun nut is on the unit. People like to say they have their guns secure, but how am I to trust that. Why is their word to be trusted. All patient rooms have flammable O2 in the walls. We carry and administer chemotherapy. There is no

Any area with direct patient care.
I would agree with areas that contain explosive and combustible materials. Possibly sensitive data areas or server rooms. Other than that most of the campus should be free for carrying.
Anywhere that patients may be exposed to danger by other patients or caregivers reacting irrationally. / / By the nature of MDAnderson's work, people frequently receive psychologically challenging news and it would be naive not to expect a reasonable percentage of them to react irrationally. Irrational reactions can be managed.
Laboratories with highly flammable or explosive materials / The insides of an MRI facility -
All patient care areas should be excluded - that is anywhere a patient is cared for both ambulatory and inpatient service areas. I think labs should be included since patients go there, unless it is a research lab. / A bigger concern is how will these individuals be identified on campus, what should an individual do if they encounter
The exclusion zones ought to include any and all areas in which patients are present. Using census data from 2010, the Centers for Disease Control and Prevention, approximately 33, 636 people die per year by way of firearm discharge [see: <a href="http://www.cdc.gov/nchs/data/nvsr/nvsr64/nvsr64_02.pdf">http://www.cdc.gov/nchs/data/nvsr/nvsr64/nvsr64_02.pdf</a> ]. 11,208 of these people are victims of firearm-involved homicides. The other 2/3 of firearm deaths (21,1750) are the result of successful suicide attempts. There are 318.9 million people in the United States which means that the chances of one dying as a victim of homicide by way of firearm is 0.0035%. Assuming that our patient population is well-matched to the U.S. population, out of the 105,000 patients MD Anderson sees per year, the number of deaths caused by firearm homicide is 4. In an average year, only 4 of our patients will die from a gunshot wound. This number is doubled for those who commit suicide using a firearm. The likelihood of our patients dying from a gunshot is very small, in part, because they are exposed to fewer opportunities to be shot as firearms are currently not permitted in patient areas. Allowing guns into patient areas will increase patient exposure to gunshots and thus patient areas ought to be continued to remain a space in which firearms are not permitted. / / The exclusion
Any patient treatment area should be excluded
Hospital & clinic areas / Executive offices / All laboratory areas / Any area with child access /
Please exclude inpatient areas where flammable gases like O2 are in the walls and emotions run high. Please keep staff safe: guns should be in UTPDs hands not staff, patients and visitors.
I would like to exclude the volunteer services department, the chapel and the patient rooms. I don't see a need to have a concealed weapon to any of these areas. Thank you!
In buildings that house all outpatient and inpatient care areas.
I would suggest that at minimum all hospital grounds/clinic buildings and patient care areas and those with a likelihood of vulnerable population present (ie parking garages valet area, Rotary House, sky bridges, restaurants, waiting area) be included in the exclusion zone. / / Over and above the risk to faculty and staff who deal with patients in inherently volatile situations, we have a duty to provide a safe environment to our other patients and their caregivers. These patients are often weak and debilitated, or accompanied by children and multiple family members. They may not be able to seek safety in the event of an armed conflict. / / Patients,
Patient floors: EC
areas where cash is handled should be excluded
Should not be allowed in areas where highly emotional situations are bound to happen such as the inpatient units and specifically the ICU. Patient's families on multiple occasions have been found screaming, using foul language, or threatening nurses/ staff in these areas. Allowing guns in these areas could cause a patient or their family member to threaten a member of the staff inappropriately, and could also be used as a threat to staff for patients to receive controlled substances. Panic buttons are not easily reachable and are not conspicuous, and
Handguns should be excluded from patient procedure areas; for example: outpatient clinics, chemotherapy suites, infusion therapy, and interventional radiology. / /

I think excluding patient care areas would make sense, since as I understand it concealed carry is not allowed by law in ordinary (non-University) hospitals. It is trickier if you consider areas like the main entrance to the main building -- I'm not sure if you could exclude entire buildings where patient care happens. Probably it would make sense to exclude areas of our campus whose primary function is the same as areas which are already excluded by law, such as churches (I think). / / Thinking about areas with flammable and explosive materials, that makes sense, and I would include areas with compressed gas cylinders, radioactive materials (especially cesium or cobalt sources), and toxic or biohazardous materials, battery rooms, etc. Again, it may be safer but not feasible to exclude entire buildings where these things are present. / / It may be worth also considering excluding
Laboratories not only because of flammable and explosive chemicals, but also because of expensive equipment / Patient rooms, especially rooms with oxygen and any other medical equipment /
Any and all direct patient care areas. This law is INSANE!!! am seriously considering retiring before it is enacted. I do not want to work in such a dangerous environment.
Patient care areas (to include waiting rooms), mental health (psychiatry, EAP, etc.), laboratories (all) - no way for people to consistently know which ones have flammable or explosive materials at all times, changes so often. pediatrics, laboratories with highly flammable or explosive materials.
I believe exclusion zones should include the clinics (at least the exam and treatment rooms), MRI and other testing areas, labs as mentioned before, and during meetings that the medical team determines could be
I think only patient care areas and laboratories with flammable or explosive materials should be off limits. Campus Carry should be allowed in all other areas, including areas that allow patient access (eg, the sky bridges,
I recommend that 1MC be designated an exclusion zone because potentially volatile HR interactions take place
Any floor that patients are receiving chemo on. All floors that patients are having a surgery on.
Exclusion: / - Clinical Research Building / - Duncan Building / - Main Building / - Mays Clinic / - Mitchel Building / - Moh's & DermaSurgery Clinic / - Proton Therapy / - Radiology Outpatient Center / - Smith Research / - SCRB 1,2,3 / / Non-exclusion (concealed handguns ALLOWED): / - Skybridge / - Mendelsohn Faculty Center / - Mid
areas where patients are receiving treatment by a provider, either inpatient or outpatient.
I feel strongly that the clinic and administrative areas of the departments should be an exclusion zone. As a manager and someone who has to discipline and terminate employees, it is frightening to me that concealed handguns will be allowed on the MD Anderson campus. I will not feel safe if concealed handguns are allowed in these areas. When this goes into effect, I will be requesting the UT police to be near my office when disciplinary meetings and terminations are taking place. / Frankly, I don't see why any of our campus should allow concealed
I think that patient care, pharmacy, and laboratory areas should be excluded from campus carry zones, but all common areas and office space should be fair game.
Patient care areas, areas with hazardous materials, central offices
Patient care areas and laboratories and dock areas with highly flammable and explosive materials and gas cylinders, as well as offices directly adjacent to these areas, should be part of the exclusion zones. Projectiles
All clinical areas including patient rooms. / / Lab areas with flammable, explosive, and radioactive materials.
Patient Care Areas both inpatient and outpatient
Any sterile environment, clean room, etc.
exclude from: / 1) potentially hazardous places (labs with chemicals, other areas with gas, i.e., O2; places where imaging equipment is used/stored; the Proton Therapy building; radiation therapy areas; areas where radioactive materials/waste is stored/used) / 2) places where any laboratory animals are located / 3) surgery and
In the Emergency Center. In the EC. staff and also patients, and patients family all already tense, because they are scared in family or the family is stress out. People who are stress sometimes do harmful things to others.
Definitely laboratories with highly flammable and explosive materials. /
all patient care areas should be considered a no-carry zone. / /
I would like to see direct patient care areas in DI exclusion zones, Particularly Mays clinic. The last thing we need to worry about when changing a patient into a gown is them having a loaded firearm that has to be locked up in

Patient areas should be excluded, especially areas of the hospital with oxygen equipment. Labs with flammable
Animal areas, Research Areas, Patient Care Areas
Patient areas, OR, or where ever Oxygen supplies are located throughout the various buildings.
Exclusion zones for fire arms should be treated no differently than exclusion zones for any other dangerous tools (which is exactly what a fire arm is). Flame producing devices should not be allowed where there is the potential for igniting flammable gasses. Tools capable of launching projectiles should never be allowed where combustible gasses or chemicals are stored, or anywhere a projectile could cause the hazardous release of gasses, vapors, fumes or radiation. / / I could go on but I think the above paragraph gets the point across. Since this law has passed attempting to create exclusion zones by determining areas by human use of a given area could be easily
All laboratories and hospital
Labs / Areas with dangerous, flammable chemicals. /
I feel that firearms should not be allowed in highly sensitive areas such as patient care, or laboratories with
All patient care areas (inpatient units and clinics). The possibility of a concealed handgun may add an additional stressor when having difficult conversations with patients and caregivers.
Exclusion zones should include patient pods and clinics and labs only (Purple, Green and certain areas of Rose zone). Not large portions of hospital as many of the areas are business administration. My recommendation is to use the space survey and determine sections of main building to identify exclusion zones. None of my office mates feel "safe" based on the location of our office. The few times we've called security, it has taken them a while to find us (yellow zone). There have been several instances where we assist UTPD officers in finding their way back / out. Unfortunately, there are those that commit crimes that study the facility / areas of attack. If an
I would like to see exclusion zones for all areas where our vulnerable patient populations could be put at risk. This would include all inpatient areas, all outpatient clinics and waiting areas, and common corridors that patients use to get from one clinical area to another, and all cafeteria facilities that are used by patients.
Exclusion zones should include patient care and treatment areas including waiting rooms--our patients' safety and comfort should be a priority. I agree with the example of areas with flammable and explosive materials
I have a CHL. / It is too complicated to allow weapons anywhere on MD Campus other than the bare minimum required by law - meaning, let legal department decide. / Absolutely no carry in research laboratory areas and
Should not be allowed in patient care areas. As a nurse, there are enough risks to deal with when a patient is critically ill, I would not like more risks with concealed hand guns!
I work in the veterinary medicine and surgery dept. - I think our area should be excluded b/c many people are very sensitive to animal research and have very strong and emotional feelings about this subject. We have recently been moved and are now in an open area where more people have access to us, whereas before we
1MC... because this is the house of the Human Resource Department and a lot of emotions tend to gravitate to or from this area. An alternative would be to make UT Police visible daily during regular business hours at this location. The security is great, however UT Police are more trained and the visibility may defer any possible
All laboratories and Inpatient areas should be excluded from campus carry.
There should also be exclusion events- for example, a family conference with the doctor where feelings could be
The following areas are what I think should be considered potential exclusion zones: / Patient clinics / Inpatient areas / Any labs that contain oxygen or combustible products / Patient billing/Financial offices
Guns should be banned from all healthcare facilities! All areas of the hospital would fall under some form of
patient areas including the Rotary House, walkways and garages should be excluded; all labs should be excluded and metal detectors should be at the entrances along with day visitor badge issuance devices.
Exclusions should include labs of all types, surgical areas, patient treatment areas, critical care units and anywhere explosive chemicals or radiation sources are stored or used. Walkways between buildings, which can be dangerous and empty during late hours and weekends should be carry zones; along with offices, public
Only in/near patient rooms and laboratories.



<p>Operating and procedure rooms due to it being a fire hazard. Otherwise, concealed carry permit holders should be able to carry everywhere else according to the state law.</p>
<p>-MRI areas because of the tremendous magnetism of the machine; If guns or their ammunition are magnetic, the interaction could be potentially life threatening. / / -High occupancy concentration areas (such as auditoriums All of main building, CPB and ACB.</p>
<p>What scares me most is the thought of weapons being present in the clinic/hospital setting- especially with how emotional situations can be, and the ever present danger of violence in health care settings due to the emotions. As we are both a hospital and a university, excluding guns from the hospital setting seems prudent, while allowing them in the more academic-only settings in compliance with the new law. / / Designated office buildings such as Faculty Center, Pickens, 1MC, and FHB seem more logical, and these are the areas where many of our students (residents, fellows, etc) are officially housed, as well as our faculty are officed. Buildings like the Main Building or ACB that house both clinical/hospital space and offices should be treated solely as clinical/hospital space and not have weapons present. It is the practice of most of our physicians to essentially commute between their office space and clinics/in patient zones. / / Whole buildings should not be divided into one exclusion should be the hospital. It is too many patients and someone who is trying to be god or be famous</p>
<p>The main hospital with patients should be excluded. Every floor of the outpatient clinic should be excluded.</p>
<p>Any areas where patients spend time on a regular basis should be excluded. There is too much risk with heightened emotions, and with patients who may be distracted, tired, and overwhelmed. Patients, caregivers, and the staff who assist them should not have to worry about the possible presence of a gun if a situation gets</p>
<p>Exclusion zones: Any place where care is given - Inside the clinics, diagnostic/treatment areas and hospital rooms / / If it has to be allowed, then only in public general areas like waiting areas, the Park, cafeteria, etc.</p>
<p>Definitely any area of where Pediatrics is located. Guns should NOT be near sick and recuperating children. / Any area where there is flammable liquid or gases. / Not in any area where patients are receiving physical therapy.</p>
<p>Patient care areas</p>
<p>Any area where patients are present should be excluded. Perhaps excluding parking lots.</p>
<p>Exclusion Zones I would consider would be the walk-way; from the Main Hospital to Mays, patient lobbies,</p>
<p>Exclusion zone recommendations: Skybridge, Rotary House bridge, 2nd floor and 3rd floor access pathways.</p>
<p>Clinics should be excluded as patients sometime receive bad news or have long waits. At times patients and their family can get very angry in the clinic. A weapon does not belong in such areas.</p>
<p>Laboratories with highly flammable and explosive materials. Hospital inpatient rooms and stations. Laboratory animal housing. Buildings near or containing MRI machines.</p>
<p>All laboratories, especially those with flammable materials.</p>
<p>I work in a basic sciences laboratory where we have a lot of chemicals and gases that are highly flammable and with explosive potential. This should definitely be an exclusion zone. / / On the other hand, I believe that areas</p>
<p>I would feel much safer knowing that in the Pickens tower offices, someone can make the playing field more level to intruders who come in these small offices shooting at us. We are like sitting ducks. One door to come in and out. I would also like these people to maybe take an online course (refresher) on how to deal with an intruder who is armed in the workplace to help them feel more confident if such should occur. I however do not want to be identified as a CHL holder to everyone. I would know my role at the time an intruder would start</p>
<p>All areas involved in patient care (Main, Clark, Alkek, Rad. Onc. Center, Mays which also houses Rad. Onc. as well as diagnostic, treatment, and patient/physician team new, consult and following patient meetings.</p>
<p>All of the Mays Clinic should be considered an exclusion zone.</p>
<p>Patient care areas where people have a lot on there minds.</p>
<p>Emergency Rooms, Designated Prayer Rooms, Chapel</p>
<p>a) I'm not "Staff" - I am an employee / b) We should exclude areas that would impact the safety of Patients and Families. All of the care, treatment and diagnostic areas for example. / c) We should exclude public areas that are "in route" to protected areas - patient transportation areas, 1MC for HR, south campus research buildings.</p>



Clinical areas, patient rooms, hallways, waiting rooms, cafeterias, loading dock.

**E: Agree with Campus Carry and want minimal or no exclusion zones.**

I believe exclusion zones would be considered a purposeful hindrance used to restrict employees that don't stay in a specific area. My job in particular might have me in a patient area one minute, then a lab, then office space, then back to any of the other areas. With the exclusion zone I wouldn't be able to go into one of those areas without first removing the weapon, and legally I wouldn't be able to remove the weapon to secure it anywhere other than my vehicle because in the off chance someone were to see it, it could be considered "brandishing" the weapon. The safety aspect of a firearm in a lab with flammable and explosive materials is minimal; guns don't just "go off" in addition to the fact that to cause an explosion or even a fire there would have to be a very specific percentage of vapor already in the air, if that percentage were met it would be dangerous to be in the area anyways, with or without a firearm. The truth of the matter is, the only defense from a bad guy with a gun is a good guy with a gun. Putting up a 30.06 sign or a non-enforceable "No guns allowed" sign doesn't stop the person entering the premises that has an intention to cause harm. The class B misdemeanor is significantly less serious than the crime that person intends to commit.

In addition I would like to bring to the compliance office's attention, I have seen no valid 30.06 signs at any entrance to institutional property. The requirements specifically state the wording must be in English AND Spanish (currently most are only in English), and all lettering must be greater than 1 inch in height (currently any that have English and Spanish do not meet this requirement). The hospital areas are also not covered by this, as the law specifically states that a 30.06 sign must be placed outside of a hospital wishing to enforce a no firearms policy.

Law abiding citizens with guns shouldn't evoke fear in others. They're more likely to protect than to have a psychotic meltdown and start killing. I feel there should be no exclusion zones.

I do not think that we should have any exclusion zones per se, because if we do establish exclusion zones within our campus, then logically we should also make provisions for those carrying firearms to safely store their weapons prior to entering those areas.

the example of exclusion zone recommendations such as laboratories with highly flammable and explosive materials seems reasonable to me. Otherwise don't feel there should be many exclusion zones. I personally don't have a CHL but do know these are law abiding people with an incredibly low crime rate. If anything we will be safer with CHL allowed.

Having said that in some zones such as the OR, it would be impossible because of the dress code to carry. Regardless of how many gun free zones we will have I want to insist on one thing, If we allow by law people with a CHL to enter the hospital it would be important for these people to do to be proficient at using the firearms. The simple week end course spent getting a CHL is not enough to be proficient. I would recommend a yearly exam and proof of proficiency in a shooting range such as the one we have in the campus for those who want to bring a gun on the campus.

I have no problem with concealed carry. I think that when we set out to define "an exclusion zone" rather than ask ourselves if an exclusion zone is even needed, we are accepting a bias and not necessarily giving the intent of

There should be no exclusion zones. A gun free zone is a victim disarmament zone. We are sitting ducks there just like in all the other campus shootings. You need not be concerned with CCL holders. We dont commit the no exclusion zones

I think the whole point of the law is to prevent a situation in which someone starts shooting and no one is able to defend. If that is to be possible, then I see no reason to have exclusion zones. The example you give, a laboratory with flammable and explosive materials, would be a problematic place to fire a gun, but if someone started shooting illegally, that someone is unlikely to take the flammable materials into consideration, so I would

<p>The exclusion zones should be only the absolute minimum necessary, to include only direct patient care areas only. All other areas should be allowed, including lab spaces. There is no preclusion to concealed carry in gas stations. The act of concealed carry does not equate to the actual discharge of a weapon in such areas.</p>
<p>I will be very specific, there should be no exclusion zones. The concealed carry of a hand gun is for the purposes of self protection. I am no more safe from violence in a lab with flammable materials than I am in the parking deck. In the exclusion zones I would like to know what additional protections I can expect from the institution since I will be disarmed and rendered defenseless. I would also like for the institution to assume full liability for my safety when I am in these exclusion zones and are legally unable to protect myself. I think a statement from UT Police saying that they will assume liability for the failure to protect the employees and patients in these area</p>
<p>Persons who have taken the courses for concealed carry should be allowed to carry ANYWHERE. Posting 30.06 signs and limiting lawful concealed carry just invites violent offenders to our location. A criminal sees that no law abiding citizen is allowed to carry in a particular area and knows that he is unlikely to be stopped or confronted if they incite violence. By allowing people who have been through the training and background checks to receive their CHL to carry on campus, you make it a safer place for all of us. I'm proud of the Texas legislature for passing this law. Now I hope MD Anderson will remove the 30.06 signs from the majority of the</p>
<p>except for a few exceptions such as laboratories concealed should be allowed anywhere.</p>
<p>I fully support the state's law with regard to full implementation. I do not believe there should be any exclusion zones for CHL, only perhaps in areas where it would cause a fire hazard, ex: OR's or procedure areas. This law was passed to protect individual citizens and as a citizen it is my right to carry a handgun for my protection anywhere else on campus / / Thank you following state law and respecting citizen's right and lawful gun owners</p>
<p>none, because criminals don't care about exclusion zones. That's why they prey on children and students for random acts of violence. The ability to carry firearms by qualified people everywhere provide a deterrent to all</p>
<p>As a retired Police Officer, and CHL holder, I look forward to being able to carry on campus. I've had many years to think about this topic, not so much where they should not be carried, but where they should not be discharged. As the only reason to discharge a weapon on campus would be to save the life or lives of others, to do so in an area exposed to highly flammable and or explosive materials would be foolish. But to not be allowed to carry because at sometime during your course of duty you may travel through an area like that isn't right. I'd prefer to have those area's well marked. I'd know then, in case of an active shooter scenario to remove myself from that area and move to an area that would be safe to defend against someone looking to harm me, my co-workers or patients. I've worked here about 20 years, and worked in most areas of our wonderful campus. I can't think of an area where the risk doesn't exist where I don't think I should be armed. I can of course think of areas I pray that no one ever tries to harm another. We've got so many traumatic experiences taking place, the last think anyone needs is some crazy with a weapon of any kind trying to harm another patient or staff. But if that ever happens, I'd not want to be faced with the aftermath of knowing I've been trained and licensed and wasn't</p>
<p>I would encourage MD Anderson to make the exclusion zones as small as possible. The anything in mid-campus &amp; south campus areas are located in very unsafe areas. When I work on weekends or very late security is lax, I can often can travel to my car without seeing another person at all.</p>
<p>I don't think personal preferences and imaginary threats are appropriate input for establishing exclusion zones. It seems as if all efforts are being geared toward thwarting the law. We should keep in mind the CHL holders are a small percentage of the law abiding public and have demonstrated knowledge of handgun laws and proficiency</p>
<p>This correspondence is to ask that the Regional Care Centers have NO exclusion areas due to lack of on-site security and a much slower response time than is possible at our Main campus.</p>
<p>None</p>

Are criminals that are intent on carrying their own unlawfully acquired firearm(s) operate under the same "exclusion zones"? I should think not. Any criminal ,or individual who cannot legally possess a firearm ,can and will, bring a firearm into the "exclusion zone(s)" if they have the intent .And,if they are intent on perpetrating a crime with that said firearm, can do so against employees ,patients or whomever they randomly choose .End result,the law abiding employees, patients or whomever might be in the way,have NO DEFENSE. The firearm is just a tool folks,just like any other tool that can be udes to cause physical harm to another,and is inert UNTIL someone implements the intent to use that tool. Do you make "exclusion zones " for sharp knives, surgical instruments,forks in the cafeteria for that matter? No, because the tool ,no matter what form,is an inanimate object until it is put into action :and, the tool (firearm) can only be put into play by a person with INTENT.How do

My thoughts are more related to INCLUSION, rather than exclusion. I would like to see most (if not all) of the corporate buildings (1MC, FHB, etc.) embrace the new law and allow for concealed carry. These particular buildings -- like most in the med center -- are attached to large, dark garages where crime episodes often take

I would argue that the entire article describing this new law and the proposed "working group" and the planned townhall and this very survey are all incredibly biased towards blatant opposition to what is currently State law. It seems that none of the institution's efforts are aimed at implementing the law of our land, but rather finding as many ways possible to ignore, subvert or inhibit the Constitutional and now legislatively-clarified rights of law-abiding gun owners. So to answer your question: I don't propose any "exclusion zones"... unless I'm allowed to

Exclusion zones should be few and far between. / / Also if you want to be fair you need to include people from the entire institution in your work group. As of now there is no one lower than upper management included. It seems this group is very biased. How many in the group actually have their CHL?

I would prefer limited exclusion zones for the safety of our staff and patrons.

Armed society is a polite society. Individuals that take the time to apply for and maintain concealed carry licenses are not criminals and should not be treated like criminals because of world wide events that occur with weapons. I feel all outlying buildings from the main hospital building should have no restrictions what so ever. The main hospital should remain a 30.06 exclusion zone. In the case of laboratories with highly flammable and explosive materials then it should be the responsiblity of the conceal carry holder to do the right thing and leave

None that I can think of , but do suggest training, training, training and USCCA membership.

I believe there should be no exclusion zones. that would defeat the purpose of protecting myself in an event of danger. If you have exclusion zones will you have places for someone to lock there gun up while they are in these zones. Police officers carry guns in all of our areas why wouldn't a person with a conceal carry license be

I would like a mechanism where I can obtain "proper authorization" to concealed carry across the MD Anderson campus (where I travel as part of my daily work assignments). Or put another way, as a CHL holder, I feel there should be NO exclusion zones for me. For public/non-MDACC badge holders, exclude the ORs.

There should not be any exclusion zones.

Limit the excursion zones to a bare minimum. Only where a security guard or UT Police are stationed 24/7.

I am not really in favor of exclusion zones unless somehow deemed unsafe. I'm not sure how carrying a gun around highly flammable or explosive materials...like at a gas station...would be any more dangerous. If carrying a gun into a lab is deemed more dangerous for some reason, I believe that lockers should be provided so those employees can travel to and from their work space and be able to be responsible for their own security. / / I would also hate to see so many exclusion zones, it would essentially still ban guns from campus. People have carried guns for hundreds of years and the only thing that has been proven over and over is that gun free zones

The law is already passed to "open carry." We are fortunate that we have not had a incident in the hospital yet. Although, neighboring facilities have had some. Declaring this institution as a "Gune Free" zone is an open invitation for someone who wants to bring in a weapon. Lets keep in mind, carrying a gun is not illegal, it is the illegal individuals without proper documentation (CHL) that is illegal. / / I do question those individuals that feel declaring this a gun fee hospital will really deter illegal guns? I also would ask those individuals that are against illegal guns on campus, why are you allowing me to be a potential target WITHOUT allowing me to

After attending the townhall meeting on 10/21/15 at ATT auditorium , reviewing the proposed exclusion zone maps, the way you have phrased this question, and the membership of the board I believe that the board had already made up their collective minds prior to the 10/21/15 meeting and it is doubtful that there is even one person serving on the board that has been issued a concealed handgun license to provide any input. I have little doubt that MD Anderson will seek and attempt to prevent anybody from exercising lawful concealed carry on 100% of any area with the UTMD Anderson name on it. Citizens that obtain their chl go through an extensive back ground check prior to being issued their license. The institution also screens potential employees prior to hire. Any employee with a professional license or certification more than likely also had a background check performed by their licensing/certifying board prior to that board issuing their license/certification. The employees have been thoroughly vetted and are for the most part well educated and intelligent. The point is that the board has a chance to approach chl and policy making with an open mind and to make a workable policy that would be acceptable to both sides of the issue. Perhaps both views would not be 100% satisfied with the policies but neither side would feel ignored and bull dozed over by the opposite viewpoint. Additionally if any event were to occur at MD Anderson in an area that was designated a prohibited area the institution and the persons approving the policies would probably be financially liable for failing to provide adequate safe guards and security to protect the persons affected. My preferences would maybe include having the board review other states' laws that allow or do not prohibit licensed weapon holders from carrying in hospital/education facilities or that allow individual institutions to make their own policies to address the issue. The state of Iowa laws for instance do not prohibit licensed carry of a firearm in a hospital environment. That state's laws allow anyone with a CHL knows how to handle a firearm safely and responsibly and should be allowed to carry one I do not believe that CONCEALED handguns should be excluded from any area on our campuses.

The whole facility should be open to campus carry. It makes our staff and patients safer. The only exclusion zones should be in areas the firearm would cause a hazard for practical reasons (metal in an xray or MRI area, There should be no exclusion zones.

**NO EXCLUSION ZONES**  
no restrictions

Exclusion zones should be based on facts, rather than nebulous opinions. Locations where UTPD is routinely stationed during most work hours, such as patient areas, are more easily excluded. I understand the fear of firearms in areas with flammable and/or explosive materials, but are there statistics to show that this is a real threat? Research areas are often populated during traditionally "off" hours - if these areas (including the animal holding areas) are excluded, then a sizeable population of staff are left to work unprotected if they would have otherwise LEGALLY been able to protect themselves. When working after hours, most staff do not notify UTPD so that routine welfare checks can be done - and I don't see them starting to, even if that's part of the concealed carry overall action plan. Further, as a CHL holder, if my area is excluded, then I cannot protect myself and from work, since I am not comfortable leaving my firearm in my vehicle. Right now while it's illegal to bring it on

The weapon is less affected by flammable, explosive, radioactive, or biological hazards than the individual carrying it. I understand that discharging the weapon in these areas could be a problem; that's why carry is limited to trained individuals. Let's face it; if you are unaware that discharging a firearm in an oxygen-rich or otherwise explosive environment is a problem then you shouldn't be carrying it in the first place. / / The only I feel there should not be any exclusion zones. If there must be, it should be very limited. Individuals who take the time and effort to obtain a CHL are law abiding citizens who do not want to harm anyone. CHL holders only want to protect themselves and others. If an individual who does not hold a CHL wants to bring a gun illegally on campus, unfortunately there is very little stopping them. Restricting a CHL holder to legally carry their firearm concealed only restricts them from protecting themselves and others and inhibits what the legislature established the law to do. Individuals who have a CHL have common sense of when and when not to carry their firearm. Exclusion zones like laboratories with highly flammable and explosive materials make little sense because a firearm As a law abiding citizen who has a conceal carry permit, I feel there should be no zones.

I don't support any exclusion zones - people should be able to carry anywhere
All patient care areas or areas where patients frequently travel. I would exclude all lobbies, waiting rooms/areas, bridges, inpatient units, clinics, dining areas, patient business offices, procedure areas, and the Park.
No ned for any exclusion zones
Restricted areas of the hospital, flammable/explosive material areas, and research labs. / / I am in 1MC and in management and feel that remote locations such as 1MC, FHB, Proton, CPB, etc should be areas without exclusions in public areas and general office space. Areas that do or may contact explosives/flammable materials should be excluded. / / Please do not make more exclusions than inclusions. It is reasonable to have some locations that are restricted, but again that must be determined by need and not emotion. I am a CHL holder and my husband is a CHL instructor and feel that CHL holders are beyond responsible than the average non-trained person and not to mention criminal. With the recent crime in the Medical Center area, I am excited
I honestly believe if we are going to allowed to carry on campus there shouldn't be any exclusion zones outside of areas that have laboratories and highly flammable material. First of all to be a CHL holder you have to be a law abiding citizen, so you would expect us to carry ourselves just as that. I went to the town hall and 85% of the MDACC builiding will be exclusions zones. That's pointless. I just feel if it is going to be allow, allow it.
Overall, I don't think there should be any exclusion zones because properly carrying a concealed weapon is that you're so good at carrying it that no one knows you are carrying. If I must recommend exclusion zones they would be obvious places like operating rooms, imaging/radiology & highly flammable areas.
There should be no exclusion zones.
Having lived on other campuses where this has been addressed I feel strongly about it here. It allows individuals both students, employees and patients to practice their right to self defense which has historically been a positive thing. Just as at my previous campus I feel the only location that should be excluded should be psych wards which are properly secured and have adequate staff to address situations common within such departments. All other areas should remain consistent to the areas elsewhere in the state. No law abiding person ever wants to be in the situation of needing to use a weapon in self defense but most who find themselves in a situation where they would need one either grateful they do or regret they don't. Statistics
When I was going to school at SHSU and living in Huntsville, TX, a man entered a local restaurant and approached the lady at the cash register with a pistol to her head, demanded all the money in the register. Seconds later, 3 men who were dining at the restaurant pulled their guns on the gunman, forcing him to put his weapon down and get on the floor. The three men had their guns pointed at the gunman until police arrived and took him into custody. Criminals/ bad people will always find a way to possess a gun. Good people need to be able to protect themselves and others. I am so grateful to live in Texas where its common for people to have a
TX legislature has already outlined limitations for hospitals. There should be no further limitations on campus

**F: General statements or questions.**

I think there should be an additional clinical faculty member on the committee. Someone who is on the floor with patients and families.

It is also important that there be representative who do hold a CHL and those who do not.

Sorry, but I am still unclear why concealed guns cannot continue to be excluded from MD Anderson under Penal Code 46.035. We are still a hospital licensed under Chapter 241 and Senate Bill 11 does not rescind the state law excluding weapons from hospitals.

We are dealing with a patient population with

Patients should not be carrying guns to clinic appointments.

The thing about handguns is that they are easy to conceal. Whether or not there are exclusion zones, anyone who decides to can carry a concealed firearm unless there is some means of detection/enforcement. The only thing that can stop people from carrying a weapon is a means to detect such weapons. Metal detectors work. But you cannot use a metal detector for the entire campus. If you decide to have exclusion zones, they need to be controlled access which includes some form of detection. Otherwise, it is futile.

It is devastating to see Texas allows people to carry concealed guns in Univ. campus, even MDACC, a place for patient care and cancer research. We are handling so many materials that require tight regulations and controls. Any accidental gun fire can be extremely dangerous for our patients and caregivers.

It is a scary idea that people may be allowed to carry handguns in a place like this. the potential for an outbreak of violence increases. I don't think I will feel nearly as safe. I worry about disgruntled employees or domestic issues encroaching in an already fragile environment more than criminals and flammable or explosive material.

Many employees walk between the various campus buildings - frequently while it is dark. Lets face it, there is a lot of crime in the med center. / For those employees who are licensed to carry but who also may work in a exclusion zone, I feel small lockers should be provided somewhere so that the weapon can be safely stored away while working in that zone but then be accessible when returning to vehicle or mass transit.

Will there be body screens for the exclusion zones, similar to those at the airports? If not, how will you know if someone has a weapon on them?

There are conflicting statements in the Highlights to know section: / / Policies can't prohibit people from carrying concealed handguns on an entire campus. / / UT System will seek consensus on exclusion zones at all campuses. / / The second conflicts with the first. / /

Why do there need to be exclusion zones? Are we trying to find a way around the law?

I think its ridiculous and very unsafe , never have I been worried about my safety here at MD Anderson until

This law's only function is the oppression of minorities. MDA should actively lobby to have this law overturned.

I am a widow of a police officer and I own guns and used to have my own shooting range and do my own reloads. My guns care all kept in a gun safe and a safe location. If I carried a gun to work, I would only want to carry a gun to and from my parking garage and would want to lock it up in my locker. As a nurse, I would never want to wear a gun while caring for my patients. I would never want to wear a gun in a patients room. To be safe with a gun, you need to use it monthly. Shooting a gun once or twice and then caring a gun gives a person a false sense of security. They are probably more dangerous with a gun then without. / / If there is a woman who is walking to and from her garage and feels unsafe and has no experience with guns this is what I suggest, don't get a gun. Instead, carry wasp spray. It can shoot a steady stream about ten feet and temporarily blind the person. You cant accidentally kill someone like you can with a gun. / / The best plan is to travel in pairs and be aware of your surrounding. Finally, quit walking down the street staring at your cell phone! / / Regarding the random shooter. The odds of having someone with a concealed hand gun being in the right place at the right



Unless you plan on doing more to ensure our safety, we have no choice but to protect ourselves---ESPECIALLY if you work late/overnight and the places we have to walk to have less witnesses should something go wrong. Employees should be able to keep in purse/locker/office and carry to protect self going and coming to work. Since patients do not have a place to lock it up, they have no choice but to carry at all times. Restrictions should be placed on patients that are too ill or with cognitive problems or meds that could affect cognitive ability. But again, as someone that comes to work before the sun rises, you all should spend the money to have security in the garages and in the buildings where employees are and need help. Stop trying to save money and put our crazy!

I am very concerned with the campus carry law. I want to feel safe when I come to work and not have to worry about someone carrying a gun that may not need to be carrying one.

no we have enough with the guns every where . We need to feel safe at work. NO one should worries who is This law just made my working environment unsafe. Way to go Texas Legislators.

I believe the world we live in today it's a very smart decision to pass this law. Although, i believe its pointless since we cant really carry it on almost every area of M.D.Anderson. I'm a license carrier and for those who also have theirs should feel safer. Parking garages, trails, walking distance to buildings are unsafe day/night.

I think that this could turn into the Wild Wild west if people are allowed to carry guns. There are many emotions that are present in an atmosphere like this.

This bill should be repealed. Enacting this bill is a gross misuse of power and taxpayer resources. There are more pressing needs that could have replaced such a barbaric piece of legislation, like Planned Parenthood. And why do people need to carry guns in an academic setting?

Since the sky bridges are potential exclusion zones does the law define what constitutes "patient care"?. I don't see any patient care in the traditional sense when I am walking the sky bridges.

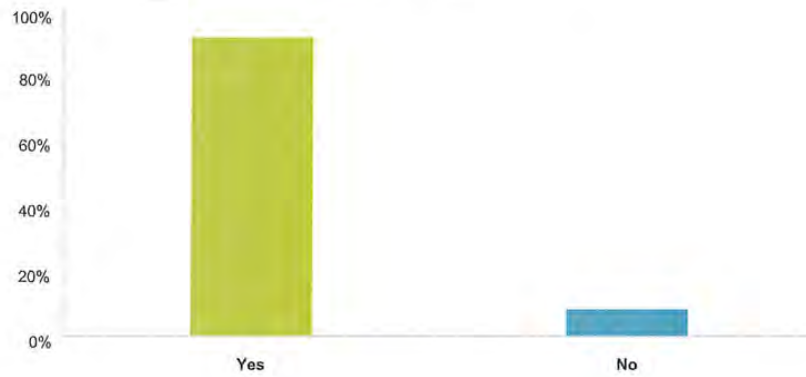
# **Attachment H**

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## **MD Anderson Faculty Senate Exclusion Zones survey results**

**Q1 Shall “Patients Care Areas”, where patients are intended to be examined, evaluated, observed, assessed, tested, screened, diagnosed or treated by or under the supervision or presence of a health care professional, including all areas that are subject to infection control measures per MD Anderson’s Infection Control Policy, UTMDACC Institutional Policy #CLN0436, be excluded?**

Answered: 433 Skipped: 2



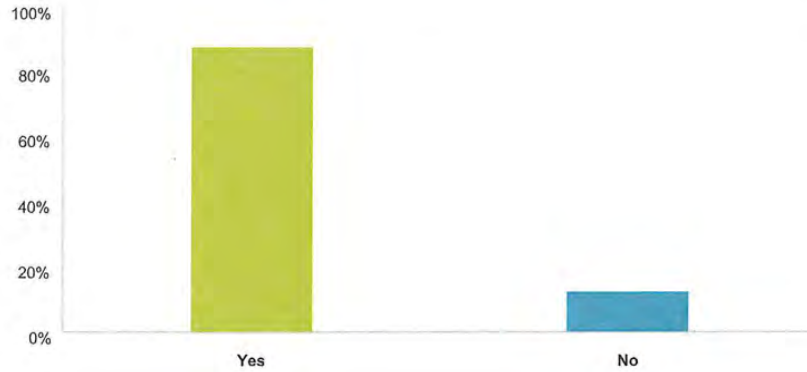
Answer Choices	Responses	
Yes	91.69%	397
No	8.31%	36
<b>Total</b>		<b>433</b>

**Q2 Shall “Patient Care Waiting Areas” (i.e. areas contiguous to and serving as designated patient waiting area for a Patient Care Area), be excluded?**

Answered: 434 Skipped: 1

SB11 - Campus Carry

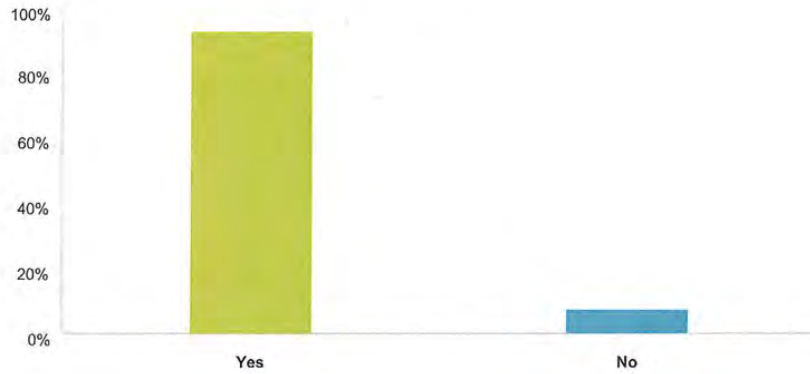
SurveyMonkey



Answer Choices	Responses	
Yes	87.33%	379
No	12.67%	55
<b>Total</b>		<b>434</b>

**Q3 Shall research laboratories with dangerous chemicals (flammable, combustible), biologic, or explosive agents be excluded?**

Answered: 432 Skipped: 3

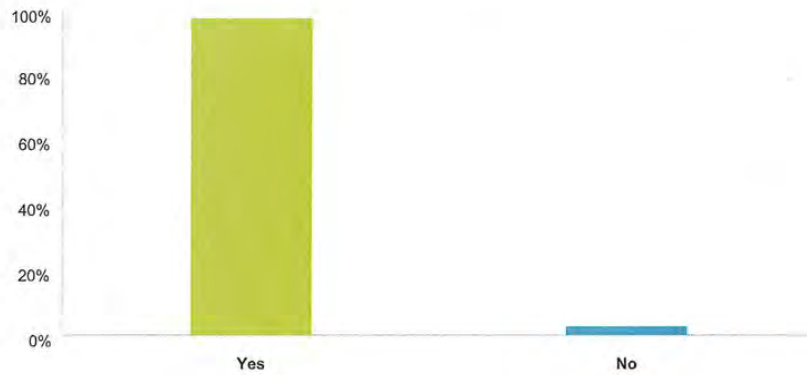


Answer Choices	Responses	
Yes	92.36%	399
No	7.64%	33
<b>Total</b>		<b>432</b>

**Q4 Shall areas with equipment that is incompatible with metallic objects such as magnetic resonance imaging machines be**

**excluded?**

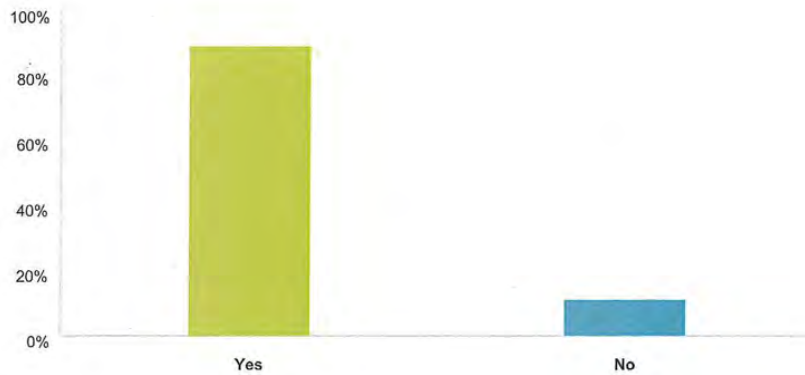
Answered: 432 Skipped: 3



Answer Choices	Responses	
Yes	96.99%	419
No	3.01%	13
<b>Total</b>		<b>432</b>

**Q5 Shall conflict resolution areas (e.g., Employee Health Assistance, Human Resources, Faculty Senate, ombudsman office) be excluded? These areas include employee’s health assistance, HR, faculty senate, ombudsman office.**

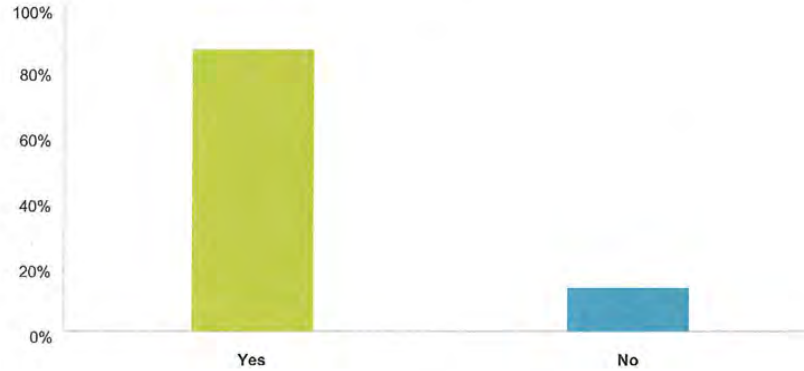
Answered: 435 Skipped: 0



Answer Choices	Responses	
Yes	88.74%	386
No	11.26%	49
<b>Total</b>		<b>435</b>

**Q6 Shall animal care and vivaria in which protocols increase the risk of discharge or contamination of a concealed gun, or its unanticipated separation from the license holder be excluded?**

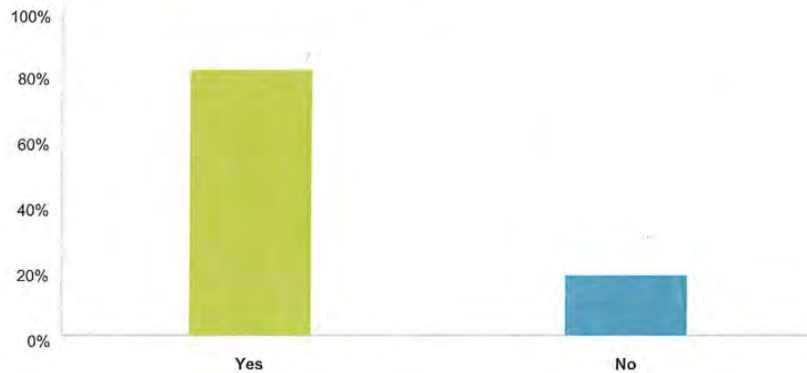
Answered: 433 Skipped: 2



Answer Choices	Responses	Count
Yes	86.61%	375
No	13.39%	58
<b>Total</b>		<b>433</b>

**Q7 Shall critical infrastructure areas, such as the Data Center, or critical physical plant facilities be excluded?**

Answered: 433 Skipped: 2



Answer Choices	Responses
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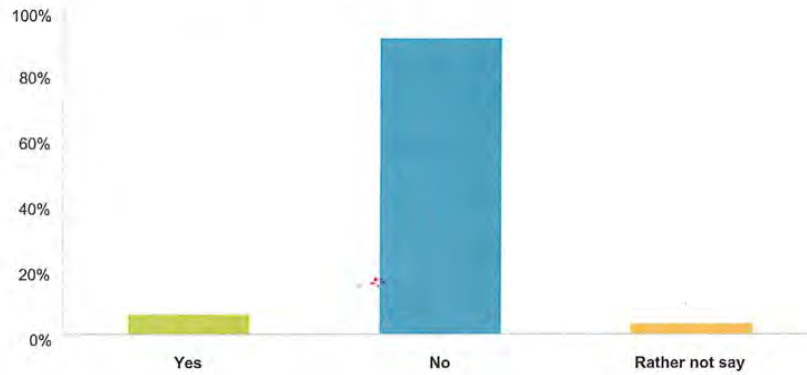
SB11 - Campus Carry

SurveyMonkey

Yes	81.52%	353
No	18.48%	80
<b>Total</b>		<b>433</b>

**Q8 When you are at M. D. Anderson, do you presently carry any items or materials such as pepper spray that are specifically and primarily intended to be used for personal defense?**

Answered: 433 Skipped: 2



Answer Choices	Responses
Yes	6.24% 27
No	90.53% 392
Rather not say	3.23% 14
<b>Total</b>	<b>433</b>

**Q9 Additional exclusion zones**

Answered: 146 Skipped: 289

**Q10 Additional comments**

Answered: 129 Skipped: 306



## U.T. MD Anderson Faculty Survey on SB11 conducted by the Faculty Senate November 2015

### Responses to additional exclusion zones

1. If at all possible, excluding guns from the entire campus would be greatly beneficial in my opinion.
2. The entire medical center should be gun free - with the exception of safety officers.
3. My office, laboratory, the cafeteria and anywhere else I'm likely to be.
4. As many as we can possibly have to help ensure the safety of the patients and employees of the institution until this law is repealed.
5. All MD Anderson property
6. Elevators; since these are used to transport patients under treatment at any time and constitute patient care areas for that duration of time. As such, very few elevators would be allowed for people with concealed weapons.
7. Hallways, walkways and lecture rooms near research labs are prime conflict resolution areas, and hence should be excluded too.
8. All MD Anderson should be gun-free
9. I personally believe that all of MD Anderson should be excluded. I do not think that carrying weapons in any way, shape or form on campus is compatible with our mission and vision. It certainly does not imply "caring".
10. Class rooms, seminars. Otherwise, it may become a concern for some invited speakers to come and visit MDACC.
11. All areas devoted to research and educational activities should be excluded.
12. All of MDACC campuses should be firearm free except for law enforcement officers
13. Any area that radioactivity is utilized - cyclotron, PET facilities.
14. Picken's Tower building.
15. Pain clinic
16. Animal laboratory areas where necropsy/autopsy and experimental procedures of research animals are performed.
17. Research laboratories shall be excluded.
18. Hallways leading to above areas should also be excluded.
19. None
20. This may be covered by the Patient care areas and patient care waiting areas, but I would be sure to include any family meeting room or other conference rooms that are used for family discussions.
21. I think guns should not be allowed in hospitals, research areas, or educational institutions and that such items should be checked in and stored upon entry to such institutions. Trained law enforcement officers should be allowed to carry weapons.
22. Faculty Center and Pickens Center Bldg
23. Primarily administrative and research office buildings should be excluded as well.
24. All patient care areas and patient-related activity areas, including administrative buildings and laboratory/research areas should be excluded.
25. all patient areas
26. All clinical labs All areas caring or hosting children and minors
27. It is surprising that teaching premises at the SHP are not even included in this survey. Does teaching faculty not matter? Faculty office areas located in the basement of the main building yellow zone, and classroom should be included in the survey.
28. Faculty Offices
29. Patient checking areas (where insurance issues are discussed) should be excluded. THE ENTIRE CAMPUS NEEDS TO BE EXCLUDED!
30. All research laboratories and offices
31. Faculty office areas (i.e. Pickens Tower)
32. all areas
33. cafeteria, parking garages

34. None.
35. The entire medical center and all of MD Anderson should be excluded from carrying weapons
36. Conflict resolution areas should extend to faculty offices and conference rooms. Areas where patients and staff congregate should be excluded such as cafeterias and coffee bars. Parking lots should also be excluded.
37. There is no role for handguns or any other weapons in a workplace or patient care area where emotions run high. There is no role for concealed hand guns anywhere at MD Anderson Cancer Center. There are already multiple times where I have seen family members threaten physicians here or other employees when they see their family member going through the processes of death with cancer. It is scary to be on the receiving end. I fear for what can happen when we allow handguns on campus.
38. all campus
39. All corridors that lead to the exclusion areas described above
40. None
41. Childcare facilities
42. Any location where patients and their families may be waiting, eating, or receiving care. There is absolutely NO NEED for a handgun, concealed or otherwise, at MD Anderson.
43. This is a completely ridiculous law. All weapons should be banned completely! From everywhere!!!
44. Patient care waiting areas should be expanded to include outdoor waiting areas where transportation waits or parks where patients receiving treatment wait.
45. A. Faculty offices, as these are often areas where delicate conflict resolution discussions occur.  
B. Public dining halls or eating areas C. Public walkways between Main Building, Faculty Center, Pickens Tower, and Mays, including hallways through Faculty Center to Pickens D. Conference rooms where many individuals are gathered E. Pickens gym facility
46. All pediatric designated areas including Kidszone.
47. restaurants and cafeterias where mass number of people are gathering
48. None
49. Faculty center towers where: - conflict among faculty, and/or employees can arise - heated discussions can occur - faculty termination meetings can be held - other workforce member termination meetings can be held
50. Since vivariums might be excluded, what about the gym and other sports facilities, or anywhere where people have to change clothing?
51. any place that a patient may walk to get to treatment and care
52. Only exclusion zones should be those where CHL holders cannot carry based on existing State Law. That is polling place, sporting event, gambling area, bar or area that derives over 51% of its income from the sale of alcohol or court room (HR?)
53. any area where a patient may be should be excluded.....this includes outside gathering areas, cafeterias, etc....there is no place for guns in or near a hospital If we must abide by the law, the mid campus building and south campus, excluding the proton center, may be the only places where this campus carry can occur, but I prefer NO place on MDACC grounds.
54. All the campuses of MD Anderson should be out of any kind of concealed handguns.
55. Operating Room Areas
56. all of the institution.
57. The School of Health Professions
58. None
59. All classrooms
60. The faculty center and FCT since patients walk through this area
61. Cafeterias, parking lots
62. Faculty Center should be excluded
63. Hallways and bridges going/coming to clinic areas
64. Any areas that are subject to high levels of emotional stress.
65. Educational offices
66. Office areas
67. inside of all campus buildings
68. Faculty office buildings

69. The entire institution should be excluded
70. Offices, Pickens, ...
71. Faculty offices especially faculty with managerial responsibilities.
72. These are not restricted by location, but is there any way to exclude concealed handguns from high-emotion/conflict events in graduate education (specifically, oral candidacy exams and thesis defenses)?
73. MD Anderson is a hospital and a research area. The entire campus should be excluded.
74. There should be no guns at MDACC except for designated security personnel.
75. Pickens tower Faculty center lobbies and reception areas for clinical buildings and clinics
76. I wish the entire hospital system could be excluded
77. I think no one should bring concealed weapon to work.
78. Any human research area, including cancer prevention, survivorship and population sciences. Any faculty wellness area, including the Fitness Center, Faculty Health and Wellbeing Areas and activities.
79. All research zones, any business center, any place where confidential information is exchanged, the pharmacy.
80. ALL MD ANDERSON
81. Educational areas
82. As many places as possible.
83. Whole hospital. This is a total nightmare and Texas should be ashamed.
84. I WOULD APPRECIATE THE POLICE AND UT SECURITY BEING ARMED OTHER WISE KEEP THESE GUNS OFF CAMPUS
85. Cafeterias, sky-walks and all roofed and walled transit areas leading to the above excluded areas. How is a gun carried for example to the cafeteria or on a sky-walk going to be separated from the owner before his/her entry into a clinic waiting room?
86. Research laboratory area should extended to all hallways and adjacent areas. The glass wall or sheetrock will not stop projectile penetration should a firearm be discharged.
87. we should exclude all areas including faculty offices
88. everywhere possible
89. Every conceivable one
90. office building: Pickens
91. The chapel in the Hospital and other areas (e.g. volunteer rooms) that may not be directly related to patient care but where patients go to receive additional services.
92. Any area that patients must traverse such as the faculty center and Pickens tower. I personally, do not feel that it is safe for guns to be carried where patients are waiting, eating.
93. Everywhere at MD Anderson. Why do we have to follow an insane law? How about some civil disobedience.
94. Operating Rooms
95. The Faculty Center and Pickens towers should be excluded. Patients can now wander in and sensitive issues are often communicated in these areas as well.
96. skybridges, faculty center/pickens
97. All MD Anderson
98. Research labs
99. As many as possible. This is totally ridiculous.
100. Academic and VISA Administration performs conflict resolution and HR functions for faculty and trainees, and should be included in Q5.
101. Everywhere where there are lot of people including waiting rooms, cafeterias, prayer rooms/church. A gun in unwanted hand compromises the safety of patients and employees equally unless there is a plan for huge security presence all over the hospital.
102. Academic offices should be excluded. These are also considered conflict resolution areas in many respects. We also have people from the outside wandering into our buildings inquiring about parking, restrooms, all sorts of things and many of us do not feel comfortable knowing that concealed weapons will be permitted in these areas. The entire campus should be excluded.

103. In my experience it has been clinical faculty offices that have been areas of arms assaults.
104. All faculty and administrative offices - these are sometimes used as conflict resolution zones out of necessity; when a crisis occurs, movement to a recognized or approved conflict resolution zone is not always possible in the moment.
105. All MD Anderson campus should be excluded. Exception: garages so they keep weapons in cars
106. Everywhere should be an exclusion zone except perhaps a small glass box, maybe under the bridge over the bayou, or in the middle of the new Mays park at Fannin/Holcombe, where interested parties can go while they handle their guns. We could combine it with whatever area people go to smoke. Oh, I forgot, aren't we a smoke-free campus? Let's switch to allow smoking in designated areas instead. Happens anyway.
107. Off site locations where there is no constant security presence.
108. faculty offices- these are the primary areas for conflict resolution areas between students and PI's.
109. physician offices
110. The library. The faculty lounge.
111. All the clinical laboratories with the same materials as stated in item #3 above should be excluded. Other offices dealing with staff issues like HR, e.g. managers' offices, should be excluded also as those listed in #5.
112. Faculty center where faculty offices are located.
113. the entire institution should be excluded.
114. I do not believe any institution of education or higher education or a medical facility should allow weapons or concealed weapons anywhere on campus. Can all the areas be excluded? If personal safety is a concern then beef up security. I did not see the reason why this law was passed in the presentation. Why allow firearms at medical or educational institutes?
115. Classrooms. Faculty cannot have a peace of mind when teaching in a classroom with guns present. If we allow guns in the classroom, I will decline teaching requests in the future.
116. Faculty offices in Faculty Center and Pickens Tower
117. All zones MUST be excluded. No gun should be permitted in any building/facility of MD Anderson.
118. Due to the vulnerability of children, and the potential for harm, specific mention of exclusion from pediatric patient areas should be made.
119. classrooms and seminar rooms
120. No exclusion should be made
121. Cafeterias, coffee shops, where food items are served. Patients do come to such areas. Conference rooms where disagreements could be discussed.
122. Classrooms
123. As #2 in this survey includes patient care waiting areas - could that make an entire building such as alkek a no-gun zone (preferred) as many entrances have waiting areas?
124. I would prefer that Universities and Hospitals be gun-free zones.
125. Faculty Center and Faculty Center Tower (see below)
126. Faculty academic offices, cafeterias, other public meeting areas.
127. School of Health Professions Classrooms, laboratories, and faculty offices.
128. CHAPELS
129. None
130. entire mdacc.
131. Guns should not be allowed within 50 feet of the hospital.
132. None
133. Auditoriums and class rooms
134. No guns at all. Only UT police can carry gun
135. all corridors and approach areas that lead to patient care areas in #1
136. restroom
137. Student classrooms. Do not want students bringing guns to class. I would be nervous giving anyone less than an A grade. Pickens towers faculty offices. We may need to increase

security at FCT and Pickens once this policy takes effect and guns are allowed in FCT and Pickens.

- 138. NONE
- 139. "The President of each campus can recommend additional or fewer exclusion zones based on the nature of its population, the specific safety consideration and the uniqueness of the campus environment." It is hard to imagine ANYWHERE on campus where weapons should be excluded.
- 140. Classrooms and Conference Rooms
- 141. Concealed handguns should not be allowed on the campus of MD Anderson.
- 142. Garage
- 143. School of Health Professions - Administrative area in YB = Yellow Basement
- 144. All areas where employee access is required for entry
- 145. The entire campus.
- 146. Any area where patients are likely to be found should be excluded.
- 147.

### Additional Comments

1. What in the earth are people thinking - taking your gun to work? No guns anywhere in Med center is my opinion. Asking for a shoot out. if this or that area is excepted where does one put the gun if carrier goes from area that is OK to area is that is not??
2. I'm serious. The state's flagship university and the world's leading cancer center should not be caving into the legislature this way. This law is going to be enormously damaging to the institution. And am I the only one who sees the irony in the effective date of this misguided legislation being the 50th anniversary of the UT sniper? Guns have no place on college campuses or university medical centers, period.
3. I would like to be able to carry a handgun to and from my faculty office so that I have it when I am walking to the parking garage. That is the only need I have for carrying a concealed weapon.
4. Need metal detectors or security with wands at all patient and employee entrances.
5. I think we should consider joining the lawsuit by UT Austin professors to block UT from allowing concealed handguns on campus.
6. "1. We need metal detectors to enforce policy in critical areas including ER. 2. If it is impractical to have patchwork of excluded areas to no access to exempt areas, the entire building should be excluded. 3. We need to increase the number of our security personnel since there may be numerous incidents of violations: intended or unintended, that will need to be addressed by the institution under law. 4. Security personnel need to be instructed to identify violators of Campus carry policy who have clearly visible bulges in their pockets or any other places on their body. 5. Violation of Campus carry policy should result in automatic termination of employment and a permanent ban on entry of non-employees to the campus premises. 6. We need to have an active program for the entire work force on how to respond to active shooter incidents. 7. The workers who will be most vulnerable to active shooter incidents are: ER personnel, and critical care

nurses who have to deal with emotionally charged situations. Other vulnerable personnel are supervisors who have power to hire and fire employees; there should be special programs to mitigate the risk of violence against them. 8. We will need to clearly demarcate the patient care areas from the non-patient care areas and need to have a state issued ID to access any patient care area. Other administrative departments could have similar policies. This would be independent of the Campus Carry policy and would be at the discretion of the hospital administration. This would limit access of non-employees to only those who need to access for a valid demonstrable reason. While this may cause delays to visitors, we have very few options to keep the work-force safe. 9. Overall, the presence of concealed weapons with raise psychological stress in the work-place, lead to mistrust and lack of communication, restrict access to many areas of the campus for a variety of people and will be a distraction. One violent incident related to the Campus carry policy could lead to major damage to the brand of the institution in this day of social media and 24x7 media coverage. This could have dire financial implications since 40% of our patients come from outside Texas and 10% come from other countries. It could also be difficult to recruit outstanding faculty members if they have apprehensions about the policy. This would lead to deterioration of academic and clinical standards of the institution and could mark the beginning of the end for world-class academic institutions in the state of Texas. Any negative repercussions of the policy should be carefully monitored for and the same should be conveyed to the Board of Regents so they can press for scrapping this law. "

7. I am concerned that the legislature has not allocated any funds to implement this bill. This means that any additional costs will have to be covered by the institution. It concerns me that money that is coming into the institution would have to be diverted from our patient care and research efforts to implement a bill that has no positive impact on our mission and vision. I also think that this bill will have a negative impact on how MD Anderson is perceived, nationwide but also internationally. I also think that it will not serve to provide a safe patient care environment. I certainly will not be feeling safer, knowing that various individuals might be carrying guns.
8. Leave guns in the car. Guns have NO PLACE inside a hospital setting (educational facility patient care area or otherwise). Guns are for security purposes when not in a protected environment. In the hospital setting, we have professional police and security personnel to keep patients, doctors, nurses and all other staff safe. Therefore, no one has ANY reason to carry a gun or other weapon INTO this type of environment.
9. I personally do not feel comfortable (or even scared) when people visited my office with a "carry".
10. There can be no justification for anyone to carry a concealed handgun in areas where research and educational activities are performed. Allowing concealed guns

to be carried in these areas would make the environment intimidating and possibly prohibitive for free and open exchange of ideas and discourses.

11. what is this the 19th century and are we the "wild west"?
  12. I am personally not in favor of campus carry
  13. Hospital like this one is the place where life is saved, but guns are used to take lives. Keep them apart.
  14. For what it is worth, this law is not the answer. Allowing firearms in the general public is not going to decrease the amount of public shootings. I am not what the answer is, but this not it.
  15. If exclusion zones are planned, secure facilities to temporarily store weapons should be provided.
  16. The Texas experiment is to allow arms to everyone, to deter abuse. Right or wrong, the experiment is being run. Let it run without dilution, and gather the data needed. We'll soon see if it works.
  17. This could be highly dangerous to have guns at the hospital areas when patients become distressed, angry, uncontrollable and try to take it out on the physician. No guns at MDA. They should be kept off campus, yet it is justifiable to have them in the car for traveling.
  18. I keep pepper spray on hand.
  19. If the entire purpose of concealed carry law is to provide citizens the right to protect themselves (not to intervene in the defense of others) I see no reason why persons with concealed carry licenses feel threatened inside the MD Anderson and feel compelled to carry their weapons into MD Anderson. We should make a principled stand against allowing any concealed carry weapons into patient and caregiver (physicians and staff) areas.
  20. hospitals are potentially highly volatile places - all patient areas should be excluded
  21. No guns at all in patient areas!!!! This is an experiment with doctors nurses and patients and it is crazy
  22. There is no place for weapons inside any hospital. This is a significant danger to staff and patients, especially in a high stress environment
  23. Although I am in favor of the above exclusion zones much of this seems silly when one steps back. Excluding those with CHL from carrying in any area does not protect us from those with malicious intent, typically from someone without a CHL, from doing so. They will do this regardless of rules, lack of licensure, etc. and probably do so now without anyone's knowledge. Those with CHL are no more likely to commit a felony or become violent than the general population. We need to be wary of criminals, not those with CHLs.
24. Please exclude any area that can be excluded on MDACC's campus!!!!!! Thank you.



25. I think this survey is WONDERFUL in its intent, but the way the questions are worded leave the opportunity for misunderstanding. This survey must be clear that we are asking to decide whether guns should be allowed on campus. You may need to be sent out again.
26. Since 9/11, there have been more than 400,000 deaths in America from guns -- more than 1,000 times as many as from terrorist attacks.  
<http://www.cnn.com/2015/10/02/us/oregon-shooting-terrorism-gun-violence/>.  
"More guns" isn't the answer. And other countries have the mentally ill (but most of them don't have guns lying around).
27. Handguns have a chilling effect on staff, patients, physicians and general environment. Hospitals are supposed to be a safe zone, and we trust our trained security to protect everyone should there be a threat.
28. guns kill people
29. Reasonable accommodation should be made for CCL holders to transit between parking garages and offices/work areas, patient waiting areas, or cafeterias without violating exclusion zones and without leaving their handguns in their vehicles. Reasonable accommodation should be made for secure storage of personal firearms by CCL holders who must surrender firearms before entering exclusion zones. The model for doing this is how firearms are transported by passengers on airlines: the passenger makes a weapons declaration in the terminal, checks in the secured firearm separated from its ammunition, and the airline holds it until it is returned to the passenger.
30. The wording of the survey is poor. The policy is not listed. When the survey lists "Excluded" does that mean excluded from the policy or does that mean guns are permitted.
31. This law makes the state of Texas look moronic to the nation. The effort UT is expending on compliance is such a waste of time and money.
32. The policy of allowing concealed handguns on campus is appalling and makes UT fall way down the list as an employer of choice. This policy has made me rethink my position here and I am starting to look at institutions outside of Texas where I can feel safe at work.
33. How will exclusion zones be enforced? Years ago a doctor was shot at MD Anderson by the unhappy husband of a patient. While a person could shoot a doctor anywhere, we should not make it easy for him/her, especially in a crowded environment where many others could be injured.
34. To meet the letter of the law, consider UTMD Anderson grounds i.e. parking lots, garages, gardens be covered by the law and the inside of the buildings be exclusion zones.
35. We are seeing patients of all nationalities, some have attires that possibly could carry concealed weapons. They may need to be screened also. Better to be safe than sorry.

36. The policy should balance safety against a least burdensome approach to the concealed carry holder. MRI facilities are NOT UP FOR DISCUSSION. You cannot have a gun in an MRI facility. That is sheer idiocy. Safety trumps all on this one. Uncontrolled ferromagnetic objects are not allowed into Zone III. End of conversation.
37. Gun should not be allowed on campus at all!
38. I'm sorry to see question number 1 referring to "all areas covered by and infection control policy" - Is there anyone outside of Infection control what those areas might be ???
39. It is very worrisome to me that in a highly emotional area, such as a Cancer Center, that patients and staff would be permitted to carry a weapon. I am very concerned for my safety and the safety of the people I take care of and work with if this is permitted.
40. There is no justifiable reason to bring weapons anywhere on campus.
41. How about we do some lobbying in Austin to get this revoked.
42. Question 6 is poorly worded. Handguns should be restricted from isolation areas, just as other stuff that has not been decontaminated should be. Ordinary animal care areas should not be excluded.
43. I think the President should add that there is a substantial proportion of the faculty who want the entire campus of MD Anderson to be excluded on principle; while not technically a hospital, the intent of the MD Anderson campus is that of a hospital. It is counterproductive to have Campus Carry here, given the purpose of our great institution, and even though viewed as not politically expedient by some, adding this viewpoint to any list of exclusion zones makes the point that we will 1) lose patient referrals and 2) lose star faculty, trainees, and recruits should we allow campus carry on our "campus." The President has the opportunity to set MD Anderson aside from the pack as the crown jewel. No legislator will punish us for taking a stand here.
44. It is outrageous to allow guns in a cancer hospital
45. I think that areas truly at highest risk are wherever patients/families are present, as highly emotionally charged situations could suddenly escalate into violent ones. Ideally, in no part of the campus should guns be allowed. But since the law prohibits doing this, we unfortunately have to prioritize. Hence the above recommendations.
46. How is this going to be enforced? can metal detectors be installed in entries to clinical areas?
47. We need to be careful not to create a threatening environment where people feel unsafe coming to work. Guns anywhere in campus will definitely negatively affect the morale of the faculty.
  
48. Train ALL security personnel to carry weapons and allow these folks to be armed ( at gates, doors, entrances to research buildings etc.)
49. The faculty center and office showed by allowed to carry FOR holders of concealed Handgun license. The administrative offices have police officers and security to

enter premises, the faculty whom see patients do not have the same protection. Self protection is faster than 911.....

50. Assault and murder are already illegal. Do you really think they are not going to assault or murder with a weapon because it is an "exclusion zone" (victim disarmament zone)? Nearly all mass shootings happened specifically in these zones where they knew no one could defend themselves. When I am statutorily disarmed in these areas, what specific protections will UTPD provide for me. Will UTPD accept liability for my injury due to violence if I am harmed in one of these zones? If you are taking away my means of defense you must accept responsibility, correct?
51. I totally respect the decision on Texas Legislature Senate Bill 11. However, I personally believe that at MD Anderson patients and even employees can be exposed to heavy emotions. Thus MD Anderson should implement a policy to have knowledge of who is carrying Concealed Handguns Licensed. In this way at least there is a more organized mechanism to identify possible risks and resources at the moment of any incident or emergency.
52. Maybe we should exclude everything except the gardens/yard? It would be so much simpler! If all UT System presidents refused this law, maybe it would put enough pressure on the gov to make exceptions?
53. This was signature legislation of Governor Abbott backed by the NRA and TSRA. CHL holders can bypass the metal detectors in Austin at the State Capitol. If we block more than this we risk a law suit and embarrassment of the hospital. If we restrict CHL holders we should keep Tae Kwon Do multi-Dan Black Belts in leg irons (reduction ad absurdum argument).
54. I am more concerned about other employees harming others than patients. How will the institution guarantee my safety with multiple weapons circulating in the work place? If there is such a high concern for safety, professional police officers should be hired.
55. You cannot exclude areas in Q1 without excluding areas in Q2 unless we create an area where patients and employees can leave their weapons before entering an exam room. Plus...how will this be enforced? Will you have metal detectors at the clinic entry?
56. This law is a farce and a travesty endangering the lives of many. What would happen if someone pulled a firearm and shot someone, people in the area subdue the gunman and an innocent hero is in control of the gun when the police arrive and they mistake them for the shooter and shoot the innocent bystander? What if half a dozen people pull out their gun to defend and others get caught in the crossfire?
57. As with all other issues at MDACC, this decision must be made on the basis of hard data, not on the basis of personal bias, emotion, politics, political correctness, survey, or applause meter. Like it or not, here are the facts: there is zero evidence that Texas citizens carrying licensed concealed handguns pose a risk to others in any MDACC environment. There are no records of illegal acts or "incidents" committed by CHL licensees in Texas hospitals or medical clinics carrying concealed, legal handguns. There are no records of adverse incidents involving legal concealed handguns in any vivarium or hazardous material storage area. CHL licensees are

allowed to carry legal concealed weapons in our State Capitol, one of the most emotionally contentious locations on the planet. It would be wise for MDACC not to thumb its nose at the Texas Legislature or at our Governor.

58. I believe the faculty senate should write a petition against this ridiculous law and allow the MDACC faculty to voice their objection and take a stand against our state leaders.
59. This law was intended for college campuses and never intended for an organization like ours. I think we should take a stand against this and exclude the entire campus for the sake of our patients and employees
60. I feel strongly that MDACC should calculate the total expense that this legislation has brought upon our institution or those entities that fund us (e.g. inclusive of our attorney, faculty, leadership, staff, etc.) both to date and projected into the future), and bring this to the attention of our Texas public and legislators. Responsible leadership at the Tx state level requires knowing the cost-benefit analysis of this law.
61. This is a terrible law and puts people at risk who only want to help educate and care for others.
62. We will need enough gun lockers that individuals exercising their right to concealed carry of their weapons can store them when they go from prohibited to permissible areas.
63. when patient care rooms, labs and offices are in the same building and on the same floor all the floor should be excluded for practical reasons, same issue when moving from one floor to the other and having to pass from exclusion to non-exclusion zones
64. Personally, I am anti-gun
65. Please exclude as many areas as you can.
66. This list of exclusions is excessively restrictive and is not consistent with the letter nor spirit of the campus carry law
67. Those carrying concealed weapons should be clearly identified by adding a red band across their badge so those bystanders fearing they may cause an accident by dropping or otherwise accidentally discharging their weapon can avoid them. Since accidental discharge of a concealed handgun can cause damage to innocent bystanders those carrying concealed weapons on MDA campus should be required to register with the UT police and show proof of liability insurance since they are a potential danger to employee safety.
68. I attended one of the previous Campus Carry Townhall meetings and was really struck by all of the conflicting information that people labeled as “facts”. While I understand that we must figure out how to implement the law as it currently stands, I can’t help but wish we had reliable data to work with in these discussions and moving forward. I honestly can’t determine if this new change will increase or decrease safety because none of the “facts” are reliable. As our UT institutions are filled with the highest caliber scientists and very talented statisticians, is there any way the UT system could facilitate a data analysis on this issue? Our daily scientific work is done within the requirements of providing detailed descriptions of our methods and followed by peer review. This process could/should be applied to the

current debate. While I recognize that this would be very challenging for political reasons, this would be an extraordinarily valuable contribution not only to UT, but the rest of the state of Texas, and the country. While I am not personally comfortable with guns, I know that intuition and emotion are not facts. Unfortunately, proponents and opponents of Campus Carry are throwing around conflicting information all of which are labeled as "facts", making productive discussion nearly impossible. I would like to think that we would be able to convene a diverse group to evaluate this difficult issue in the same way that we handle challenging scientific debates. I have heard some discussion among the faculty that there is a rule/law against gathering data or doing research related to concealed handgun license topics and/or gun violence, but I have been unable to confirm. Is this true? If so, this is directly in conflict with our mission and values as an institution and should be brought to light as part of this discussion. One other important point that should be addressed or discussed- I am concerned about our continued ability to recruit/retain students and faculty from other areas of the country. This bill has generated significant negative feedback from my colleagues in other areas of the country. It will be damaging to the reputation of UT as an institution of patient care and education. The bill, in addition to the rejection of HERO proposition, even make me question whether I want to stay in Houston long-term. Thank you for your consideration.

69. allowing weapons in work areas, in any location, makes all of us less safe.
70. NO GUNS HERE.
71. I personally consider this institutionalized insanity, pure and simple. I strongly recommend that faculty and administration draft an open letter of protest to the Texas legislature, voicing our united opinion about how completely inappropriate this law is. If we don't stand up and say "enough is enough". the powers that be will keep pushing their minority agenda on the majority. Sometimes political correctness equals cowardice, and I hope our esteemed institution ultimately does the right thing so history will show that we were on the right side.
72. I think no one should bring concealed weapon to work.
73. I believe we should protect MD Anderson faculty and employees from potential exposure to fire arms to the maximal extent of our abilities.
74. Please obtain as much input as possible from our security as they do an excellent job and should provide critical input
  
75. Frankly I think that this law is crazy.
76. please don't make me become scared to come to work :(
77. In "conflict resolution areas" like HR, I think it's reasonable that MDA employees carry hand guns to possibly counter an unlikely event where a disgruntled employee or job candidate intends to commit acts of violence.

79. Employees should make volunteer disclosure to managers/supervisors on intent to carry on campus.
80. I carry pepper spray on my keychain and usually forget that I have it!
81. I'm not afraid of those carrying a concealed weapon. In order to have a CHL, you have to be background checked and go through training. Even a misdemeanor like DUI can prevent you from getting a license. It's those that carry illegally that we need to worry about. Excluding legally carried concealed handguns from certain areas of MDACC is unlikely to affect anything. Crazy people do crazy things, whether they have a license or not.
82. we are fundamentally a hospital not a university
83. I would prefer that concealed handguns are not permitted anywhere on campus.
84. The Texas legislature and governor have collectively lost their minds.
85. Ideally all MDACC should be free of any firearms, concealed or not
86. We will need to increase security to the administrative buildings where faculty work. Right now there is no security on the 3rd floor of Pickens or Faculty Center. Regardless of what is decided, patients/family members should not be allowed to enter the academic office buildings where faculty work unless they are first somehow screened.
87. If a law is beyond stupid, we should not obey it.
88. The patient care areas are intimately connected to areas (such as Pickens/Faculty Center) that are technically not used for 'medical activities.' It does not seem feasible to separate these areas and therefore including them in the exclusion zone seems reasonable.
89. So far MD Anderson is safe-no gun shooting cases happen yet. Gun-carrying policy will increase gun-shooting at MD Anderson in the future.
90. Only allowed zones should be where UT PD maintains a presence and there is armed security near by.
91. There is no place for guns in hospitals. Anyone other than security personnel should carry the gun. Patients do not need guns for getting treatment here at MD Anderson
92. Fire guns or any other weapons should NOT be allowed in any hospital area, except maybe parking lots, where people could leave their weapons in their cars if needed.
93. The CHL campus carry issue will undoubtedly have a negative impact on the ability to recruit top notch faculty and fellows because many of these individuals are anti-gun to begin with. Aside from the fact that Houston as a geographic location is not nearly as favorable a workplace as other top cancer research centers (New York, Boston, Chicago, California, etc), Houston will be even less desirable for top recruits to seriously consider relocating here. In addition, patients from other parts of the US (and elsewhere) will probably give a second thought to coming to Texas (many think this state is wacko enough) and instead choose to seek consultation or care at DFCI or MSKCC. We are the laughing stock of the cancer world for so many reasons already (eg MDACC past dramas galore) and now we will be known as the wild wild west crazy gun-toting campus. The Campus Carry law is completely insane for so many reasons but in particular we provide patient care and have a responsibility to

protect our patients and their families, not to present more risk to them. I hope Dr. DePinho and his associates speak loudly on our behalf and lobby for AS MANY EXCLUSION ZONES AS POSSIBLE! For once, the administration can easily show us they they want to do what is best for the faculty and the employees!

94. Concealed carry on college campuses and in hospitals is beyond stupid. period.
95. The law was never intended to include MD Anderson. Campus carry at MD Anderson is an "unintended consequence" of the law that should be remedied by a "reasonable" interpretation of the law by our President
96. As a Texan and a UT employee, I am embarrassed that we even have to consider how to deal with this backwards, paranoid bit of legislation.
97. Areas that should be allowed should only include those areas open to the public. All other areas should be excluded.
98. To me as a faculty it is critical that the safety and right for free speech is guaranteed for students and faculty. I agree with chancellor McRaven that there is a great likelihood that this new law will "will stymie discussion -- heated discussion in areas - in the classroom." and am concerned about any faculty and student engagement in office hours where the faculty member is having to tell the student they didn't make the grade or did not perform as required. additional safety measures to ensure safety for students and faculty may be needed
99. Why do we need guns on our campus? Even if someone has a gun, does that mean they are capable of actually using it to take a life or stop something bad from happening. Yes, I realize they have to undergo training but such training is no guarantee of someone being able to use a gun properly or on the right people. It is just sad to have such a discussion on a medical and academic campus. We are supposed to be saving lives on this campus.
100. this is the most ridiculous state law ever! What good it could be to have somehow carry a conceal gun to the school and classroom?!!
101. See above. I am astonished that folks believe that just because we are an academic institution (and not a hospital) we should allow concealed arms. Does anyone feel comfortable working with someone who is carrying a concealed weapon? I guess this would be a reason to apply for a gun license - everyone for themselves and not worry about the collective good.
102. The Texas Legislature Senate Bill 11, also known as Campus Carry is such so... wrong and so... bad that imposes dangers and threats to academic and educational freedom.
103. Can we please have a published list of all faculty and staff who will be carrying firearms on our campus.
104. No
105. This is a stupid law that makes no sense and makes our institution potentially less safe.
106. This is a dangerous development on a campus where many employees and visitors are stressed and sometimes acutely emotional. There is no reason to allow firearms anywhere on this campus.



107. There is a lot of great science that goes on here in the med center. We have a great grad school. The GSBS wishes the faculty to recruit students from other states and countries to come here. Many out-of-state residents and foreigners already have preconceived notions of Texas being the wild west. The concealed carry law will only serve to reinforce these ideas, and I expect that people from the Northern US, Canada and Europe will look elsewhere for training opportunities. Add to that the fact that Houston just rejected an equal rights ordinance. This is not good publicity for our institution, our city and our state.
108. Consider that evenings or weekends might alter the appropriateness of concealed carry for some locations.
109. Smoking is not allowed in the premises (killing oneself), but guns are OK (killing somebody else). I see a significant contradiction in that law; I don't see a rational on that law.
110. FC and FCT also represent "conflict resolution" areas for issues involving faculty-faculty, faculty-staff, and staff-staff issues. This not only occurs in division head, department chair, and section chief offices, but in many faculty offices given the hierarchical team structure employed in both our clinical and academic work. It is important to remember that Dr. Fred Conrad was fatally shot in his OFFICE in 1982. Exclusion zones should include areas where faculty are accessible and not infrequently involved in "conflict resolution".
111. Don't think that concealed guns should be allowed at a hospital/cancer center - it's not a college or university campus. It is a place of patient care, healing;
112. It is very uncomfortable and frightening to know that your students carry handgun when you teach in the classroom/lab or when you meet with the students in your office concerning their academic progress, professional conduct and behavior advising.
113. Thank you for the work on this.
114. we are doing fine without guns on campus. why change?
115. This law puts all of us at risk. We discussed end of life issues, limited treatment options and constantly give very bad news to patients and families. This could lead to tragedies if an angry family member is carrying a gun.
  
116. I am saddened that this is even a topic of conversation. This goes against all morals and rational thoughts I have about why anyone should be allowed to keep a gun with them in a hospital. I did feel safe at work, not after hearing this news. I fear what will happen when patients or family members get bad news. Telling them only certain areas can't have guns sends the wrong message. Very sad day for Texas.
117. I am very uncomfortable with this law, specially its implications when irate patients or providers are carrying guns
118. The underlying intent of the Texas legislature should not be subverted with flimsy justifications that are based on personal distaste for guns. Furthermore, if

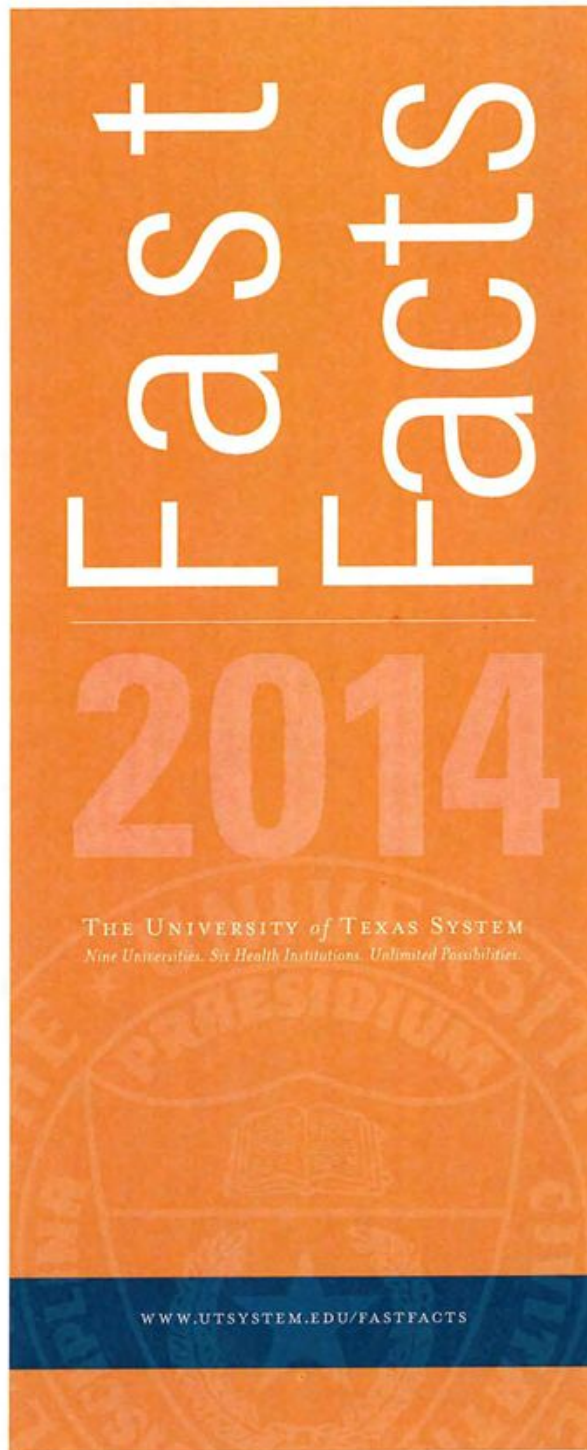
exclusion zones are created, then the institution should consider creating and maintaining appropriately secure facilities for temporary storage of such weapons prior to entering the designated exclusion zones.

119. I would like to go on record saying that I believe the entire MDACC hospital and facility should be GUN-FREE. I am 100% opposed to anyone carrying a weapon that has the sole intent on hurting another human-being. MDACC is a caring facility in which we are trying to save lives against a deadly disease. We do not need another potential killer in our waiting rooms. This institution went SMOKE-FREE (another deadly weapon) years ago... why on earth would we allow handguns? In NO SANE WORLD is it appropriate to bring a weapon into this medical facility and endanger the lives of patients, family and caregivers. I will be asking my patients to not carry weapons anywhere around my clinical activities. And, if they refuse, I will politely refer them to another provider.
120. The whole hospital should be gun Free zone and we should have a metal detector
121. We are a health care facility and need to be recognised as such although under the UT campus banner.
122. Excluding patient care areas should not include areas where patients might be present but are not actively being cared for such as cafeterias or skybridges. Patient care areas should also not include places where patients are cared for but are not normally present such as radiology reading rooms or pathology labs. The usual metal exclusions should work for MRIs, and if a handgun is not made of metal, there is no reason it cannot be brought into an MRI room.
123. I would like to minimize areas within MDACC where guns are allowed. I do not see the need for guns (excluding guards and cops) in our cancer center.
124. faculty center, faculty center tower, skybridges should not be excluded simply because a patient might pass through. patients do not have a right to weapon free zones on the sidewalk, in the grocery store, or hotel, why would these locations be any different?
125. This survey does not make logical sense. A person who opposes the law will mark "yes" to #1-7!
  
126. It is unclear how it will be handled if one is moving between restricted and nonrestricted areas; this is a major area of concern.
127. Concealed handguns should not be allowed on the campus of the Texas Medical Center.
128. This law will negatively affect patients wanting to come here and national faculty and student recruitment because it will be of serious concern for many people and their safety. I know I will feel less safe at work, and when my contract is up I will be looking to relocate to another institution.
129. This is a hospital!!!!!!

# **Attachment I**

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## **The University of Texas System Fast Facts 2014**



AT A GLANCE

*Enrollment & Degrees*

	UNDERGRAD & POST-BACC	GRADUATE/ PROFESSIONAL	TOTAL
Enrollment	161,777	51,141	212,918
% Minority	63.9%	35.2%	57.0%
# Degrees	33,253	17,848	51,101

*Faculty/Staff (Fall 2013)*

Faculty 19,801

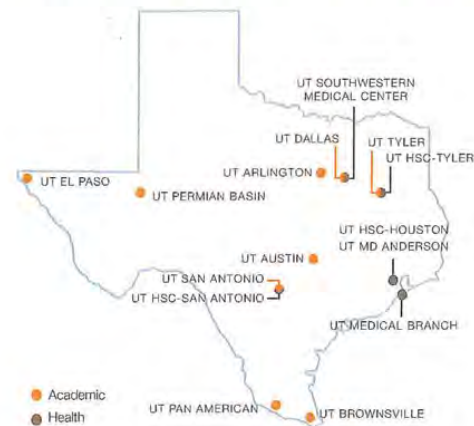
Members of the three National Academies 143  
(National Academy of Sciences, National Academy of Engineering, Institute of Medicine)

Other Employees (excludes student employees) 71,132  
Includes health care professionals, hospital support staff, student advisors and counselors, accountants, engineers and many other positions that support the institutional mission.

*Other Numbers*

Research Expenditures, FY 2013 \$2.53 billion  
 Budget, FY 2014 \$14.6 billion  
 PUF Market Value as of 08/31/13 \$14.9 billion

THE UNIVERSITY OF TEXAS SYSTEM  
*Nine Universities. Six Health Institutions. Unlimited Possibilities.*



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*UT System* | [www.utsystem.edu](http://www.utsystem.edu)

The UT System website provides an overview of the UT System and the 15 UT institutions, as well as breaking news and information on key initiatives, System offices and leadership.

*seekUT* | [www.utsystem.edu/seekUT](http://www.utsystem.edu/seekUT)

Prospective students and their families can look at salary and debt data for actual UT students one, five and 10 years after graduation. seekUT is the first online tool in the nation targeted to students that offers salary, debt and job data all in one place.

*Productivity Dashboard* | [www.data.utsystem.edu](http://www.data.utsystem.edu)

The Productivity Dashboard provides an unprecedented look at how all 15 UT academic and health institutions are performing on a variety of measures. The website provides data and trends reports for enrollment, graduation rates, tuition and fees, student debt, research expenditures, technology transfer and patient care. Information is interactive and user-friendly and is now available via an iPad app ([exploredata.utsystem.edu](http://exploredata.utsystem.edu)).

*UTx* | [www.utx.edu](http://www.utx.edu)

UTx is a groundbreaking initiative that offers competency-based education programs aimed at millions of Texas who are not being served by traditional higher education. UT-quality courses are interactive, personalized and adaptive, allowing students to move at their own speed and potentially accelerate time to degree completion.

*Social Media*

The UT System regularly uses social media to inform and engage the public and highlight accomplishments of UT institutions.

- Facebook: [www.facebook.com/utsystem](http://www.facebook.com/utsystem)
- Twitter: [@utsystem](https://twitter.com/utsystem)
- YouTube: [www.youtube.com/UTSystemVideo](http://www.youtube.com/UTSystemVideo)
- UT Matters blog: [www.utsystem.edu/blog](http://www.utsystem.edu/blog)

*Giving to the UT System* | [www.advancing.utsystem.edu](http://www.advancing.utsystem.edu)

Without the generous support of alumni and friends, the UT System's rich heritage of academic excellence would be impossible. Gifts to the UT System educate future leaders, improve health care in Texas and pioneer research innovations that ensure our state remains competitive in the 21st century.

STUDENTS, FACULTY & STAFF				
	Personnel <sup>1</sup> Headcount Fall 2013	Faculty <sup>2</sup> (All Ranks) Fall 2013	Student Enrollment Fall 2013 Headcount	% Change Enrollment from Prior Year
<i>Academic</i>				
UTA	2,243	1,698	33,329	0.3%
UT Austin	11,274	3,366	52,059	-0.2%
UTB <sup>3</sup>	685	395	8,570 <sup>3</sup>	-37.0%
UTD	2,471	1,045	21,193	7.4%
UTEP	2,030	1,189	22,926	0.9%
UTPA	1,479	881	20,053	3.9%
UTPB	257	238	5,131	27.6%
UTSA	3,322	1,445	28,623	-6.1%
UTT	886	436	7,476	9.0%
<b>Subtotal</b>	<b>24,647</b>	<b>10,693</b>	<b>199,360</b>	<b>-1.4%</b>
<i>Health</i>				
UTSWMC	10,056	2,219	2,349	-3.1%
UTMB	9,674	1,127	3,112	3.3%
UTHSCH	4,208	1,792	4,615	2.8%
UTHSCSA	3,775	1,676	3,148	-3.1%
UTMDA	17,354	2,195	317	9.3%
UTHSCT <sup>4</sup>	816	99	17	183.3%
<b>Subtotal</b>	<b>45,883</b>	<b>9,108</b>	<b>13,558</b>	<b>0.7%</b>
System Admin	602	n/a	n/a	n/a
<b>Total</b>	<b>71,132</b>	<b>19,801</b>	<b>212,918</b>	<b>-1.2%</b>

<sup>1</sup> Personnel headcount includes a wide range of positions including researchers, student services providers, managers, nurses, laboratory technicians, clinical staff, computer analysts, social workers, engineers, accountants, and support staff. Does not include faculty or 23,485 student employees.

<sup>2</sup> Includes all ranks of faculty, but excludes student employees such as teaching assistants. Faculty counts for the academic campuses are preliminary figures reported by the institutions.

<sup>3</sup> UTB and Texas Southmost College became operationally separate institutions in fall 2013. This is reflected in UTB's decreased enrollment, which, in prior years, represented the unduplicated enrollment at UTB and TSC combined.

<sup>4</sup> UTHSCT admitted their first cohort of six students in fall 2012.

Effective fall 2010, federal reporting of race/ethnicity categories was revised to include a two-question format: 1) ethnicity (Hispanic or non-Hispanic); and 2) race (African-American, White, Asian-American, Hawaiian/Pacific Islander, Native American), which is reported for non-Hispanics only. More than one race may be selected. For state reporting and comparisons, multi-racial is separated into "Multi-racial (incl. African-Am)" when African-American and another race is selected and "Multi-racial (excl. African-Am)" for any combination of the other races. International is a separate category and is excluded from race/ethnicity breakdowns.



STUDENT ETHNICITY & RACE FALL 2013

	Hispanic	African-Am*	White	Asian-Am + Hawaiian/Pac Isl	Other**	Unknown	International
<i>Academic</i>							
UTA	22.2%	15.0%	40.0%	10.6%	2.2%	0.8%	9.3%
UT Austin	19.7	4.5	48.5	16.4	2.5	0.9	7.5
UTB	87.1	0.9	5.4	1.1	0.2	0.4	5.1
UTD	12.2	5.7	35.3	19.4	2.6	1.9	22.9
UTEP	79.4	3.0	9.1	1.1	0.5	0.5	6.3
UTPA	88.2	0.7	3.5	1.2	0.3	3.4	2.6
UTPB	41.5	5.8	45.7	3.2	1.4	1.2	1.1
UTSA	46.6	9.8	29.2	5.2	1.7	1.2	6.2
UTT	13.5	11.0	63.2	2.9	5.6	1.2	2.6
<i>Health</i>							
UTSWMC	9.1%	3.0%	36.6%	17.7%	1.5%	6.3%	25.9%
UTMB	15.8	11.0	47.8	15.7	2.3	3.1	4.3
UTHSCH	14.5	7.5	42.3	14.1	1.6	6.9	13.1
UTHSCSA	24.9	4.9	44.6	14.5	2.0	4.4	4.5
UTMDA	18.0	12.9	30.6	17.7	0.6	12.9	7.3
UTHSCT	5.9	0	64.7	23.5	0	5.9	0
<b>Total</b>	<b>38.7%</b>	<b>6.7%</b>	<b>33.1%</b>	<b>9.7%</b>	<b>1.9%</b>	<b>1.5%</b>	<b>8.4%</b>

\* African-American includes "Multi-racial (including African-Am)."

\*\* Other includes Native American and "Multi-racial (excluding African-Am)."

SCIENCE, TECHNOLOGY,  
ENGINEERING, & MATH DEGREES

STEM Degrees as a Percent of Total Degrees Awarded by  
UT Academic Institutions, 2012

	UT System Academic #	UT System Academic %	Other TX Public Academic	National Public
Baccalaureate	6,675	22.5%	18.2%	19.3%
Master's	2,431	19.6	16.9	17.9
Doctoral	632	45.7	36.4	43.9
<b>Total</b>	<b>9,738</b>	<b>22.5%</b>	<b>18.3%</b>	<b>19.7%</b>

Based on the National Science Foundation STEM classification. Includes chemistry; engineering; mathematics; physics/astronomy; the agricultural, computer, environmental, geo- and life/biological sciences; and technology/technician-related fields such as electronic and computer engineering and environmental control technology.

FACULTY HONORS

Nobel laureates	7
Shaw laureates	1
Abel Prize	1
Japan Prize	2
Pulitzer Prize recipients	2
Members of the Institute of Medicine	42
Members of the National Academy of Sciences	42
Members of the National Academy of Engineering	59
Members of the American Academy of Arts and Sciences	58
Members of the American Law Institute	33
Members of the American Academy of Nursing	57

RESEARCH FUNDING FY 2013 (in millions)



TECHNOLOGY TRANSFER FY 2013

New Invention Disclosures	823
U.S. Patents Issued	176
Licenses & Options Executed	143
Start-Up Companies Formed	19
Total Gross Revenue Received from Intellectual Property (in millions)	\$61.9

*The 2012-2013 Tech Transfer data were collected by UT System's Office of Technology Transfer through a survey created by the Association of University Technology Managers (AUTM). The source of the previous years data are Texas Higher Education Coordinating Board "Technology Development and Transfer" survey. The THECB survey has been discontinued.*

RESEARCH EXPENDITURES FY 2013 (in millions)			
	Federal Expenditures	Total Expenditures	% Change in Total Expenditures from FY 2012 <sup>1</sup>
<i>Academic</i>			
UTA	\$30.8	\$77.7	8.8%
UT Austin	372.6	595.1	2.6%
UTB	8.7	10.4	24.9%
UTD	33.9	98.8	9.0%
UTEP	38.3	76.7	6.6%
UTPA	5.2	8.5	-5.7%
UTPB	0.3	1.1	-31.7%
UTSA	29.1	51.4	-5.5%
UTT	1.4	3.2	-25.0%
<b>Subtotal</b>	<b>\$520.4</b>	<b>\$923.0</b>	<b>3.5%</b>
<i>Health</i>			
UTSWMC	\$198.1	\$404.3	1.7%
UTMB	108.3	144.7	-2.1%
UTHSCH	144.2	220.1	-2.9%
UTHSCSA	99.2	156.4	-4.5%
UTMDA	183.0	670.6	3.6%
UTHSCT	4.9	11.6	-3.9%
<b>Subtotal</b>	<b>\$737.7</b>	<b>\$1,607.7</b>	<b>0.8%</b>
<b>Total</b>	<b>\$1,258.1</b>	<b>\$2,530.7</b>	<b>1.7%</b>

<sup>1</sup> Subtotals, total and percent change are based on unrounded figures.

PATIENT CARE PROVIDED <sup>1</sup> BY FACULTY UT HEALTH INSTITUTIONS FY 2013		
	Outpatient Visits	Hospital Days
UTSWMC	2,210,748	509,846
UTMB	693,930 <sup>2</sup>	121,012
UTHSCH	1,279,023	270,776
UTHSCSA	911,114	262,194
UTMDA	1,338,706	207,555
UTHSCT	217,906	7,610
<b>Total</b>	<b>6,651,427</b>	<b>1,378,993</b>

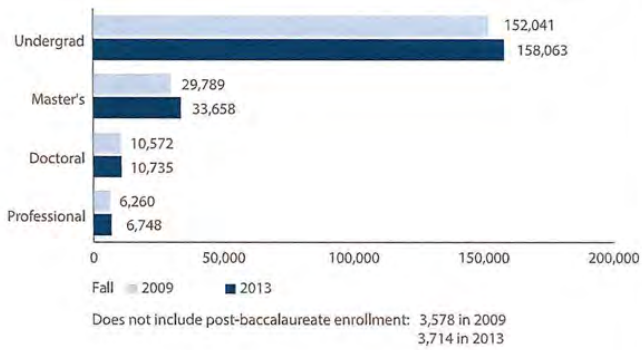
<sup>1</sup> At state-owned and affiliated facilities.

<sup>2</sup> Does not include correctional managed care off-site visits.

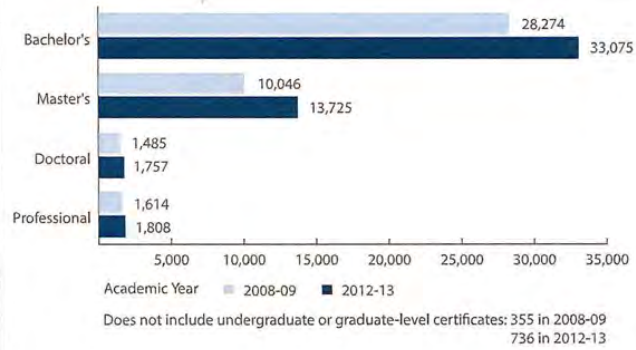
TRENDS

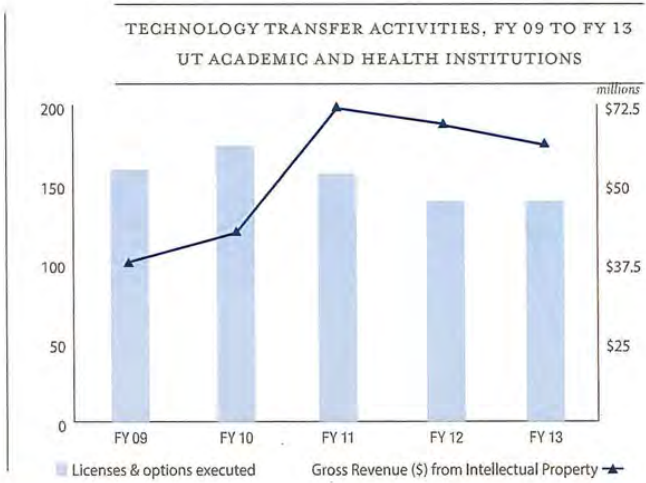
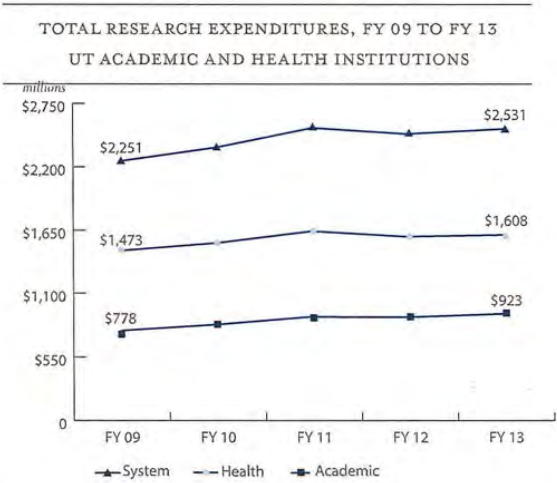
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ENROLLMENT, FALL 2009 & FALL 2013  
UT ACADEMIC AND HEALTH INSTITUTIONS



DEGREES BY LEVEL, 2009 & 2013  
UT ACADEMIC AND HEALTH INSTITUTIONS





The 2012-2013 Tech Transfer data were collected by UT System's Office of Technology Transfer through a survey created by the Association of University Technology Managers (AUTM). The source of the previous years data are Texas Higher Education Coordinating Board "Technology Development and Transfer" survey. The THECB survey has been discontinued.



## BUDGET

INSTITUTIONAL BUDGETS FY 2014 (in millions)			
	Total Budget Expenditures	From General Revenue	General Revenue as % of Total
<i>Academic</i>			
UTA	\$528.7	\$118.2	22.4%
UT Austin	2,522.6	315.5	12.5%
UTB	115.8	36.2	31.3%
UTD	540.1	110.8	20.5%
UTEP	396.7	96.0	24.2%
UTPA	259.9	77.7	29.9%
UTPB	61.1	29.8	48.8%
UTSA	513.8	122.1	23.8%
UTT	116.3	36.8	31.6%
<b>Subtotal</b>	<b>\$5,055.0</b>	<b>\$943.1</b>	<b>18.7%</b>
<i>Health</i>			
UTSWMC	\$2,016.6	\$168.1	8.3%
UTMB	1,680.9	340.8	20.3%
UTHSCH	1,086.7	195.3	18.0%
UTHSCSA	763.7	174.2	22.8%
UTMDA	3,691.0	185.8	5.0%
UTHSCT	157.2	43.7	27.8%
<b>Subtotal</b>	<b>\$9,396.1</b>	<b>\$1,107.9</b>	<b>11.8%</b>
System Admin	\$165.1	\$6.1	3.8%
<b>Total</b>	<b>\$14,616.2</b>	<b>\$2,057.1</b>	<b>14.1%</b>

### REVENUE TRENDS PER FTE STUDENT (Academic)



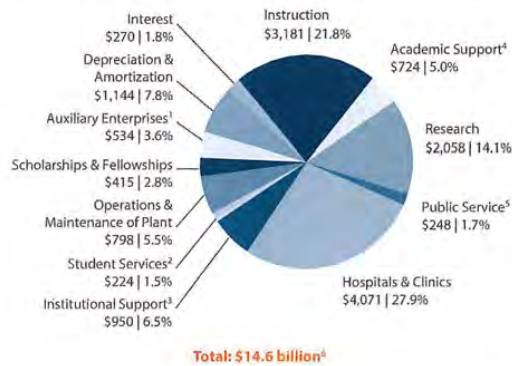
Adjusted for inflation using the Consumer Price Index (CPI-U) and FY 13 as the base year. Tuition & Fee Revenue does not include scholarship and fellowship discounts and waivers. Totals do not include UT Brownsville.

FTE: full-time equivalent

HOW THE BUDGET IS FUNDED  
FY 2014 (in millions)



HOW THE BUDGET IS SPENT  
FY 2014 (in millions)



<sup>1</sup> Essentially self-supporting institution enterprises such as bookstores, dormitories or intercollegiate athletic programs.

<sup>2</sup> Admissions and registrar offices, as well as activities with the primary purpose of contributing to the emotional and physical well-being of students outside the context of formal instruction.

<sup>3</sup> Centralized executive-level activities concerned with institutional management and long-range planning.

<sup>4</sup> Support services for the primary missions of instruction, research and public service. Includes salaries, wages, academic administration and all other costs related to the retention, preservation and display of educational materials.

<sup>5</sup> Noninstructional services beneficial to individuals and groups external to the institutions.

<sup>6</sup> Capital purchases and debt principal repayments are uses of funds that are not part of the budgeted spending presented. When considered in combination with depreciation, a budget expense that does not actually use funds, these two items make up the difference in the totals for funding and spending above.



## COSTS & FINANCIAL AID

*Average annual net academic cost and average percent discount  
for full-time undergraduate students, AY 2012-13*

	Avg In-State Total Academic Cost <sup>1</sup>	% Receiving Need-Based Grant Aid	Avg % Discount	Avg Net Academic Cost <sup>2</sup>	Avg % Discount
UTA	\$9,292	54.5%	75.0%	\$5,493	40.9%
UT Austin	9,790	37.7%	88.4%	6,528	33.3%
UTB	6,258	72.4%	95.1%	1,948	68.9%
UTD	11,537	46.7%	70.1%	7,759	32.7%
UTEP	7,116	66.6%	99.8%	2,383	66.5%
UTPA	6,271	78.4%	100.0%	1,354	78.4%
UTPB	6,708	55.7%	89.6%	3,358	49.9%
UTSA	8,984	57.3%	68.1%	5,480	39.0%
UTT	7,222	60.1%	88.5%	3,377	53.2%
<b>Average</b>	<b>\$8,782</b>	<b>54.0%</b>	<b>80.4%</b>	<b>\$4,970</b>	<b>43.4%</b>

<sup>1</sup> Total academic costs represent the sum of all statutory tuition, designated tuition and board-authorized tuition (where applicable), along with mandatory fees which now include college and course fees. Academic cost information is derived from actual fee bills for resident undergraduate students enrolled for 15 semester credit hours in the fall and spring semesters. Therefore, these figures represent costs for a total of 30 semester credit hours.

<sup>2</sup> The average net cost for all full-time students is derived by subtracting the total need-based grant aid from the total academic costs of all students and dividing by the total number of students.

- In FY 2013, nearly \$1.3 billion was allocated for financial aid awards to students at UT System academic institutions. Loans comprised 48% of total awards; grants and scholarships comprised 51%; and work-study provided 1% of all financial aid.
- 54% of full-time undergraduate students received some form of need-based aid, covering 80% of their total academic costs.
- Of the scholarships and aid, federal grants funded 50%; institutional funds supported 21%; state funds were 24%; and 5% came from private sources.

### TUITION & FEES ONLINE RESOURCE

UT System Affordability website: [www.utsystem.edu/affordability](http://www.utsystem.edu/affordability)

## THE PERMANENT AND AVAILABLE UNIVERSITY FUNDS (PUF AND AUF)

Market Value of PUF Investments,      Distribution to AUF (FY 14)  
08-31-14    \$17.4 billion                      \$877.4 million (7%)

- The 1876 Texas Constitution dedicated about 1 million acres of land to create the PUF. Through the dedication of additional land and the investment of revenue from mineral production on PUF land, the PUF now includes 2.1 million acres, primarily in West Texas, as well as \$14.9 billion in investments. The PUF benefits The University of Texas System (except UTPA and UTB)<sup>1</sup> and The Texas A&M University System.
- The Constitution prescribes the management, investment and use of the PUF, including the distribution and use of income from the PUF.
- The Constitution vests management authority of the PUF in the UT System Board of Regents, which contracts with The University of Texas Investment Management Company (UTIMCO) for investment services.
- The Constitution allows distributions to the AUF from the total return on investment assets of the PUF. The target annual distribution rate is 4.75%, but may increase to 5% depending on investment performance. The Constitution requires the UT System Board of Regents to provide a stable stream of distributions while maintaining the purchasing power of PUF investments and AUF distributions. The distributions, plus surface income earned on PUF lands, are available for appropriation.
- PUF lands produce two streams of income: one from mineral interests such as oil and gas and the other from surface interests such as grazing.
- Income from the sale of PUF land and income from mineral interests such as bonuses, rentals and royalties must be added to the PUF and invested. Distributions from the PUF and income from surface interests are deposited in the AUF.
- The UT System and the Texas A&M System may issue bonds for construction projects and other capital purposes in an amount not to exceed 20% and 10%, respectively, of the book value of the PUF.
- The proceeds of PUF bonds may not be used for operational expenses.
- The Legislature appropriates the AUF, which the Constitution divides between the UT System (two-thirds) and the Texas A&M System (one-third). After debt service on PUF bonds, the remainder of the UT System's two-thirds share of the AUF is appropriated for support and maintenance of UT Austin and UT System Administration.
- The Constitution does not permit use of the AUF for support and maintenance of other UT System institutions.

**UT ACADEMIC INSTITUTIONS**



<b>UT Arlington</b>	(UTA)
Est. 1895, joined System 1965	<a href="http://www.uta.edu">www.uta.edu</a>
President Vistasp M. Karbhari	
<b>UT Austin</b>	
Est. 1883, joined System 1883	<a href="http://www.utexas.edu">www.utexas.edu</a>
President William C. Powers, Jr.	
<b>UT Brownsville</b>	(UTB)
Est. 1991, joined System 1991	<a href="http://www.utb.edu">www.utb.edu</a>
President Juliet V. Garcia	
<b>UT Dallas</b>	(UTD)
Est. 1961, joined System 1969	<a href="http://www.utdallas.edu">www.utdallas.edu</a>
President David E. Daniel	
<b>UT El Paso</b>	(UTEP)
Est. 1914, joined System 1919	<a href="http://www.utep.edu">www.utep.edu</a>
President Diana S. Natalicio	
<b>UT Pan American</b>	(UTPA)
Est. 1927, joined System 1989	<a href="http://www.utpa.edu">www.utpa.edu</a>
President Robert S. Nelsen	
<b>UT Permian Basin</b>	(UTPB)
Est. 1969, joined System 1969	<a href="http://www.utpb.edu">www.utpb.edu</a>
President W. David Watts	
<b>UT San Antonio</b>	(UTSA)
Est. 1969, joined System 1969	<a href="http://www.utsa.edu">www.utsa.edu</a>
President Ricardo Romo	
<b>UT Tyler</b>	(UTT)
Est. 1971, joined System 1979	<a href="http://www.uttyler.edu">www.uttyler.edu</a>
President Rodney H. Mabry	

**UT HEALTH INSTITUTIONS**



<b>UT Southwestern Medical Center</b>	(UTSWMC)
Est. 1943, joined System 1949	<a href="http://www.utswwestern.edu">www.utswwestern.edu</a>
President Daniel K. Podolsky	
<b>UT Medical Branch – Galveston</b>	(UTMB)
Est. 1891, joined System 1891	<a href="http://www.utmb.edu">www.utmb.edu</a>
President David L. Callender	
<b>UT Health Science Center – Houston</b>	(UTHSCH)
Est. 1972, joined System 1972	<a href="http://www.uth.edu">www.uth.edu</a>
President Giuseppe N. Colasurdo	
<b>UT Health Science Center – San Antonio</b>	(UTHSCSA)
Est. 1959, joined System 1959	<a href="http://www.uthscsa.edu">www.uthscsa.edu</a>
President William L. Henrich	
<b>UT MD Anderson Cancer Center</b>	(UTMDA)
Est. 1941, joined System 1941	<a href="http://www.mdanderson.org">www.mdanderson.org</a>
President Ronald DePinho	
<b>UT Health Science Center – Tyler</b>	(UTHSCT)
Est. 1947, joined System 1977	<a href="http://www.uthealth.org">www.uthealth.org</a>
President Kirk A. Calhoun	

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**Amy Shaw-Thomas**  
Vice Chancellor for Health Affairs

**Stephanie A. Bond Huie**  
Vice Chancellor for Strategic Initiatives



# **Attachment J**

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## **MD Anderson Quick Facts 2015**



2015

# Quick Facts



THE UNIVERSITY OF TEXAS  
**MD Anderson**  
**Cancer Center**  
Making Cancer History™

## Who We Are

The University of Texas MD Anderson Cancer Center, located in Houston on the campus of the Texas Medical Center, is one of the world's largest and most respected centers devoted exclusively to cancer patient care, research, education and prevention.

The Texas Legislature created MD Anderson in 1941 as part of The University of Texas System. It is one of the nation's original three comprehensive cancer centers designated by the National Cancer Act of 1971.

U.S. News & World Report's annual "Best Hospitals" survey has ranked MD Anderson the nation's leading cancer care hospital for 10 of the past 13 years. It's been named one of the nation's top two cancer centers every year since the survey began in 1990.

### Mission

MD Anderson's mission is to eliminate cancer in Texas, the nation and the world through exceptional programs that integrate patient care, research and prevention. Our mission also includes education for undergraduate and graduate students, trainees, professionals, employees and the public.

### Vision

We shall be the premier cancer center in the world, based on the excellence of our people, our research-driven patient care and our science.

### Core Values

**Caring:** By our words and actions, we create a caring environment for everyone.

**Integrity:** We work together to merit the trust of our colleagues and those we serve.

**Discovery:** We embrace creativity and seek new knowledge.

General info: [www.mdanderson.org](http://www.mdanderson.org) #endcancer



## Patient Care

At MD Anderson, everything we do revolves around our patients. In Fiscal Year 2014, more than 127,000 people sought the superior care that has made the institution so widely respected. More than 8,000 participants were enrolled in clinical trials exploring innovative treatments. MD Anderson's cancer clinical trial program is the largest in the nation.

Clinical Activity	FY10	FY14	% Change
Hospital admissions	23,995	27,761	16%
Average number of inpatient beds	546	654	20%
Outpatient clinic visits, treatments, procedures	1,132,338	1,363,008	20%
Pathology/laboratory medicine procedures	10,754,560	12,005,766	12%
Diagnostic imaging procedures	538,514	523,297	-3%
Surgery hours	61,873	69,506	12%
Total active clinical research protocols	1,009	1,101	9%

### Noteworthy:

- MD Anderson is accredited by the Joint Commission to ensure patients receive the best and safest health care possible.
- The nursing program holds the American Nurses Credentialing Center's Magnet Nursing Services Recognition status, which acknowledges health care organizations for quality patient care, nursing excellence and innovations in professional nursing practice.
- MD Anderson provided more than \$196 million in uncompensated care to Texans with cancer in FY14. This figure includes unreimbursed costs of care for patients who either have no insurance or are underinsured, or whose care was not fully covered by government-sponsored health programs.
- The EndTobacco program addresses public health enemy No. 1: preventable death and disease caused by tobacco use. It brings MD Anderson and other leaders in prevention and tobacco control together to end tobacco use and more rapidly decrease tobacco-related cancers through policy, education and community-based clinical services.

Questions about cancer, patient services

askMDAnderson: 877-MDA-6789 / [www.mdanderson.org/ask](http://www.mdanderson.org/ask)

## Research

At MD Anderson, crucial scientific knowledge gained in the laboratory is rapidly translated into clinical care. In FY14, MD Anderson invested more than \$735 million in research, an increase of 35% in the past five years.

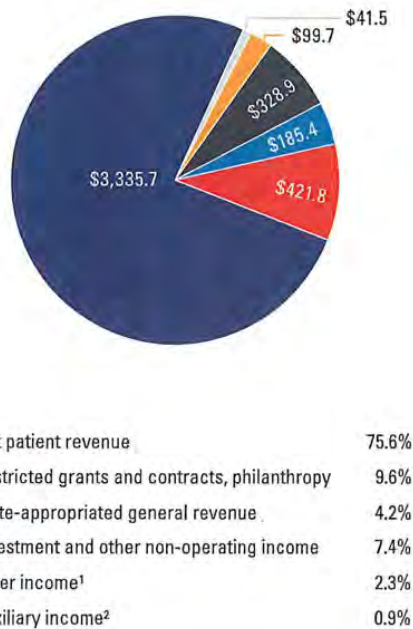
Sources of Research Expenditures	FY10	FY14	% Change
Private industry grants and contracts	\$50,712,121	\$75,307,463	48%
Philanthropy and foundations	\$81,656,207	\$147,016,586	80%
State funding allocated for research	\$23,204,735	\$49,884,575	115%
Federal grants and contracts	\$206,664,447	\$158,986,303	-23%
Internal funding allocated for research	\$184,797,234	\$304,998,503	65%
Total research expenditures	\$547,034,744	\$736,193,430	35%

### Noteworthy:

- The institution's faculty is one of the most esteemed in the nation, including nine Institute of Medicine members, three National Academy of Sciences members, four Academy of Arts and Sciences fellows and 32 American Association for the Advancement of Science fellows.
- The Moon Shots Program is dramatically accelerating the pace of converting scientific discoveries into clinical advances that reduce cancer deaths. So far, the program has received almost \$213 million in private philanthropic commitments.
- Investigators in the Breast and Ovarian Cancer Moon Shot created an MD Anderson algorithm for determining when ovarian cancer patients should have surgery. This systematic approach has more than tripled the rate of complete surgical removal of patients' tumors, from 25% to more than 80%.
- GP2, a new breast cancer vaccine in development at MD Anderson, has been shown to reduce recurrence rates by 57%. High-risk patients who were given the vaccine after completion of the immunotherapy drug trastuzumab had no cancer recurrences.
- The Institute for Applied Cancer Science identifies and validates new cancer targets, converts the scientific knowledge into new cancer drugs and advances the novel agents into innovative clinical trials. A team of IACS drug development experts identified and developed IACS-10759, which blocks the conversion of nutrients into the energy that fuels cancer cells.
- During the past year, MD Anderson received more than \$47 million from The Cancer Prevention Research Institute of Texas (CPRIT) for research, prevention, recruitment and training. In total, the institution has received more than \$192 million from CPRIT since its formation.
- MD Anderson's expertise in cancer immunotherapy attracted the interest of a number of major pharmaceutical companies (Amgen, AstraZeneca, Johnson & Johnson, GlaxoSmithKline and Pfizer), which signed collaborative agreements to develop new ways for the immune system to destroy tumors. Biotech companies Intrexon and ZIOPHARM Oncology have licensed unique MD Anderson immunotherapy technology, including a new method for genetically engineering immune system T cells to target cancer. In addition, the institution is working with Bayer to capture important information from clinical trial patients about how certain investigational drugs affect them.

## Sources of Revenue \$

MD Anderson's total revenue in FY14 was more than \$4.4 billion. Of that total, only 4.2% was general revenue appropriated by the State of Texas.



Make a donation: [www.mdanderson.org/gifts](http://www.mdanderson.org/gifts)

## Education

Almost 6,500 trainees, including physicians, scientists, nurses and allied health professionals, took part in educational programs at MD Anderson in FY14. The institution awards bachelor's degrees in eight allied health disciplines and, in collaboration with the UT Health Science Center at Houston, awards M.S. and Ph.D. degrees at the UT Graduate School of Biomedical Sciences.

In addition, thousands of health professionals participate in continuing education and distance-learning opportunities. MD Anderson also provides education programs for patients, survivors, caregivers, healthy people and those at an elevated risk of cancer.

Education Profile	FY10	FY14	% Change
Clinical residents, fellows	1,109	1,276	15%
Research trainees	1,612	1,853	15%
Observers, visitors, special programs	401	452	13%
Nursing trainees	2,776	1,238*	-55%
Student programs participants	930	1,204	29%
School of Health Professions students	214	318	49%
<b>Total trainees</b>	<b>6,975</b>	<b>6,341</b>	<b>-9%</b>

### Noteworthy:

- MD Anderson has 74 Graduate Medical Education (GME) Programs that are accredited by the Accreditation Council for Graduate Medical Education (24), American Dental Association (1), American Board of Obstetrics and Gynecology (1), or approved by the Texas Medical Board (48).
- MD Anderson is accredited by the ACGME as a Sponsoring Institution and has maintained Continued Accreditation status for more than 20 years.

\* Total includes academic credit clinical placement only. Previous years' data included outreach and Cancer Prevention Research Institute of Texas education programs.



## Prevention

MD Anderson continues to set the standard in cancer prevention research and the translation of new knowledge into innovative, multidisciplinary care.

The institution's Cancer Prevention and Population Sciences division is dedicated to:

- Eradicating cancer through pioneering research into the roles that biologic, genetic, environmental, economic, behavioral and social factors play in cancer development.
- Investigating various types of interventions to prevent or reduce cancer risk.
- Improving cancer care delivery, safety, availability and affordability.

Through the Duncan Family Institute for Cancer Prevention and Risk Assessment, the division is investing in promising new research directions and integrating basic research and clinical studies to accelerate their translation from the lab to the clinic to the community.

The Lyda Hill Cancer Prevention Center provides cancer risk assessments; screening exams based on genetics, age and gender; and personalized risk-reduction strategies, including lifestyle-based interventions and chemoprevention.

### Prevention Research Funding FY14

Donor and designated funds	\$12,980,869 million
Federal grants and contracts	\$17,711,337 million

#### Noteworthy:

- MD Anderson has expanded its commitment to cancer prevention and control as a critical part of its mission. This work involves developing and implementing evidence-based interventions in public policy, public and professional education and community-based clinical services.
- All high-grade serous ovarian cancer and triple-negative breast cancer patients are now offered screening for BRCA1 and 2 gene mutations. The screening helps identify family members with risk-increasing mutations, offering enhanced opportunities for prevention and early detection.

## Institutional Advancement

Institutional Advancement works to position MD Anderson as the global leader to end cancer and inspire communities and people worldwide to join us in Making Cancer History®.

#### Noteworthy:

- MD Anderson partnered with Stripes Convenience Stores to raise funds for MD Anderson Children's Cancer Hospital. In its Stripes Stores Celebrates Tomorrows campaign, employees and customers purchased \$1 pinups to help kids with cancer. The initiative raised more than \$1.4 million. The James B. and Lois R. Archer Charitable Foundation and Triumph Over Kid Cancer Foundation matched all donations, doubling the amount to more than \$2.8 million.
- In an effort to encourage healthy eating habits and prevent cancer related to obesity, MD Anderson nutritionists teamed with Jason's Deli to create a wild salmon salad for the menu. The partnership also raised more than \$250,000 for the Breast Cancer Moon Shot through the sale of co-branded bottles of water featuring pink caps.
- Philanthropic gifts are essential to MD Anderson's lifesaving work. In FY14, our donors generously committed more than \$239 million, in the form of cash, pledges and planned gifts.

## Clinical and research facility growth

- Construction of the Sheikh Zayed Bin Sultan Al Nahyan Building for Personalized Cancer Care was completed in January, and the activation process began in early February with the Sheikh Ahmed Bin Zayed Al Nahyan Center for Pancreatic Cancer Research. The 12-floor, 615,000-square-foot facility is scheduled to be fully occupied by October 2015.
- To provide a much-needed expansion of space for clinical, diagnostic and support services in the Main Building, construction is underway on The Pavilion, an adjoining 8-story, 184,800-square-foot building. The \$198 million project, which is scheduled for completion by the end of 2015 and occupancy by early 2016, will allow MD Anderson to treat more patients and improve patient services.

## Staff

MD Anderson employs close to 20,000 people, including almost 1,700 faculty members. A volunteer workforce of 1,080 contributed 164,970 hours of service in FY14.

### Noteworthy:

- On Jan. 1, 2015, MD Anderson launched its tobacco-free hiring policy, demonstrating our commitment to reducing the use of tobacco and its adverse effects.
- An interactive process involving faculty and staff resulted in "Our Strategy," which positions MD Anderson for the future and comprises five focus areas: People We Serve, People Who Serve, Science That Enables, Systems That Support and Sustainability.
- "We are MD Anderson," the foundation of the institution's customer service model, was revamped. The initiative is built around the idea that every person — whether faculty, staff or volunteer — plays a vital role in the mission.
- MD Anderson's commitment to those who have served in our nation's military earned it a spot on the 2014 Best for Vets employer list. Becker's Healthcare recognized MD Anderson as one of the "150 Great Places to Work in Healthcare" for 2014.
- The institution landed a number of significant recruits, including V. Craig Jordan, the father of tamoxifen; Debu Tripathy, the new chair of Breast Medical Oncology; David Tweardy, the new head of Internal Medicine — one of the nation's largest divisions; and Stephen Hahn, who heads Radiation Oncology.

## Locations

In addition to MD Anderson's main campus in the Texas Medical Center and two research campuses in Bastrop County, Texas, the institution has developed a number of local, national and international locations.

### Houston-area care centers

- Bay Area, Katy, West Houston (diagnostic imaging), Bellaire (diagnostic imaging), Sugar Land, The Woodlands, Memorial City (surgical clinic)
- MD Anderson is now the exclusive provider of breast radiology services for five of Memorial Hermann's 10 breast care centers in the Houston area — Memorial City, The Woodlands, Sugar Land, and Northeast and Southwest Houston.
- MD Anderson physicians provide cancer care to patients at Lyndon B. Johnson Hospital.

### MD Anderson Cancer Network®

- Partner members: Banner MD Anderson Cancer Center (Gilbert, Ariz.) and MD Anderson Cancer Center at Cooper (Camden, N.J.)
- Associate member: Hospital Israelita Albert Einstein in São Paulo
- Certified members: 12 hospitals and health systems in 10 states

### MD Anderson affiliates

- MD Anderson Cancer Center Madrid (Spain)
- MD Anderson Radiation Treatment Center at American Hospital (Istanbul)
- MD Anderson Radiation Treatment Center at Presbyterian Kaseman Hospital (Albuquerque, N.M.)

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# **Attachment K**

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## **Draft UTMDACC Institutional Policy #ADM1254, Policy on Concealed Handgun Carriage on MD Anderson's Campus**





UTMDACC INSTITUTIONAL POLICY # ADM1254

## **POLICY ON CONCEALED HANDGUN CARRIAGE ON MD ANDERSON'S CAMPUS**

**DRAFT DATE: 03-18-2016**

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### **PURPOSE**

The purpose of this policy is to ensure compliance with Section 411.2031 of the Texas Government Code, also known as the "Campus Carry Law," which authorizes the carrying of Concealed Handguns by duly licensed holders on designated portions of the Campus of The University of Texas MD Anderson Cancer Center (MD Anderson), as defined and explained below.

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### **POLICY STATEMENT**

It is the policy of MD Anderson to respect the Federal and Texas Constitutions, both of which recognize Texas citizens' right to keep and bear arms. MD Anderson also recognizes the Texas Legislature's power to regulate the carriage of Handguns. Finally, MD Anderson recognizes its right under the Campus Carry Law to implement its own reasonable rules, regulations, and other provisions regarding the carriage on MD Anderson's Premises of Concealed Handguns by holders of Concealed Handgun Licenses ("CHL Holders"). Accordingly, in seeking to fulfill its obligations under the Campus Carry Law to determine appropriate Exclusion Zones and permitted Concealed Handgun License Zones ("CHL Zones"), MD Anderson has strived to recognize CHL Holders' rights in the context of (1) the nature of MD Anderson's faculty, student, administrator, patient, and patient family populations; (2) specific safety considerations; (3) the uniqueness of MD Anderson's Campus environment; (4) all applicable laws and contractual obligations; (5) issues of practical implementation; and (6) ease of compliance and reasonable administration and enforcement. While reasonable minds can disagree on certain specifics of this policy, MD Anderson believes that this policy respects the rights and interests of all stakeholders and achieves a balanced approach to the carrying of concealed handguns by CHL Holders on its Campus.

**THIS POLICY DOES NOT AUTHORIZE THE OPEN CARRY OF A HANDGUN ON MD ANDERSON'S CAMPUS, AND THE OPEN CARRYING OF A HANDGUN IS PROHIBITED ON MD ANDERSON'S CAMPUS.**

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### **SCOPE**

Compliance with this policy is the responsibility of all persons on MD Anderson's Campus.

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### **TARGET AUDIENCE**

The target audience for this policy is all persons on MD Anderson's Campus.



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## DEFINITIONS

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**All Hazards Risk Leadership Council (AHRLC):** An executive-level council charged with assessing enterprise-level risks.

**Campus:** The sum of all land and buildings leased or owned by the Board of Regents of The University of Texas System for and on behalf of MD Anderson.

**Campus Carry Law:** Section 411.2031 of the Texas Government Code, permitting the carrying of Concealed Handguns by duly licensed holders on MD Anderson's Campus in accordance with this policy.

**Concealed Handgun:** A Handgun, the presence of which is not openly discernible to the ordinary observation of a reasonable person (see [Texas Government Code, Section 411.171](#)).

**Concealed Handgun License (CHL):** A valid and current Concealed Handgun license as defined by Subchapter H of the Texas Government Code ("License to Carry a Concealed Handgun").

**Concealed Handgun License (CHL) Holder:** Anyone appearing on MD Anderson's Campus with a valid, current CHL and a Concealed Handgun.

**Concealed Handgun License (CHL) Zones:** The areas on MD Anderson's Campus where CHL Holders may carry a Concealed Handgun.

**Excluded Activities:** Activities that form the bases of Exclusion Zones.

**Exclusion Zones:** The areas on MD Anderson's Campus where CHL Holders may not carry a Concealed Handgun.

**Handgun:** Any firearm that is designed, made, or adapted to be fired with one hand (see [Texas Penal Code, Section 46.01\(5\)](#)).

**National Cancer Institute (NCI) Designation Zone:** All buildings and physical facilities on MD Anderson's Campus that are physically or programmatically interconnected and interrelated and which are used to fulfill the following activities required of a NCI-designated Comprehensive Cancer Center:

- Undertaking and providing treatment, care, and services to patients, including all buildings in which there are hospital facilities, inpatient and outpatient clinics, laboratories, and pharmacies.
- Undertaking and conducting research in the following three areas:
  - Laboratory research.
  - Population science.
  - Clinical research.
- Undertaking and providing programs in cancer prevention.
- Undertaking and providing health care education to health care professionals and patients.

**Premises:** Consistent with [Section 46.035\(f\)\(3\) of the Texas Penal Code](#), "Premises" means a building or a particular portion of an MD Anderson Campus building. For purposes of this policy and MD Anderson's Campus, a Premises comprises all of the contiguous space dedicated to a particular institutional function or activity and extends to the functional or physical boundary of that function or activity. A Premises may be a floor, departmental suite, hallway, walkway, throughway, skybridge,

laboratory, cafeteria, or any other space, depending on the circumstance. The All Hazards Risk Leadership Council (AHLRC), in consult with the Vice President and Chief Facilities Officer and the Executive Director and Chief Safety Officer, determines Premises for purposes of this policy.

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## PROCEDURE`

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### 1.0 Policy Permissions and Violations

- 1.1 Subject to a CHL Holder's acceptance of and compliance with this policy and MD Anderson's rules and regulations, CHL Holders may carry Concealed Handguns in accordance with their CHL in CHL Zones on MD Anderson's Campus.
- 1.2 CHL Holders are prohibited from carrying, and may not carry, Concealed Handguns in Exclusion Zones on MD Anderson's Campus. Moreover, neither CHL Holders nor any other person may carry any other weapon, as described in [Texas Penal Code, Section 46.01](#), on MD Anderson's Campus.
- 1.3 CHL Holders must abide by and comply with all CHL rules in [Texas Government Code, Chapter 411](#) and all MD Anderson rules, regulations, and policies while carrying a properly licensed Concealed Handgun in a CHL Zone.
- 1.4 The mere possession of a properly licensed Concealed Handgun by a CHL Holder in CHL Zones on MD Anderson's Campus is not a violation of the [Disciplinary Action Policy \(UTMDACC Institutional Policy # ADM0256\)](#) or the [Workplace Violence Prevention Policy \(UTMDACC Institutional Policy # ADM0257\)](#). However, a violation of this policy by a faculty member, trainee/student, or other member of MD Anderson's workforce may constitute a violation of institutional policies regarding conditions of employment and standards of conduct, including the [Disciplinary Action Policy \(UTMDACC Institutional Policy # ADM0256\)](#) and the [Workplace Violence Prevention Policy \(UTMDACC Institutional Policy # ADM0257\)](#), thereby subjecting the workforce member to disciplinary action, up to and including termination.
- 1.5 CHL Holders are prohibited from engaging in, and may not engage in, Direct, Conditional, or Veiled Threats, as defined in MD Anderson's [Workplace Violence Prevention Policy \(UTMDACC Institutional Policy # ADM0257\)](#), involving the CHL Holder's Concealed Handgun. This may include, but is not limited to, overt or implicit references by a CHL Holder to the CHL Holder's Concealed Handgun in a way so as to intentionally or knowingly incite fear or concern in any other person. Such conduct may result in immediate termination per [Section 8.0](#) of this policy.
- 1.6 Except for storing a Handgun in a vehicle as permitted by Texas Law, CHL Holders must keep their Concealed Handguns on or about their persons at all times. For purposes of this policy and subject to the requirements of Texas law, "on or about one's person" means close at hand and within such distance of the CHL Holder so that, without materially changing his/her position, the CHL Holder could get his/her hand on it. Except for storing a Handgun in a vehicle as permitted by state law, CHL Holders are prohibited from leaving and must not leave the CHL Holder's Concealed Handgun unattended anywhere on MD Anderson's Campus, regardless of whether stored in a desk drawer, cabinet, purse, handbag, backpack, fanny pack, briefcase, or otherwise.
- 1.7 CHL Holders are responsible for safeguarding their Concealed Handguns at all times and must take all necessary precautions to ensure their Concealed Handguns are secured in a manner that is most likely to prevent theft, loss, damage, or misuse. CHL Holders must have their Concealed Handguns in holders or holsters that completely cover the trigger and the trigger guard area. The holster must have sufficient tension or grip on the Concealed Handgun



to retain it in the holster even when subjected to unexpected jostling. CHL Holders are liable for any and all damage, injury, liability, loss, cost, or expense, directly or indirectly resulting from or arising out of an accidental or inadvertent discharge of their Concealed Handgun or their violation of this policy.

- 1.8 MD Anderson does not provide storage (e.g., lockers) or holding services for CHL Holders.
- 1.9 A CHL Holder whose Concealed Handgun is lost or stolen on MD Anderson's Campus must immediately report the loss or theft to The University of Texas Police Department at Houston (UTP-H).
- 1.10 In accordance with Texas Law, CHL Holders may secure their Concealed Handguns safely in their vehicles. MD Anderson assumes no responsibility for loss or theft of Concealed Handguns from CHL Holders' vehicles on MD Anderson's Campus (see Section 12.2 of the [Parking Policy \(UTMDACC Institutional Policy # ADM0230\)](#)).

## 2.0 CHL Zones and Exclusion Zones

- 2.1 In accordance with the Campus Carry Law, the President must designate CHL Zones and Exclusion Zones for MD Anderson's Campus and in doing so must consider:
  - A. The nature of MD Anderson's faculty, student, administrator, patient, and patient family populations.
  - B. Specific safety considerations.
  - C. The uniqueness of MD Anderson's Campus environment.
- 2.2 In addition to considering the factors mandated by the Campus Carry Law, the President should also consider the following factors:
  - A. All applicable laws and contractual obligations pertinent to MD Anderson.
  - B. Issues of practical implementation.
  - C. Ease of compliance and reasonableness of administration and enforcement.
- 2.3 The President may not create Exclusion Zones that generally prohibit or have the effect of generally prohibiting CHL Holders from lawfully carrying Concealed Handguns on MD Anderson's Campus.
- 2.4 A CHL Zone may be coterminous with a Premises.
- 2.5 If justified using the criteria in [Section 2.1](#) and [Section 2.2](#), an Exclusion Zone may be coterminous with a Premises.
- 2.6 The President has designated the following areas on MD Anderson's Campus as Exclusion Zones:
  - A. Areas for which state or federal law, licensing requirements, or contracts require exclusion exclusively at the discretion of the state or federal government, or in which Handguns are prohibited by an accrediting authority.
  - B. Childcare facilities and pediatric-activity areas.
  - C. Areas analogous to state law requirements that prohibit Concealed Handguns, including:
    - MD Anderson's National Cancer Institute (NCI) Designation Zone.

- Police and correctional facilities.
  - Chapels, synagogues, prayer rooms, and other areas designated for worship, spiritual reflection, or meditation on MD Anderson's Campus.
  - Pediatric school areas and areas in which sponsored activities are conducted for persons under 18 years of age who are not enrolled at MD Anderson.
- D. Areas where discharge of a Concealed Handgun might cause widespread harm or catastrophic results, such as laboratories with extremely dangerous chemicals, biologic agents, or explosive agents, or equipment that is incompatible with metallic objects such as magnetic resonance imagining machines.
- E. Animal care areas and vivaria in which protocols increase the risk of discharge or contamination of a Concealed Handgun, or its unanticipated separation from the CHL Holder. For open-air primate enclosures, the Exclusion Zone extends at least five (5) feet from the enclosure.
- 2.7 Deemed Exclusion Zones:
- A. When, either within a Premises or between two Premises, an Exclusion Zone is adjacent to what otherwise might be a CHL Zone, the President may deem the adjacent CHL Zone also to be an Exclusion Zone for practicability and to ensure ease of compliance, and reasonable administration and enforcement, including those situations in which:
- Ingress and egress by CHL Holders between the Exclusion Zone and the CHL Zone is impracticable (*e.g.*, the CHL Holder could not reasonably move to a CHL Zone without moving through an Exclusion Zone in violation of this policy and the law); and
  - Ingress and egress between the Exclusion Zone and the CHL Zone may not reasonably be clearly demarcated per [Section 2.8](#) of this policy.
- B. The President or his designee may deem CHL Zones to be Exclusion Zones for the period of time that the CHL Zone hosts Excluded Activities listed in [Section 3.0](#) of this policy. For example, an event in MD Anderson Campus CHL Zones that includes pediatric patients is an Exclusion Zone during the event. During this period, the signage required by [Section 2.8](#) of this policy will be erected in the deemed Exclusion Zone for the duration of the excluded period.
- C. If a significant fraction of the functional space of a building is excluded for reasons consistent with this policy, the President may exclude the entire building to ensure ease of compliance, reasonable administration, and enforcement.
- 2.8 Exclusion Zones will be demarcated with legally-sufficient signage, per [Texas Penal Code, Section 30.06](#).
- 2.9 The Vice President and Chief Facilities Officer and the Executive Director and Chief Safety Officer each shall maintain a complete and up-to-date listing of CHL Zones and Exclusion Zones.
- A. The listing will include the President's justification(s) for each Exclusion Zone.
- B. The Vice President and Chief Facilities Officer and the Executive Director and Chief Safety Officer will make the listing available to the public upon reasonable request.



### **3.0 Excluded Activities (Not Premises-Specific)**

Irrespective of where they are on MD Anderson's Campus, CHL Holders may not carry Concealed Handguns while engaged in the following Excluded Activities:

- 3.1 Providing institutional care or services to MD Anderson patients.
- 3.2 Handling extremely dangerous chemicals, biologic agents, flammable or explosive agents, or equipment that is incompatible with metallic objects.
- 3.3 Handling laboratory animals.
- 3.4 Attending events on MD Anderson's Campus at which alcoholic beverages are served.
- 3.5 Attending any meeting related to proceedings made necessary by or in connection with MD Anderson's Grievance Policy (UTMDACC Institutional Policy # ADM0266), Appeal Policy (UTMDACC Institutional Policy # ADM0268), or any institutional policy related to a formal conflict resolution processes as well as a Hearing Tribunal or related meeting scheduled as part of a formal dispute resolution process.
- 3.6 Attending or participating in a ticketed sporting event on MD Anderson's Campus
- 3.7 Providing care or services to minor children.

### **4.0 Institutional Vehicles**

- 4.1 Subject to [Section 4.2](#) below, vehicles owned or leased by MD Anderson that are used for passenger transportation are considered CHL Zones.
- 4.2 Vehicles owned or leased by MD Anderson that are being utilized for the following purposes are considered Exclusion Zones for the duration of time that the vehicle is being used for such purposes:
  - A. The vehicle is being used to transport extremely dangerous chemicals, biologic agents, flammable or explosive agents, or equipment that is incompatible with metallic objects.
  - B. The vehicle is being used for health care-related activities, such as mobile mammography, blood donations, or to provide health screenings.
  - C. The vehicle is being used for childcare, school, or pediatric activities or purposes.

### **5.0 MD Anderson Campus Land (External to Buildings)**

Areas outside MD Anderson buildings but still on MD Anderson's Campus are deemed Exclusion Zones when the areas are utilized for activities that are Excluded Activities listed in [Section 3.0](#) of this policy. For example, an area on MD Anderson's Campus used for a picnic or event involving pediatric patients is an Exclusion Zone for the duration of the picnic or event.

### **6.0 Communication**

- 6.1 MD Anderson shall widely distribute this policy and all related rules, regulations, and procedures to its faculty, trainees/students, and other members of MD Anderson's workforce, and shall prominently publish this policy and all related rules, regulations, and procedures on MD Anderson's internet and intranet sites.

- 6.2 MD Anderson's Departments of Communications, Human Resources, Patient Advocacy, Patient Care & Prevention Facilities, Patient Education, Patient Experience, Patient Safety, Physicians Referral Service, Academic and Visa Administration, and Institutional Compliance shall be responsible for ensuring communication of this policy and all related rules, regulations, and procedures, as required by the Campus Carry Law.

## **7.0 Campus Carry Reporting**

- 7.1 Incident Reports to the All Hazards Risk Leadership Council (AHRLC):

The Institutional Safety Committee will collect and report to the AHRLC incidents implicating this policy as soon as practicable, but in no event later than 60 days from the discovery of the date of the incident.

- 7.2 AHRLC Reports to the President:

On or about July 1 of each year, the AHRLC will prepare and deliver to the President a report on MD Anderson's compliance with the Campus Carry Law, the implementation of this policy, and all incidents during the past year involving a Concealed Handgun.

From time to time, and based upon the implementation of this policy or any incidents involving a Concealed Handgun, the AHRLC shall make recommendations to the President in regard to any changes that may be necessary, appropriate, or desirable to this policy, the Exclusion Zones, Excluded Activities, CHL Zones, or the rules and regulations hereunder.

- 7.3 President's Report to the Texas Legislature:

Not later than July 1 of each even-numbered year, the Institutional Compliance Office will prepare for the AHRLC's review and the President's review and approval a report on MD Anderson's compliance with the Campus Carry Law. The report will:

- A. Describe MD Anderson's rules, regulations, and policies regarding the carrying of Concealed Handguns on MD Anderson's Campus; and
- B. Explain the reasons why MD Anderson has established these rules, regulations, and policies.

- 7.4 Once approved by the President, the President shall send the report to The UT System's Office of General Counsel for review not later than August 1 of each even-numbered year.

- 7.5 The President must submit the report to the Texas Legislature not later than September 1 of each even-numbered year.

## **8.0 Policy Violations and Disciplinary Action**

- 8.1 If any person believes that a CHL Holder has violated this policy, he or she should immediately report the violation by calling 2-STOP (713-792-7867). The caller should provide the following information, as applicable and available:

- A. Description of the perceived violation;
- B. Name(s) of individual(s) involved in the incident;
- C. Name(s) of any witnesses;
- D. Date, time, and location of the incident; and

- E. Factual circumstances surrounding the incident.
- 8.2 A violation by a CHL Holder of this policy that involves the CHL Holder's Concealed Handgun may be considered a confirmed incident of a Policy Violation ("a confirmed incident of Violence or Threat of Violence") under the [Workplace Violence Prevention Policy \(UTMDACC Institutional Policy # ADM0257\)](#) and may result in immediate removal from MD Anderson's Campus or referral to The University of Texas Police Department at Houston (UTP-H), as appropriate, and may result in disciplinary action for such person, up to and including termination.
- 8.3 Loss of a CHL Holder's Concealed Handgun on MD Anderson's Campus will be considered a violation of [Section 1.6](#) of this policy, and if the CHL Holder is a faculty member, trainee/student, or other member of MD Anderson's workforce, may result in disciplinary action for such person, up to and including termination.



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## ATTACHMENTS/LINKS

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[Examples of Unacceptable Conduct and Work Performance \(Attachment # ATT1800\).](#)

[Texas Government Code, Chapter 411.](#)

[Texas Government Code, Section 411.171.](#)

[Texas Penal Code, Section 30.06.](#)

[Texas Penal Code, Section 46.01.](#)

[Texas Penal Code, Section 46.01\(5\).](#)

[Texas Penal Code, Section 46.035\(f\)\(3\).](#)

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## RELATED POLICIES

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[Appeal Policy \(UTMDACC Institutional Policy # ADM0268\).](#)

[Disciplinary Action Policy \(UTMDACC Institutional Policy # ADM0256\).](#)

[Grievance Policy \(UTMDACC Institutional Policy # ADM0266\).](#)

[Infection Control for Patient Care Areas Policy \(UTMDACC Institutional Policy # CLN0436\).](#)

[Parking Policy \(UTMDACC Institutional Policy # ADM0230\).](#)

[Termination of Employment of a Faculty Member Policy \(UTMDACC Institutional Policy # ACA0059\).](#)

[Workplace Violence Prevention Policy \(UTMDACC Institutional Policy # ADM0257\).](#)

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## JOINT COMMISSION STANDARDS / NATIONAL PATIENT SAFETY GOALS

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None.

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## OTHER RELATED ACCREDITATION / REGULATORY STANDARDS

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None.

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## REFERENCES

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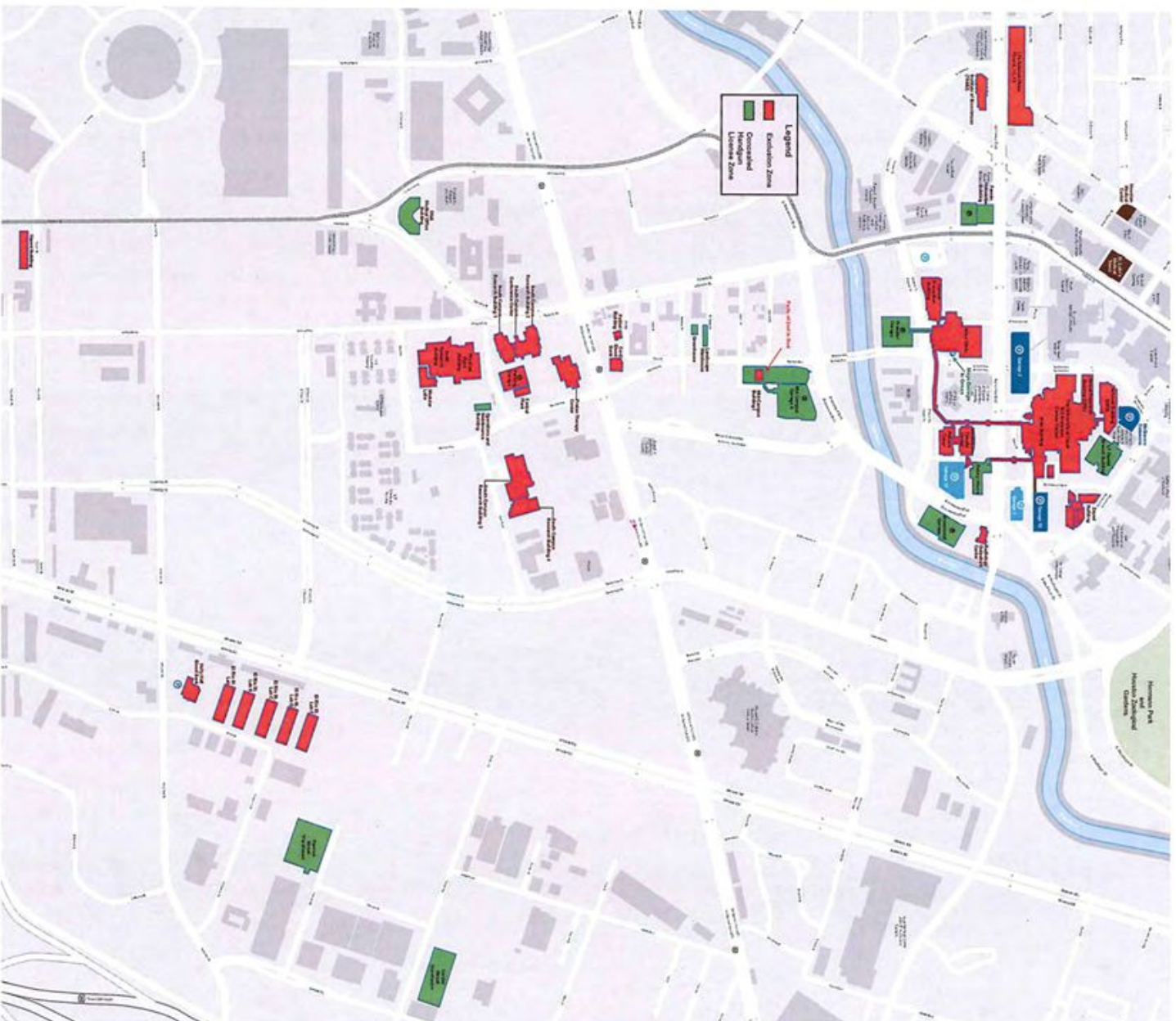
TEX. GOV'T CODE Title 4, Subtitle B, §411 *et seq.*,  
<http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.411.htm>

TEX. PEN. CODE Title 7, §30.06 *et seq.*, <http://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.30.htm>

# **Attachment L**

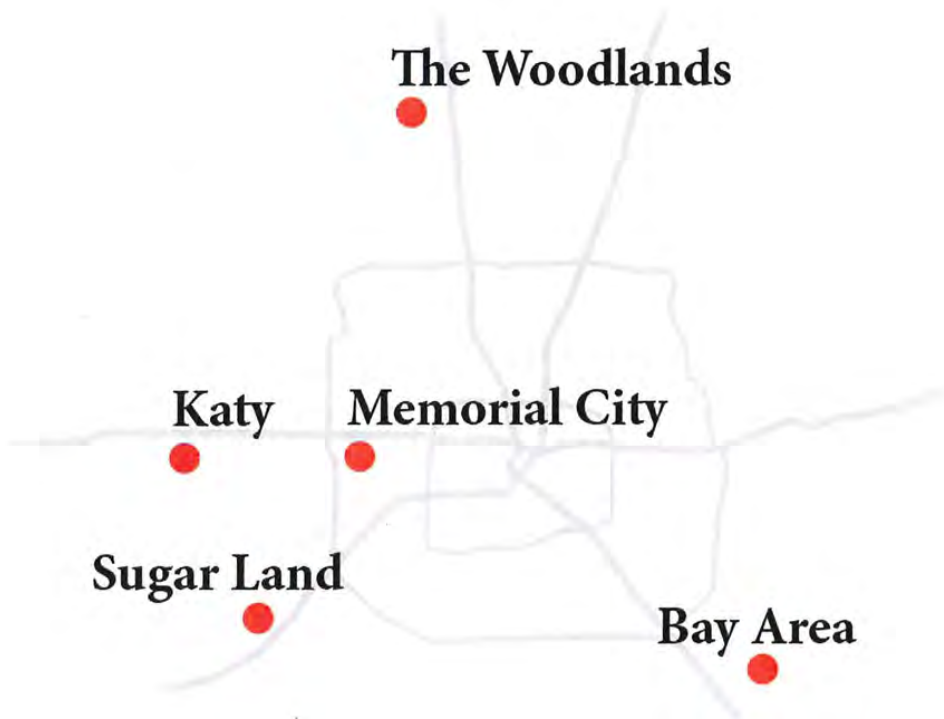
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## **MD Anderson campus maps**

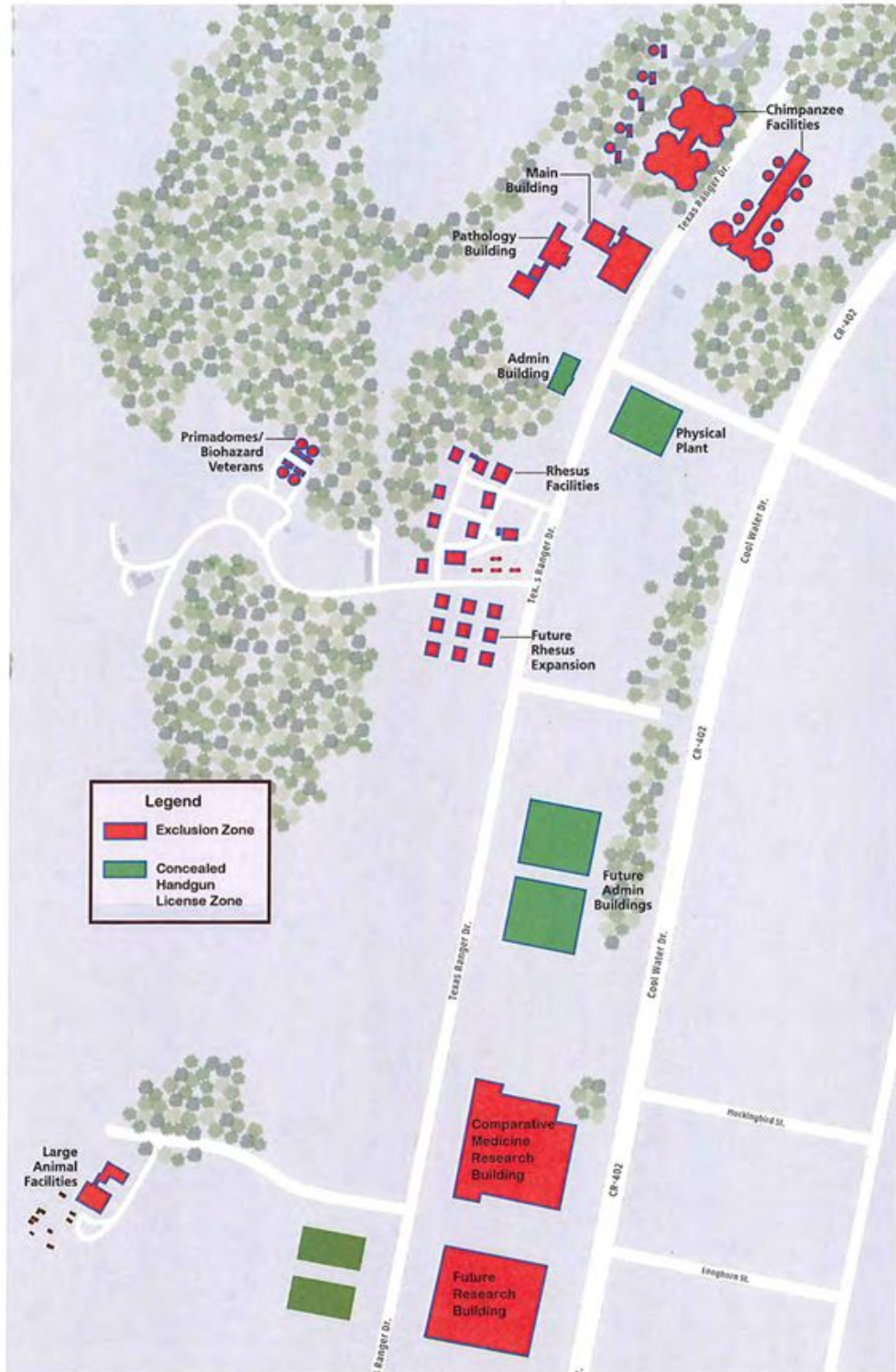


## Houston Campus

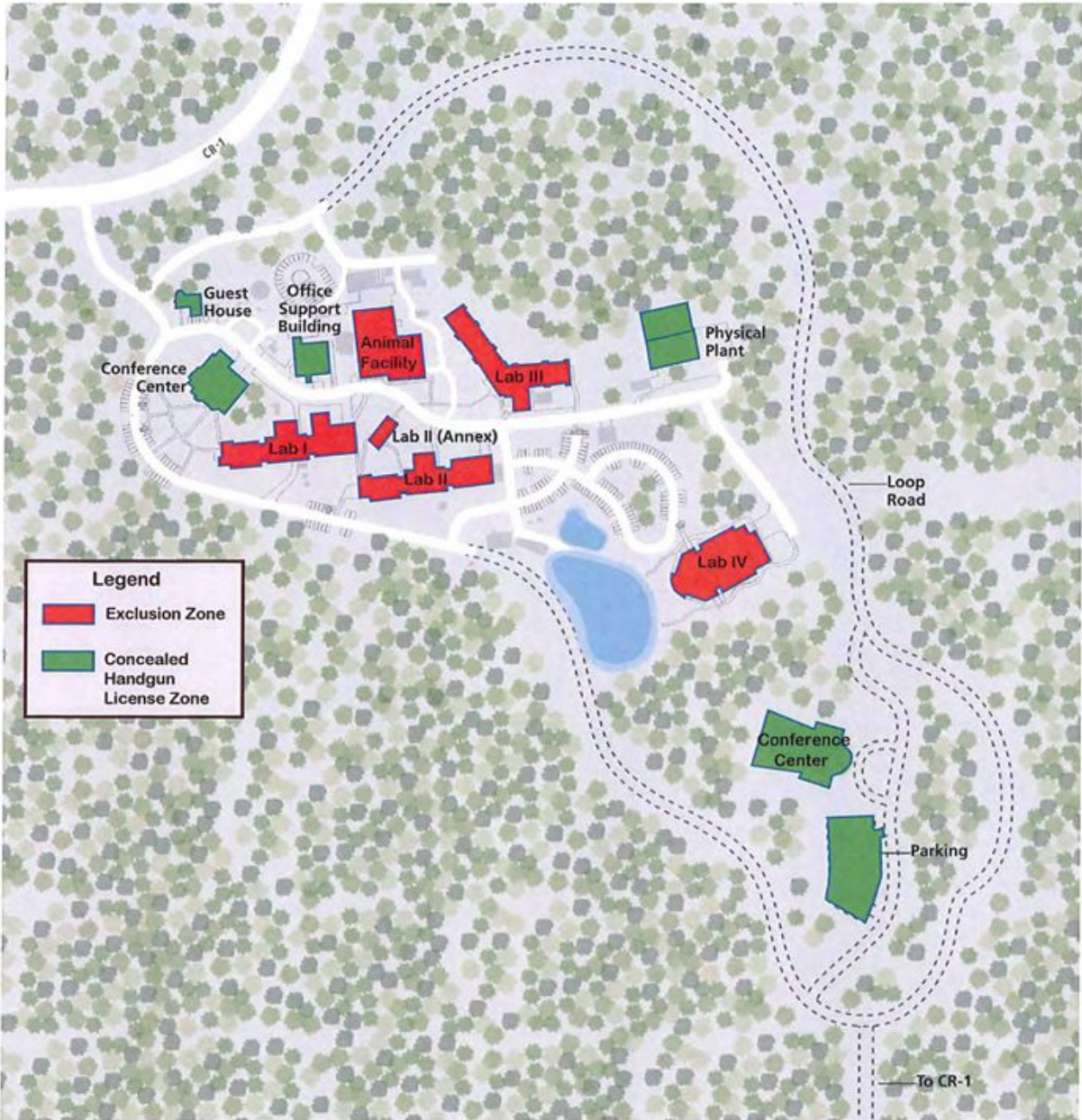
## Houston area locations







## Bastrop Campus



## Smithville Campus



<b>Current Status:</b> <i>Pending</i>	<b>PolicyStat ID:</b> 2362960
 <b>UT HEALTH NORTHEAST</b> The University of Texas Health Science Center at Tyler	<b>Origination Date:</b> 04/2016
	<b>Last Approved:</b> 04/2016
	<b>Last Revised:</b> 04/2016
	<b>Next Review:</b> 3 years after approval
	<b>Owner:</b> Robert Cromley: Chief Of Police
	<b>Policy Area:</b> Employee Health and Safety
<b>References:</b>	

## Concealed Handguns on Campus

### PURPOSE

To ensure compliance with Section 411.2031 of the Texas Government Code (the "Campus Carry Law") which authorizes the carrying of Concealed Handguns by duly licensed holders on the Campus of The University of Texas Health Science Center at Tyler ("UTHSCT"), as described below.

### POLICY

UTHSCT respects the Federal and Texas Constitutions, both of which recognize Texas citizens' right to keep and bear arms and the Texas Legislature's power to regulate the wearing of Handguns. UTHSCT also recognizes its right under the Campus Carry Law to implement its own reasonable rules, regulations, and other provisions regarding the carriage on its premises of Concealed Handguns by holders of Concealed Handgun Licenses ("CHL Holders"). In seeking to fulfill its obligations under the Campus Carry Law to determine appropriate Exclusion Zones and permitted Concealed Handgun License Zones ("CHL Zones"), UTHSCT has strived to recognize CHL Holders' rights in the context of: (1) the nature of UTHSCT's faculty, student, administrator, patient, and patient family populations; (2) specific safety considerations; (3) the uniqueness of UTHSCT's Campus environment; (4) applicable laws and contractual obligations; (5) issues of practical implementation; and (6) ease of compliance and reasonable administration and enforcement. UTHSCT believes this policy respects the rights and interests of all stakeholders and achieves a fair and balanced approach to carrying of Concealed Handguns by CHL Holders on its Campus.

**THIS POLICY DOES NOT AUTHORIZE THE OPEN CARRY OF A HANDGUN ON UTHSCT'S CAMPUS, AND THE OPEN CARRYING OF A HANDGUN IS PROHIBITED ON UTHSCT'S CAMPUS.**

### SCOPE

All persons on UTHSCT's Campus.

#### DEFINITIONS

**Campus:** All land and buildings leased or owned by the Board of Regents of The University of Texas System for and on behalf of UTHSCT.

**Campus Carry Law:** Section 411.2031 of the Texas Government Code, permitting the carrying of Concealed Handguns by duly licensed holders on UTHSCT's Campus in accordance with this policy.



**Concealed Handgun:** A Handgun, the presence of which is not openly discernible to the ordinary observation of a reasonable person (see **Texas Government Code Section 411.171**).

**Concealed Handgun License (CHL):** A valid and current Concealed Handgun license as defined by Subchapter H of the Texas Government Code ("License to Carry a Concealed Handgun").

**Concealed Handgun License (CHL) Holder:** Anyone appearing on UTHSCT's Campus with a valid, current CHL and a Concealed Handgun.

**Concealed Handgun License (CHL) Zones:** The areas on UTHSCT's Campus where CHL Holders may carry a Concealed Handgun.

**Excluded Activities:** Activities that are the bases of Exclusion Zones.

**Exclusion Zones:** The areas on UTHSCT's Campus where CHL Holders may not carry a Concealed Handgun.

**Handgun:** Any firearm that is designed, made, or adapted to be fired with one hand (see **Texas Penal Code, Section 46.01151**).

**Premises:** Consistent with Section 46.035(f)(3) of the Texas Penal Code, "Premises" means a building or a particular portion of a UTHSCT Campus building. For purposes of this policy and UTHSCT's Campus, a Premises comprises all of the contiguous space dedicated to a particular institutional function or activity and extends to the functional or physical boundary of that function or activity. A Premises may be a floor, departmental suite, hallway, walkway, throughway, sky bridge, laboratory, cafeteria, or any other space, depending on the circumstance.

## PROCEDURE

### 1.0 Policy Permissions and Violations

1.1 Subject to a CHL's Holder's acceptance of and compliance with this policy and UTHSCT's rules and regulations, CHL Holders may carry Concealed Handguns in accordance with their CHL in CHL Zones on UTHSCT's Campus.

1.2 CHL Holders are prohibited from carrying Concealed Handguns in Exclusion Zones on UTHSCT's Campus. Furthermore, neither CHL Holders nor any other person may carry any other weapon as described in Texas Penal Code, Section 46.01 onto UTHSCT's Campus.

1.3 CHL Holders must abide by and comply with all CHL rules in Texas Government Code, **Chapter 411**, and all UTHSCT rules, regulations, and policies while carrying a properly licensed Concealed Handgun

1.4 The mere possession of a properly Concealed Handgun by a CHL Holder in CHL Zones on UTHSCT's Campus is not a violation of UTHSCT's **Disciplinary Action policies** or the **Violence in the Workplace policy**. However, a violation of this policy by a faculty or staff member, trainee, student, volunteer, or other member of UTHSCT's workforce may constitute a violation of institutional policy regarding conditions of employment and standards of conduct, subjecting the workforce member to disciplinary action, up to and including termination.

1.5 CHL Holders are prohibited from engaging in, and may not engage in direct, conditional, or veiled threats, as defined in UTHSCT's **Violence in the Workplace policy**, involving the CHL Holder's Concealed Handgun. This may include, but is not limited to, overt or implicit references by a CHL Holder to the CHL Holder's Concealed Handgun in a way so as to intentionally or knowingly incite fear or concern in any other person. Such conduct may result in immediate termination per **Section 8.0** of this policy.

1.6 Except for storing a Handgun in a vehicle as permitted by state law, CHL Holders must keep their Concealed Handguns on or about their persons at all times. For purposes of this policy and subject to the requirements of Texas law, "on or about one's person" means close at hand and within such distance of the CHL Holder so that, without materially changing his/her position, the CHL Holder could get his/her hand on it. Except for storing a Handgun in a vehicle as permitted by state law, CHL Holders are prohibited from leaving and must not leave the CHL Holder's Concealed Handgun unattended anywhere on UTHSCT's Campus, regardless of whether stored in a desk drawer, cabinet, purse, handbag, backpack, fanny pack, briefcase, or otherwise.

1.7 CHL Holders are responsible for safeguarding their Concealed Handguns at all times and must take all necessary precautions to ensure their Concealed Handguns are secured in a manner that is most likely to prevent theft, loss, damage, or misuse.

CHL Holders are liable for any and all damage, injury, liability, loss, cost, or expense, directly or indirectly resulting from or arising out of an accidental or inadvertent discharge of their Concealed Handgun or their violation of this policy.

1.8 UTHSCT does not provide storage (e.g., lockers) or holding services for CHL Holders.

1.9 A CHL Holder whose Concealed Handgun is lost or stolen on UTHSCT's Campus must immediately report the loss or theft to the UTHSCT Police Department ("UPD").

1.10 In accordance with Texas Law, CHL Holders may secure their Concealed Handguns safely in their vehicles. UTHSCT assumes no responsibility for loss or theft of Concealed Handguns from CHL Holders' vehicles on UTHSCT's Campus.

## **2.0 CHL Zones and Exclusion Zones**

2.1 In accordance with the Campus Carry Law, the President must designate Exclusion Zones for UTHSCT's Campus and in doing so must consider:

- A. The nature of UTHSCT's faculty, staff, student, administrator, patient, and patient family populations.
- B. Specific safety considerations.
- C. The uniqueness of UTHSCT's Campus environment.

2.2 In addition to considering the factors mandated by the Campus Carry Law, the President should also consider the following factors:

- A. Applicable laws and contractual obligations pertinent to UTHSCT.
- B. Issues of practical implementation.
- C. Ease of compliance and reasonableness of administration and enforcement.

2.3 The President may not create Exclusion Zones that generally prohibit or have the effect of generally prohibiting CHL Holders from lawfully carrying Concealed Handguns on UTHSCT's Campus.

2.4 A CHL Zone may be coterminous with a Premises.

2.5 If justified using the criteria in **Section 2.1** and **Section 2.2**, an Exclusion Zone may be coterminous with a Premises.

2.6 The President has designated the following areas on UTHSCT's Campus as Exclusion Zones:

- A. Areas for which state or federal law, licensing requirements, or contracts require exclusion exclusively at the discretion of the state or federal government, or in which Handguns are prohibited by an accrediting authority.
- B. Childcare facilities and pediatric-activity areas.
- C. Areas analogous to state law requirements that prohibit Concealed Handguns, including:
  - Police and correctional facilities.
  - Chapels, synagogues, prayer rooms, and other areas designated for worship, spiritual reflection, or meditation on UTHSCT's Campus.
  - Pediatric school areas and areas in which sponsored activities are conducted for persons under 18 years of age who are not enrolled at UTHSCT.
- D. Areas where discharge of a Concealed Handgun might cause widespread harm or catastrophic results, such as laboratories with extremely dangerous chemicals, biologic agents, or explosive agents, or equipment that is incompatible with metallic objects such as magnetic resonance imaging machines.
- E. Animal care areas and vivaria in which protocols increase the risk of discharge or contamination of a Concealed Handgun, or its unanticipated separation from the CHL Holder. For open-air primate enclosures, the Exclusion Zone extends at least five (5) feet from the enclosure.
- F. The specific Campus locations enumerated on **EXHIBIT A** attached to this policy and incorporated herein for all purposes.

2.7 Deemed Exclusion Zones:

- A. When, either within a Premises or between two Premises, an Exclusion Zone is adjacent to a CHL Zone, the President may deem the adjacent CHL Zone also to be an Exclusion Zone for practicability and to ensure ease of compliance, and reasonable administration and enforcement, including those situations in which:
  - Ingress and egress by CHL Holders between the Exclusion Zone and the CHL Zone is impracticable (e.g., the CHL Holder could not reasonably move to a CHL Zone without moving through an Exclusion Zone in violation of this policy and the law); and
  - Ingress and egress between the Exclusion Zone and the CHL Zone may not reasonably be clearly demarcated per **Section 2.8** of this policy.
- B. The President or his designee may deem CHL Zones to be Exclusion Zones for the period of time that the CHL Zone hosts Excluded Activities listed in **Section 3.0** of this policy. For example, an event in UTHSCT Campus CHL Zones that includes pediatric patients is an Exclusion Zone during the event. During this period, the signage required by **Section 2.8** of this policy will be erected in the deemed Exclusion Zone for the duration of the excluded period.
- C. If a significant fraction of the functional space of a building is excluded for reasons consistent with this policy, the President may exclude the entire building to ensure ease of compliance and reasonable administration and enforcement.

2.8 Exclusion Zones will be demarcated with legally-sufficient signage, per Texas Penal Code, **Section 30.06**.

2.9 The Chief of UPD will maintain a complete and up-to-date listing of CHL Zones and Exclusion Zones. The listing may include the President's justification(s) for each Exclusion Zone. The Chief of UPD will make the listing available to the public upon reasonable request.



### **3.0 Excluded Activities (Not Premises-Specific)**

Irrespective of where they are on UTHSCT's Campus, CHL Holders may not carry Concealed Handguns while engaged in the following Excluded Activities:

3.1 Handling extremely dangerous chemicals, biologic agents, flammable or explosive agents, or equipment that is incompatible with metallic objects.

3.2 Handling laboratory animals.

3.3 Attending events on UTHSCT's Campus at which alcoholic beverages are served.

3.4 Attending any meeting related to proceedings made necessary by or in connection with UTHSCT's **Grievance Policies & Procedures**, **Appeal Process policy**, or any institutional policy related to a formal conflict resolution processes as well as a Hearing Tribunal or related meeting scheduled as part of a formal dispute resolution process.

3.5 Attending or participating in a ticketed sporting event on UTHSCT's Campus.

### **4.0 Institutional Vehicles**

4.1 Subject to Section 4.2 below, vehicles owned or leased by UTHSCT that are used for passenger transportation are considered CHL Zones.

4.2 Vehicles owned or leased by UTHSCT being utilized for the following purposes are considered Exclusion Zones for the duration of time that the vehicle is being used for such purposes:

- A. The vehicle is being used to transport extremely dangerous chemicals, biologic agents, flammable or explosive agents, or equipment that is incompatible with metallic objects.
- B. The vehicle is being used for health care-related activities, such as mobile mammography, blood donations, or to provide health screenings.
- C. The vehicle is being used for childcare, school, or pediatric activities or purposes.

### **5.0 UTHSCT Campus Land (External to Buildings)**

Areas outside UTHSCT buildings but still on its Campus are deemed Exclusion Zones when the areas are utilized for activities that are Excluded Activities listed in **Section 3.0** of this policy. For example, an area on UTHSCT's Campus used for a picnic or event involving pediatric patients is an Exclusion Zone for the duration of the picnic or event.

### **6.0 Communication**

6.1 UTHSCT will widely distribute this policy and all related rules, regulations, and procedures to its faculty, staff, volunteers, trainees, students, and other members of its workforce, and shall prominently publish this policy and all related rules, regulations, and procedures on its internet and intranet sites.

6.2 UTHSCT's UPD and Departments of Public Affairs, Human Resources, and Institutional Compliance shall be responsible for ensuing communication of this policy and all related rules, regulations, and procedures, as required by the Campus Carry Law.

### **7.0 Campus Carry Reporting**

7.1 Reports to the President:

On or about July 1 of each year, UPD will prepare and deliver to the President a report on UTHSCT's

compliance with the Campus Carry Law, the implementation of this policy, and all incidents during the past year involving a Concealed Handgun.

From time to time, and based upon the implementation of this policy or any incidents involving a Concealed Handgun, UPD shall make recommendations to the President in regard to any changes that may be necessary, appropriate, or desirable to this policy, the Exclusion Zones, Excluded Activities, CHL Zones, or the rules and regulations hereunder.

**7.2 President's Report to the Texas Legislature:**

Not later than July 1 of each even-numbered year, UPD will prepare for the President's review and approval a report on UTHSCT's compliance with the Campus Carry Law. The report will:

- A. Describe UTHSCT's rules, regulations, and policies regarding the carrying of Concealed Handguns on its Campus; and
- B. Explain the reasons why UTHSCT has established these rules, regulations, and policies.

7.3 Once approved by the President, the President shall send the report to The UT System's Office of General Counsel for review not later than August 1 of each even-numbered year.

7.4 The President must submit the report to the Texas Legislature not later than September 1 of each even numbered year.

**8.0 Policy Violations and Disciplinary Action**

8.1 If any person believes that a CHL Holder has violated this policy, he/she should immediately report the violation by calling 903 877-5297. The caller should provide the following information, as applicable and available:

- A. Description of the perceived violation;
- B. Name(s) of individual(s) involved in the incident;
- C. Name(s) of any witnesses;
- D. Date, time, and location of the incident; and
- E. Factual circumstances surrounding the incident.

8.2 A violation by a CHL Holder of this policy that involves the CHL Holder's Concealed Handgun may be considered a Policy Violation ("a confirmed incident of Violence or Threat of Violence") under the **Violence in the Workplace policy** and may result in immediate removal from UTHSCT's Campus or referral to UPD, as appropriate, and may result in disciplinary action for such person, up to and including termination.

8.3 Loss of a CHL Holder's Concealed Handgun on UTHSCT's Campus will be considered a violation of **Section 1.6** of this policy, and if the CHL Holder is a faculty or staff member, trainee, student, volunteer, or other member of UTHSCT's workforce, may result in disciplinary action for such person, up to and including termination.

## **ATTACHMENTS/REFERENCES**

### **EXHIBIT A, Exclusion Zones Specific to UTHSCT Campus**

Texas Government Code, Chapter 411.

Texas Government Code, Section 411.171.

Texas Penal Code, Section 30.06.

Texas Penal Code, Section 46.01.

Texas Penal Code, Section 46.01(5).

Texas Penal Code, Section 46.035(f)(3).

**Attachments:**

 EXHIBIT A Exculsion Zones.docx

	Committee	Approver	Date
		Robert Cromley: Chief Of Police	04/2016
	Office of Legal Affairs	Terry Witter: VP, Legal Affairs/ChiefLegalOf	04/2016
	Executive Cabinet	Carol Davis: Executive Assistant, Senior	04/2016
		Robert Cromley: Chief Of Police	pending



EXHIBIT A

**Exclusion Zones Specific to UTHSCT Campus**

1. A Building patient care areas, including Emergency Room and Behavioral Health Intake
2. F Building Pediatric Behavioral Health and Cystic Fibrosis patient care areas
3. E Building (Riter Center) patient care areas
4. Academic Center 1<sup>st</sup> and 2<sup>nd</sup> Floor patient care areas
5. Biomedical Research Building
6. Intensive Outpatient Psychiatry (IOP) Buildings, Longview and Tyler, Texas
7. Public Health Laboratory of East Texas (PHLET) Building
8. AA Building which encompasses Surgery, Day Surgery, and Rehabilitation Services patient care areas
9. Outpatient Care Clinics located in Overton, Lindale, University Health Clinic (UHC) Tyler, and North Tyler Clinic, Texas
10. Analogous to government court, areas in which formal disciplinary hearings are being held. Hearing notices will include a statement informing participants that weapons are not permitted in hearings. Hearings may take place in a variety of spaces which best meet the needs of each particular hearing. Considering the infrequency of formal disciplinary hearings and varying locations, temporary notices will be placed at the entrance of the room in which the hearing is being held.

3. U. T. System: Report on the Houston Advisory Task Force

Chancellor McRaven provided the following report on the Houston Advisory Task Force, a group created to advance one of the eight Quantum Leaps initiatives for The University of Texas System's Expansion in Houston.

Remarks by Chancellor McRaven

The Houston Advisory Task Force was announced on February 9th and held its first meeting on March 7th. It is co-chaired by Mr. Paul Hobby and Mrs. Carin Barth and has a total of 18 representatives. This includes a liaison from the Texas Higher Education Coordinating Board, the Mayor's Office, and the Harris County Commissioner's Court. The board is diverse in race, gender, and background. We have five African-American members, three Hispanics, one Asian-American, and six women. We have graduates from A&M (The Texas A&M University System), Texas Southern University, Prairie View, Harvard, Yale, SMU (Southern Methodist University), Princeton, Stanford, Columbia, UVA (University of Virginia), Alabama, Mississippi, Vanderbilt, the University of Houston, and, of course, U. T. Austin. We have civic leaders, businessmen and women, and academic and health leaders. And we have one sitting and two former U. T. Regents.

I charged the committee to use this rare opportunity to develop new ways to collaborate with public and private institutions of higher education, with industry, and with other organizations. I want their ideas to take advantage of the strengths of Houston, its diverse culture, its globally recognized leadership in energy, health, transportation, and business -- all in an effort to dramatically improve higher education delivery, research, and innovation that would be beneficial to Texas.

And I asked them to do this without duplicating existing, effective programs and activities that are already thriving in Houston. I reinforced with the committee the power of the U. T. System and all 14 institutions, along with anyone else who wishes to join us, could be compelling to outside investors. In the end, we have an opportunity to do something grand, something bold, something of real substance for the state, for Houston, for U. T., and for all who want to be part of this grand idea.

The committee has been meeting every two weeks. It has also established four subcommittees to look at the needs of the region, the property itself, various aspects of human capital, and how we will govern and manage the enterprise. The subcommittees meet frequently in addition to the full Advisory Task Force's biweekly meetings. The committee often calls in subject matter experts to help educate and inform them on matters of interest, and it has surveyed individuals and groups in Houston. The Task

Force has begun to move from a macro slate of ideas to some exciting proposals on a more micro scale, but there is still a lot of work to be done, and I don't want to constrain any creative thinking just yet.

Over the course of the next five months, they will begin to codify their recommendations. By the end of December, I expect to receive a report of recommendations and will bring those recommendations to the Board of Regents for further discussion and authorization, as well as presenting them to the Higher Education Coordinating Board and the Legislature. Once the Board has reviewed these recommendations and provided guidance to me, and after the legislative session, we will proceed with developing a long-term plan for implementation. It is possible that all, only some, or none of these recommendations may be accepted and pursued, and the Task Force is fully aware of the wide range of potential outcomes to their work.

As I have said many times before, this is a generational effort. It will take several years to finalize plans, obtain resources, and begin moving forward. We will not rush to failure, but neither will we procrastinate.

Let me close by saying that I am tremendously grateful for the amount of time and dedication each member of the Houston Task Force has contributed to this effort. As Houstonians, they take this charge very seriously, and on top of their full-time work and family commitments, they spend far more time and effort on this than I ever expected, and I am deeply appreciative. I can tell you without hesitation that they are fully vested in making their city, and by extension their state, a global leader as an intellectual and innovation hub.

The Task Force was charged to develop and present recommendations to Chancellor McRaven by the end of 2016, so he could seek input and appropriate approvals by the U. T. System Board of Regents, the Texas Higher Education Coordinating Board, and the Texas Legislature on those recommendations selected to build and enhance Houston's reputation as one of America's top intellectual and innovation hubs.

On November 4, 2015, the Board approved the purchase of 332 acres of land in southwest Houston, near the Texas Medical Center and downtown, with the vision of using the property for new research, collaboration, and education opportunities.

On November 5, 2015, Chancellor McRaven presented his strategic vision and mission for the U. T. System, including his eight operational drivers to fulfill the mission, or Quantum Leaps, one of which is the U. T. System Expansion in Houston.

In January 2016, Chancellor McRaven briefed the Texas Higher Education Coordinating Board and the Texas House Higher Education Committee on his vision for strategically allocating U. T. System resources over the long term to advance the state's largest city as a global intellectual and innovation hub.

The Houston Advisory Task Force was established to identify and explore new opportunities for the U. T. System, its institutions, and other institutions in Texas and from around the nation to partner and collaborate with Houston's academic, medical, and business sectors as well as other public and private organizations. On February 11, 2016, the Chancellor reported to the Board on his Quantum Leaps initiatives, including his appointments to the Task Force Executive Committee.

In selecting the Task Force's Executive Committee, the Chancellor consulted with a number of Houston's education, business, and local and state government leaders to request and receive nominations.

Chancellor McRaven charged the Task Force, which first met on March 7, 2016, to:

- Explore new opportunities whereby the U. T. System, its institutions, and other institutions in Texas and from around the nation and world may partner with Houston's academic, medical, business, and public and private organizations to elevate Houston as one of America's top intellectual and innovation hubs, increasing Texas' national and international competitiveness.
- Work from a blank canvas to seek bold ideas that will address the city and state's greatest opportunities and challenges. Engage the best and brightest minds in education, business, health, technology, and other critical sectors to look to the future and recommend never-before considered ways of maximizing higher education's contributions to society.
- Emphasize the need for collaborations and partnerships with public and private institutions of higher education, organizations, and industries to forge a strong network of creativity and expertise in developing new innovations in education, research, and economic enhancement. The Task Force is asked to not recommend the creation of academic programs or centers that duplicate what other Houston universities are already offering, unless a dearth of capacity exists that necessitates such recommendations.
- Develop and present a report of recommendations to Chancellor McRaven by the end of 2016, so he can seek input and appropriate approvals by the U. T. System Board of Regents, the Texas Higher Education Coordinating Board, and the Texas Legislature on those recommendations selected to advance Houston.

4. U. T. System Administration: Discussion and appropriate action regarding a Voluntary Separation Incentive Program and authorization of expenditure of funds necessary for the Program and associated expenses

Deputy Chancellor Daniel introduced The University of Texas System Administration Voluntary Separation Incentive Program with a goal to reduce staffing levels at U. T. System Administration. He clarified the separation period is January 31, 2017 to May 31, 2017.

The Board then

- a. authorized implementation of a one-time U. T. System Administration Voluntary Separation Incentive Program, in substantially the form described below; and
- b. authorized the expenditure of funds from the Available University Fund (AUF) and/or other sources in an amount not to exceed \$6 million to implement the Program, and also authorized the expenditure of additional funds from the AUF and/or other sources as needed to compensate individuals participating in the Program for accrued but unused vacation days pursuant to State law, with the appropriate source of funding for all expenditures to be identified by the Deputy Chancellor in consultation with the Associate Vice Chancellor, Controller, and Chief Budget Officer.

Deputy Chancellor Daniel worked with the Office of General Counsel and the Office of Employee Services to structure the Voluntary Separation Incentive Program intended to reduce the number of full-time employees and control personnel expenditures and other budget expenditures. The Program was recommended for implementation effective July 14, 2016.

To be eligible to participate in the voluntary program, a U. T. System Administration employee must satisfy the five following requirements:

1. As of July 14, 2016, must be a benefits-eligible employee or return-to-work retiree and meet one of the following criteria:
  - a. Employed at U. T. System Administration or a U. T. System institution prior to September 1, 2003 and is at least age 55 with 5 years of U. T. service, or
  - b. Employed at U. T. System Administration or a U. T. System institution on or after September 1, 2003 and is at least at age 65 with 10 years of U. T. service, or

- c. Obtained 15 years of service from U. T. System Administration (inclusive of any service at U. T. System institutions), or
  - d. Obtained one year of service from U. T. System Administration (inclusive of any service at U. T. System institutions) and is at least age 60 if in the Optional Retirement Program;
2. Must not have submitted a formal, written notice of resignation that was accepted in writing by the employee's supervisor prior to July 14, 2016;
  3. Must sign and return a Notice of Intent to sign a Voluntary Separation Agreement by August 19, 2016;
  4. Must remain continuously employed by U. T. System Administration through a selected Voluntary Separation Date; and
  5. Must execute a Voluntary Separation Agreement no later than 14 days before the Voluntary Separation Date, waiving legal claims and agreeing not to become a U. T. System Administration employee for two years. The employee may be employed at a U. T. System institution after separating from U. T. System Administration.

Individuals eligible to participate and executing a Voluntary Separation Agreement will receive one lump-sum Incentive Payment equal to six months of annual salary based upon base salary as of July 13, 2016. The payment will not count as compensation for the purpose of retirement contributions under the Teacher Retirement System or the Optional Retirement Program, and the payment will be taxed as supplemental compensation unless the participant elects to direct the withholding of additional amounts. Individuals will also receive payment for unused vacation days as authorized by State law, with the maximum total payment for such current entitlements estimated to be \$2 million.

Notices of Intent to Sign a Voluntary Separation Agreement will be processed in the order received, with U. T. System Administration reserving the right to close the Program when total Incentive Payments for the Program exceed \$6 million, as measured by the Notices of Intent received. Approximately 200 current U. T. System Administration employees are estimated to be eligible to participate in the Program.

The date range for separation will be between January 31, 2017 and May 31, 2017 to ensure a smooth workflow and adequate preparation for the changes. The employee is encouraged to indicate a preferred separation date within the date range. However, the U. T. System will, at its sole discretion, select the actual separation date to ensure a smooth workflow and adequate preparation for the changes.



Individuals remaining eligible for the Program must sign a Voluntary Separation Agreement and return it to the Office of Employee Services no later than 14 calendar days before the selected separation date. Under federal law, each individual who signs an agreement must then be given seven days to revoke the agreement.

Individuals choosing to participate in the Program must continue to fulfill job duties through the selected separation date.

Written notice describing the Program will advise individuals considering participation in the Program to consult with an attorney and a financial advisor before executing the Voluntary Separation Agreement.

**SCHEDULED MEETING.**--The next regularly scheduled meeting will be held on August 24-25, 2016, in Austin.

**ADJOURNMENT.**--There being no further business, the meeting was adjourned at 12:11 p.m.

/s/ Carol A. Felkel  
Secretary to the Board of Regents

August 9, 2016



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No items for Consent Agenda

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No items for Consent Agenda

## MEETING OF THE BOARD

1. Resolution - U. T. System Board of Regents: Adoption of resolution regarding the list of Key Management Personnel authorized to negotiate, execute, and administer classified government contracts (Managerial Group) to reflect appointment of new Insider Threat Program Senior Official (ITPSO) and name and term of new Student Regent

To comply with the Department of Defense National Industrial Security Program Operating Manual (NISPOM) requirements, it is recommended that the Board of Regents approve the revised resolution set forth below regarding the list of Key Management Personnel (KMP) authorized to negotiate, execute, and administer classified government contracts. The revision reflects the appointment of a new Insider Threat Program Senior Official, effective June 1, 2016, and the name and term of the new Student Regent.

A Resolution amending the Managerial Group list was last adopted by the Board of Regents on May 12, 2016.

NISPOM defines KMP as "officers, directors, partners, regents, or trustees." The Manual requires that the senior management official and the Facility Security Officer must always be designated as part of the Managerial Group and be cleared at the level of the Facility Clearance. Other officials or KMPs, as determined by the Defense Security Service, must be granted Personal Security Clearances or be formally excluded by name from access to classified material.

### RESOLUTION

BE IT RESOLVED:

- a. That those persons occupying the following positions at The University of Texas System and The University of Texas at Austin shall be known as the Managerial Group, having the authority and responsibility for the negotiation, execution, and administration of Department of Defense (DoD) or User Agency contracts, as described in DoD 5220.22-M, "National Industrial Security Program Operating Manual" (NISPOM):

William H. McRaven, Chancellor, The University of Texas System

David E. Daniel, Ph.D., Deputy Chancellor, The University of Texas System

Gregory L. Fenves, Ph.D., President, The University of Texas at Austin

Daniel T. Jaffe, Ph.D., Vice President for Research, The University of Texas at Austin

Francis J. Landry III, Facility Security Officer, The University of Texas System

Patrick H. Vetter, Insider Threat Program Senior Official (ITPSO), The University of Texas System

- b. The Chief Executive Officer (i.e., the Chancellor) and the members of the Managerial Group have been processed, or will be processed, for a personnel security clearance for access to classified information to the level of the facility security clearance granted to this institution, as provided for in the NISPOM.

The Managerial Group is hereby delegated all of the Board's duties and responsibilities pertaining to the protection of classified information under classified contracts of the DoD or User Agencies of the NISPOM awarded to U. T. System, including U. T. Austin.

- c. That the following named members of the U. T. System Board of Regents shall not require, shall not have, and can be effectively excluded from access to all classified information in the possession of U. T. System, including U. T. Austin, and do not occupy positions that would enable them to affect adversely the policies and practices of the U. T. System, including U. T. Austin, in the performance of classified contracts for the Department of Defense or User Agencies of the NISPOM awarded to the U. T. System, including U. T. Austin, and need not be processed for a personnel security clearance:

Members of the U. T. System Board of Regents:

Paul L. Foster, Chairman  
R. Steven Hicks, Vice Chairman  
Jeffery D. Hildebrand, Vice Chairman  
Ernest Aliseda  
David J. Beck  
Alex M. Cranberg  
Wallace L. Hall, Jr.  
Brenda Pejovich  
Sara Martinez Tucker  
Varun P. Joseph, Student Regent from June 1, 2016 to  
May 31, 2017 (nonvoting)

- 2. Contract (funds going out) - U. T. System: Amendment to contract with Netherland, Sewell & Associates, Inc. to perform reserve studies for University Lands

Agency:	Netherland, Sewell & Associates, Inc.
Funds:	Second amendment to existing contract for additional \$575,000; bringing the total for the initial contract and two amendments to \$1,300,000
Source of Funds:	Service Department Revolving Funds
Period:	May 11, 2016 through August 31, 2017

Description: Amendment of existing agreement with Netherland, Sewell & Associates, Inc. to perform analysis of oil and gas reserves and provide reserve estimates to University Lands. The initial contract was for a one-year term beginning June 16, 2014, for \$375,000. The first amendment was for another one-year term beginning May 11, 2015, for \$350,000. This second amendment raises the total contract amount over the threshold requiring Board approval.

3. Approval of Dual Position of Honor, Trust, or Profit - U. T. System: Appointment by Secretary of Defense Ashton B. Carter of Chancellor McRaven as member of the U.S. Department of Defense Innovation Advisory Board

It has been determined that the holding of this office or position is of benefit to the State of Texas and The University of Texas System, and there is no conflict between holding this position and the appointment with the U. T. System.

The Board is also asked to find that holding this position is of benefit to the State of Texas and the U. T. System, and that there is no conflict between the position and the U. T. System.

Name: William H. McRaven

Title: Chancellor

Position: Member, U.S. Department of Defense Innovation Advisory Board

Period: Beginning June 10, 2016

Compensation: None

Description: Secretary of Defense Ashton B. Carter has appointed Chancellor McRaven to the U.S. Department of Defense Innovation Advisory Board. The advisory board's mandate is to provide Department of Defense leaders independent advice on innovative and adaptive means to address future organizational and cultural challenges, including the use of technology alternatives and streamlined project management processes and approaches.



## AUDIT, COMPLIANCE, AND MANAGEMENT REVIEW COMMITTEE

4. Contract (funds going out) - U. T. System: Deloitte & Touche LLP to provide external audit services

Agency: Deloitte & Touche LLP

Funds: \$6,607,138

Source of Funds: Available University Funds

Period: May 31, 2016 through May 30, 2018

Description: Subject to the delegation of authority by the State Auditor's Office, Deloitte & Touche LLP will provide

- a) external audit services for the Systemwide consolidated financial reports;
- b) stand-alone financial statement audits for U. T. Austin, U. T. M. D. Anderson Cancer Center, U. T. Southwestern Medical Center, U. T. Medical Branch - Galveston, and a stand-alone audit of The University of Texas Investment Management Company (UTIMCO) funds;
- c) reviews required by the Southern Association of Colleges and Schools (SACS) for U. T. Arlington, U. T. Dallas, and U. T. Health Science Center - San Antonio; and
- d) Cancer Prevention and Research Institute of Texas (CPRIT) compliance audits for U. T. Austin, U. T. Medical Branch - Galveston, U. T. Health Science Center - Houston, U. T. Health Science Center - San Antonio, U. T. Health Science Center - Tyler, and U. T. M. D. Anderson Cancer Center.

The total costs under this contract are broken down as follows: \$3,000,000 for audit services described in a) and b) above for Fiscal Year 2016 and \$3,075,000 for Fiscal Year 2017; \$206,295 for the reviews required by SACS; and \$325,843 for the CPRIT compliance audits. Services were competitively bid.

## FINANCE AND PLANNING COMMITTEE

5. Contract (funds going out) - U. T. System: TALX, Inc. (aka Equifax Workforce Solutions) to assist U. T. System institutions with managing unemployment claims, providing employment and income verifications, compliance with certain provisions of the Affordable Care Act (ACA), and Form I-9 management services

Agency: TALX, Inc.

Funds: \$1,000,000 over the six-year term of the agreement

Source of Funds: Separate funding by each institution

Period: April 1, 2016 through March 31, 2022

Description: TALX, Inc. (aka Equifax Workforce Solutions) to provide employment-related professional services to the U. T. System institutions, including unemployment compensation claims management, income and employment verifications, Affordable Care Act (ACA) compliance services, and Form I-9 management services. The U. T. System self-funded Unemployment Compensation Insurance Fund provides funding for the unemployment claims management services as a cost containment initiative, with employment and income verification services provided at no additional cost. Each institution electing to use TALX's ACA compliance services and Form I-9 management services will pay a fee based on the institution's employee or new hire count. Each service is available to U. T. System institutions on an opt-in basis. Services were competitively bid.

6. Contract (funds going out) - U. T. System: PricewaterhouseCoopers LLP to provide valuation services for certain private investments held in the name of the U. T. System Board of Regents

Agency: PricewaterhouseCoopers LLP

Funds: \$3,400,000 for the initial and renewal terms

Source of Funds: Available University Funds

Period: Initial term of May 15, 2016 through December 31, 2019; with three one-year options to renew

Description: PricewaterhouseCoopers LLP to provide valuation services for U. T. System in accordance with Governmental Accounting Standards Board (GASB) Statement No. 72, Fair Value Measurement and Application. To comply with the requirements of this new GASB statement, valuation services will be performed for U. T. System's privately-held U. T. Horizon Fund and technology stock investments as of fiscal year end. Services were competitively bid.

7. Contract (funds going out) - U. T. System: Elephant Productions to provide content production services

Agency: Elephant Productions

Funds: Current spending under this Master Services Agreement totals \$813,852. Future expenses will not exceed \$3,000,000.

Source of Funds: Available University Funds

Period: June 1, 2014 through June 1, 2019

Description: A Systemwide Master Services Agreement that can be used by any of the U. T. System institutions to provide digital audio/video production and post-production services, motion graphics and animations, graphic design and/or illustrations, instructional design, and digital rights clearance services. This contract was competitively bid. The current spending will soon approach \$1,000,000, and is now being brought to the Board for approval.

8. Contract (funds going out) - U. T. System: Council for Aid to Education to provide content production services

Agency: Council for Aid to Education

Funds: Current spending under this Master Services Agreement totals \$881,080. Future expenses will not exceed \$3,000,000.

Source of Funds: Available University Funds

Period: April 24, 2015 through April 24, 2020

Description: A Systemwide Master Services Agreement that can be used by any of the U. T. System institutions to provide instructional design and content services, graphic design and illustrations, and miscellaneous course development and course asset development services. This contract was competitively bid. The current spending will soon approach \$1,000,000, and is now being brought to the Board for approval.

9. Contract (funds going out) - U. T. System: Lumina Datamatics to provide content production services

Agency: Lumina Datamatics

Funds: Current spending under this Master Services Agreement totals \$333,848. Future expenses will not exceed \$3,000,000.

Source of Funds: Available University Funds

Period: June 17, 2015 through June 17, 2020

Description: A Systemwide Master Services Agreement that can be used by any of the U. T. System institutions to provide instructional design and content services, graphic design and illustrations, and miscellaneous course development and course asset development services. This contract was competitively bid. The current spending will soon approach \$1,000,000, and is now being brought to the Board for approval.

10. Other Matters - U. T. System Academic Institutions: Approval to submit list of items for consideration by the Texas Legislature for Exceptional Item funding

The Chancellor concurs in the recommendation of the Deputy Chancellor, the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Business Affairs, and the Presidents of the U. T. System academic institutions that the U. T. System Board of Regents approve the projects for submission to the Texas Legislature for Exceptional Item funding as set forth on the following page.

A separate description of each project was provided to the Board in advance of the meeting.

**The University of Texas System  
Summarized and Prioritized List of Proposed Exceptional Item Requests  
FY 2018-2019 Legislative Appropriation Request**

Priority Number	New (N) or Expansion of Existing Spec. Item (E)	Name of Proposed Exceptional Item	Amounts Requested		
			FY 2018	FY 2019	Total
<b>U. T. Arlington</b>					
1	N	Institute for P16 Progress	2,000,000	2,000,000	4,000,000
2	E	University of Texas at Arlington Research Institute (UTARI)	1,000,000	1,000,000	2,000,000
			<u>3,000,000</u>	<u>3,000,000</u>	<u>6,000,000</u>
<b>U. T. Austin (1)</b>					
n/a	n/a	n/a	n/a	n/a	-
			<u>-</u>	<u>-</u>	<u>-</u>
<b>U. T. Dallas</b>					
1	N	Engineering for Life	4,000,000	4,000,000	8,000,000
			<u>4,000,000</u>	<u>4,000,000</u>	<u>8,000,000</u>
<b>U. T. El Paso</b>					
1	N	Student Success Initiatives	5,000,000	5,000,000	10,000,000
			<u>5,000,000</u>	<u>5,000,000</u>	<u>10,000,000</u>
<b>U. T. Permian Basin</b>					
1	E	Expansion of Engineering Programs (Electrical Engineering and Master of Science in Mechanical Engineering)	1,200,000	1,200,000	2,400,000
2	N	1st Generation Access, Attendance and Graduation	1,200,000	1,200,000	2,400,000
			<u>2,400,000</u>	<u>2,400,000</u>	<u>4,800,000</u>
<b>U. T. Rio Grande Valley</b>					
1	E	School of Medicine	5,000,000	5,000,000	10,000,000
2	N	Biomedical Sciences Research	4,000,000	4,000,000	8,000,000
3	N	Coastal Studies Research Center	3,000,000	3,000,000	6,000,000
4	N	Business and Technology Incubator	450,000	450,000	900,000
5	N	B3 Institute (Bilingual, Bicultural, Biliterate)	500,000	500,000	1,000,000
			<u>12,950,000</u>	<u>12,950,000</u>	<u>25,900,000</u>
<b>U. T. San Antonio</b>					
1	N	Cyber and Cloud Computing	2,500,000	2,500,000	5,000,000
2	N	College Completion UTSA	495,000	495,000	990,000
3	N	The UTSA Mexico Center	100,000	100,000	200,000
4	E	Small Business Development (SBDC)	417,025	417,025	834,050
5	E	South-West Texas Border Network SBDC (Rural Initiative)	650,000	650,000	1,300,000
6	E	Texas Data Center	165,000	165,000	330,000
			<u>4,327,025</u>	<u>4,327,025</u>	<u>8,654,050</u>
<b>U. T. Tyler</b>					
1	N	4/2/2 Affordable High School to Baccalaureate STEM Pathways	1,500,000	1,500,000	3,000,000
			<u>1,500,000</u>	<u>1,500,000</u>	<u>3,000,000</u>
<b>TOTAL - ACADEMIC INSTITUTIONS</b>			<u>33,177,025</u>	<u>33,177,025</u>	<u>66,354,050</u>

(1) Note: U. T. Austin's only request is to continue existing funding levels for the State of Texas Advanced Resource Recovery Program at the Bureau of Economic Geology. Since there is no request for additional funding, the request is not included on this report.

Prepared by the Office of the Controller

11. Other Matters - **U. T. System Health Institutions**: Approval to submit list of items for consideration by the Texas Legislature for Exceptional Item funding

The Chancellor concurs in the recommendation of the Deputy Chancellor, the Executive Vice Chancellor for Health Affairs, the Executive Vice Chancellor for Business Affairs, and the Presidents of the U. T. System health institutions that the U. T. System Board of Regents approve the projects for submission to the Texas Legislature for Exceptional Item funding as set forth on the following page.

A separate description of each project was provided to the Board in advance of the meeting.



**The University of Texas System  
Summarized and Prioritized List of Proposed Exceptional Item Requests  
FY 2018-2019 Legislative Appropriation Request**

Priority Number	New (N) or Expansion of Existing Spec. Item (E)	Name of Proposed Exceptional Item	Amounts Requested		
			FY 2018	FY 2019	Total
<b><u>U. T. Southwestern Medical Center</u></b>					
1	E	Texas Center for Advanced Radiation Therapy (TCART)	20,000,000	20,000,000	40,000,000
2	E	Texas Institute for Brain Injury and Repair - O'Donnell Brain Institute	7,500,000	7,500,000	15,000,000
			<u>27,500,000</u>	<u>27,500,000</u>	<u>55,000,000</u>
<b><u>U. T. Medical Branch - Galveston (2)</u></b>					
1	N	Excellence in Infectious Disease Research, Treatment and Biosafety Training	17,075,000	17,075,000	34,150,000
			<u>17,075,000</u>	<u>17,075,000</u>	<u>34,150,000</u>
<b><u>U. T. Health Science Center - Houston</u></b>					
1	N	Women's Health, Education, and Research Center	9,000,000	9,000,000	18,000,000
			<u>9,000,000</u>	<u>9,000,000</u>	<u>18,000,000</u>
<b><u>U. T. Health Science Center - San Antonio</u></b>					
1	E	Barshop Institute for Aging Studies	2,500,000	2,500,000	5,000,000
2	E	Regional Campus - Laredo	1,450,000	1,450,000	2,900,000
3	E	Outreach Support - South Texas Programs	1,675,000	1,675,000	3,350,000
			<u>5,625,000</u>	<u>5,625,000</u>	<u>11,250,000</u>
<b><u>U. T. M. D. Anderson Cancer Center</u></b>					
1	N	Umbilical Cord Blood Bank Research	1,000,000	1,000,000	2,000,000
2	E	Rare and Aggressive Breast Cancer Research Program	1,400,000	1,400,000	2,800,000
			<u>2,400,000</u>	<u>2,400,000</u>	<u>4,800,000</u>
<b><u>U. T. Health Science Center - Tyler</u></b>					
1	E	Workforce Expansion for Youth & Families with Mental Illness	2,730,000	2,730,000	5,460,000
			<u>2,730,000</u>	<u>2,730,000</u>	<u>5,460,000</u>
<b>TOTAL - HEALTH INSTITUTIONS</b>			<u>64,330,000</u>	<u>64,330,000</u>	<u>128,660,000</u>
<b>TOTAL - U. T. SYSTEM</b>			<u>\$ 97,507,025</u>	<u>\$ 97,507,025</u>	<u>\$ 195,014,050</u>

(2) Note: U. T. Medical Branch - Galveston's request to convert its existing hospital system appropriation to a patient-based formula is not included on this report as it does not request additional funding.

## ACADEMIC AFFAIRS COMMITTEE

12. Contract (funds going out) - U. T. System: Academic Analytics, LLC to provide online tool that provides information on research productivity relative to peers at the department and doctoral program levels

Agency: Academic Analytics, LLC

Funds: \$2,899,440

Source of Funds: Available University Funds

Period: January 1, 2017 through December 31, 2021

Description: Amendment of existing contract with Academic Analytics, LLC for reliable data and program review tools centered on unique technology for evaluating and accessing scholarly productivity work for faculty members. The initial contract was for a term of five years beginning September 2012. Although the money necessary to fund the initial contract was approved as part of the Fiscal Year 2013 budget, the contract was not brought to the Board for approval. This renegotiated contract resulted in a reduction of the overall cost and an increase in the number of institutions that will have access to the suite of tools and services.

13. Contract (funds coming in and going out) - U. T. Arlington: Compass Group USA, Inc., by and through its Chartwells Division, to provide operation and management of food services (excluding concessions) at campus facilities

Agency: Compass Group USA, Inc.

Funds: Estimated \$66,205,336 in revenue, royalties, donations, and capital investments over 15-year period (U. T. Arlington will make payments to Chartwells Division for requested catering services from time to time.)

Source of Funds: Auxiliary Enterprise Funds - meal plans, cash retail food service, and catering operations

Period: May 14, 2016 through May 13, 2026 (with one five-year optional renewal term)

Description: Chartwells Division will provide complete operation and management of U. T. Arlington's food service operations, including residential meal plans, commercial franchises, catering, and the University Club. This agreement does not include the operations of concessions at special events facilities, which are handled under an agreement with Sodexo.

Pursuant to *Texas Education Code* Section 51.945, students were provided an opportunity to comment prior to determination that this food services provider should be selected by the institution.

14. Employment Agreement - U. T. El Paso: Approval of terms of Employment Agreement for Athletic Director Robert W. Stull

The following Athletic Director Employment Agreement has been approved by the Executive Vice Chancellor for Academic Affairs and is recommended for approval by the U. T. System Board of Regents. If the Agreement is approved, total compensation for the contract period for Robert W. Stull will be in excess of \$1 million. Such employment under the Agreement is subject to the Constitution and Bylaws of the National Collegiate Athletic Association, any intercollegiate athletic conference of which The University of Texas at El Paso is a member, the Regents' *Rules and Regulations*, and the policies of The University of Texas at El Paso. Any violation of the provisions of such constitution, bylaws, rules, regulations, or policies may be grounds for suspension without pay and/or dismissal.

Item: Athletic Director Employment Agreement for Robert W. Stull

Proposed: **Guaranteed compensation:**

Annual Base Salary:

FY 2015-2016: \$259,000 annually

FY 2016-2017: \$259,000 annually\*

\*Annual Base Salary will be reviewed annually and may be adjusted.

Automobile: Two dealer cars

Social club membership: El Paso Country Club

Retention Payment: One-time retention payment will be equal to Annual Base Salary\* as of August 31, 2017.

**Nonguaranteed compensation:**

Performance Incentives: (maximum incentive compensation of \$163,083 annually)

- (a) In any contract year in which the Football team participates in any NCAA Sanctioned Post-Season Play (Bowl Appearance) - one month base annual salary
- (b) In any contract year in which the Football team participates in any BCS Bowl Appearance - two months base annual salary
- (c) In any contract year in which the Men's Basketball team participates in the NCAA Basketball (Men) Tournament Appearance - one month base annual salary
- (d) In any contract year in which the Women's Basketball team participates in any NCAA Basketball (Women) Tournament - one month base annual salary
- (e) In any contract year in which the Men's Basketball team participates in the NIT Basketball (Men) Tournament Appearance - \$5,000
- (f) In any contract year in which the Women's Basketball team participates in any NIT Basketball (Women) Tournament - \$2,000 for each game played
- (g) In any contract year in which any University varsity sport team participates in the National Championship - one month base annual salary
- (h) In any contract year in which the University receives an All Sports Multi-Year APR Published (MAAC Report) Score of 930 - one month base annual salary
- (i) In any contract year, if the University All Sports Multi-Year APR Published (MAAC Report) Score of 930 not achieved, then:
  - If an All Men's Sports Multi-Year APR Published (MAAC Report) Score of 930 is achieved - \$2,500; or
  - If an All Women's Sports Multi-Year APR Published (MAAC Report) Score of 930 is achieved - \$2,500

Source of Funds: Intercollegiate Athletics

Description: Agreement for employment of Athletic Director Robert W. Stull

Period: September 1, 2015 through August 31, 2017

15. Employment Agreement - U. T. Rio Grande Valley: Approval of terms of Employment Agreement for new Head Men's Basketball Coach Lew Hill

The following Head Men's Basketball Coach Employment Agreement has been approved by the Executive Vice Chancellor for Academic Affairs and is recommended for approval by the U. T. System Board of Regents. The hiring of Coach Hill was administratively approved by the President in accordance with Regents' *Rules and Regulations*, Rule 10501, Section 2.1.12(a), following consultation with the Chancellor or Deputy Chancellor, the Executive Vice Chancellor for Academic Affairs, the Associate Vice Chancellor of Academic Affairs and Athletics Counsel, the Vice Chancellor and General Counsel, and the Chairman of the Board of Regents, pending Board approval of the proposed multi-year contract, including total compensation in an amount over \$1 million. If the Agreement is approved, total compensation for the contract period for Lew Hill will be in excess of \$1 million. Such employment under the Agreement is subject to the Constitution and Bylaws of the National Collegiate Athletic Association, any intercollegiate athletic conference of which The University of Texas Rio Grande Valley is a member, the Regents' *Rules and Regulations*, and the policies of The University of Texas Rio Grande Valley. Any violation of the provisions of such constitution, bylaws, rules, regulations, or policies may be grounds for suspension without pay and/or dismissal.

Item: Head Men's Basketball Coach Agreement for Lew Hill

Proposed: **Guaranteed compensation:**

Annual Salary:

FY 2015-2016: \$104,167 April 5, 2016 through August 31, 2016

FY 2016-2017: \$250,000 annually

FY 2017-2018: \$250,000 annually

FY 2018-2019: \$250,000 annually

FY 2019-2020: \$250,000 annually

FY 2020-2021: \$145,833 September 1, 2020 through  
March 31, 2021

Automobile: courtesy automobile from local dealership or commensurate monthly car allowance as determined by the Athletics Director

Tickets: Ten reserved seats for home men's basketball games;  
Four season seats for home women's basketball games

**Nonguaranteed compensation:**

Summer Men's Basketball Camps: 100% of the net proceeds for each camp.

Team performance incentives: (maximum team performance incentive compensation of \$28,500 annually)

- (a) \$2,500 if team finishes in the top three of the Conference regular season each of the first two years.
- (b) \$10,000 in any contract year in which the team wins the conference championship and receives an "at large" bid to participate in the NCAA Division I Men's Basketball tournament. In addition, each full-time Assistant Coach on the men's basketball staff will be paid \$2,500.
- (c) \$5,000 bonus for each game appearance after the initial contest in the NCAA Division I Men's Basketball tournament. In addition, each full-time Assistant Coach on the men's basketball staff will be paid \$2,500.
- (d) \$5,000 bonus in any contract year in which the team participates in the National Invitation Tournament (NIT). \$2,500 bonus in any contract year in which the team participates in the College Insider.com Postseason Tournament (CIT) or College Basketball Invitational Tournament (CBI). In addition, each full-time Assistant Coach on the men's basketball staff will be paid \$1,000 in any contract year in which the team participates in the NIT, CIT, or CBI.

Team academic performance Incentives: (maximum team academic incentive compensation of \$6,500 annually)

- (e) \$2,500 in the event the Men's Basketball Team's cumulative Grade Point Average (GPA) for the Academic Year is above 2.8.
- (f) \$2,500 in the event the Men's Basketball Team maintains a multi-year Academic Progress Report (APR) of at least 950.
- (g) \$1,500 in the event the most current yearly APR report shows no student-athletes with loss of eligibility, point deductions, or retention point reductions.

Conference Coach of the Year: \$5,000 annually

Source of Funds: Intercollegiate Athletics

Description: Agreement for employment of Head Men's Basketball Coach Lew Hill

Period: April 5, 2016 through March 31, 2021



16. Request for Budget Change - U. T. San Antonio: New Hires with Tenure -- amendment to the 2015-2016 budget

The following Requests for Budget Change (RBC) have been administratively approved by the Executive Vice Chancellor for Academic Affairs and are recommended for approval by the U. T. System Board of Regents:

Description	Effective Date	% Time	Full-time Salary		RBC #
			No. Mos.	Rate \$	
<b>College of Education and Human Development</b>					
Bicultural-Bilingual Studies Department					
Dean					
Margo DelliCarpini (T)	8/1-8/31	100	12	210,000	7724
<b>Honors College</b>					
Philosophy and Classics Department					
Dean					
Sean K. Kelly (T)	7/1-8/31	100	12	160,000	7727

17. Employment Agreement - U. T. San Antonio: Approval of terms of Employment Agreement for new Head Men's Basketball Coach Steven M. Henson

The following Head Men's Basketball Coach Employment Agreement has been approved by the Executive Vice Chancellor for Academic Affairs and is recommended for approval by the U. T. System Board of Regents. The hiring of Coach Henson was administratively approved by the President in accordance with Regents' *Rules and Regulations*, Rule 10501, Section 2.1.12(a), following consultation with the Chancellor or Deputy Chancellor, the Executive Vice Chancellor for Academic Affairs, the Associate Vice Chancellor of Academic Affairs and Athletics Counsel, the Vice Chancellor and General Counsel, and the Chairman of the Board of Regents, pending Board approval of the proposed multi-year contract, including total compensation in an amount over \$1 million. If the Agreement is approved, total compensation for the contract period for Steven M. Henson will be in excess of \$1 million. Such employment under the Agreement is subject to the Constitution and Bylaws of the National Collegiate Athletic Association, and any intercollegiate athletic conference of which The University of Texas at San Antonio is a member, the Regents' *Rules and Regulations*, and the policies of The University of Texas at San Antonio. Any violation of the provisions of such constitution, bylaws, rules, regulations, or policies may be grounds for suspension without pay and/or dismissal.

Item: Head Men's Basketball Coach Agreement for Steven M. Henson

Proposed: **Guaranteed compensation:**

**Annual Salary:**

April 8, 2016 to March 31, 2017: \$265,000

April 1, 2017 to March 31, 2018: \$280,000

April 1, 2018 to March 31, 2019: \$280,000\*

April 1, 2019 to March 31, 2020: \$280,000\*

April 1, 2020 to March 31, 2021: \$280,000\*

\*Coach will receive a \$20,000 raise to his prior year's Annual Base Compensation if in the prior season the Team has a record in Conference games of greater than .500. This \$20,000 will be paid throughout the following contract year, included in Coach's Annual Base Compensation and paid in accordance with University payroll procedures.

Automobile: At the discretion of the athletic director, Coach may be assigned a vehicle or a \$500 stipend for monthly car allowance.

Possible country club membership

Possible supplemental compensation not to exceed \$100,000 per contract year for participation in agreed upon television, radio, and other media events promoting the University Basketball Program.

Tickets: Eight season tickets to University home games for sports including Football, men's and women's basketball and baseball.

Summer Camp Compensation: The University will sponsor summer basketball camps for youths. Coach will be paid 100% of the net proceeds for each camp.

**Nonguaranteed compensation:**

Performance Incentives: (maximum incentive compensation of \$90,000 per contract year for athletic performance)

(a) Conference USA Regular Season Champion (including tie): \$5,000

(b) NCAA Tournament Appearance: \$10,000

(c) Per NCAA Tournament win: \$5,000

(d) College Basketball National Champion: \$50,000

(e) NIT Tournament Appearance: \$3,000

(f) Per win over a Power 5 program: \$1,500

(g) Conference USA Coach of the Year: \$5,000

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19. Lease - U. T. M. D. Anderson Cancer Center: Authorization to extend the lease of approximately 12,456 rentable square feet of space located at 18100 St. John Drive, Nassau Bay, Harris County, Texas, from HCRI Nassau Bay Medical Facility, LLC, for clinical use

Description: Extension of term for space lease at 18100 St. John Drive, Nassau Bay, Harris County, Texas, for clinical use. U. T. M. D. Anderson Cancer Center currently leases 12,456 square feet of space from lessor pursuant to the initial lease and first amendment. The initial lease was approved by the Board on February 9, 2006, and commenced on January 16, 2007.

Lessor: HCRI Nassau Bay Medical Facility, LLC, a Delaware limited liability company

Term: February 1, 2017 through June 30, 2018

Lease Cost: Base rent for the initial year of the extension term is \$53.87 per square foot and increases by 3% on February 1, 2018. Base rent and operating expenses for the extension term total approximately \$1,199,967.

Source of Funds: Hospital patient income

#### **FACILITIES PLANNING AND CONSTRUCTION COMMITTEE**

No items for Consent Agenda

#### **TECHNOLOGY TRANSFER AND RESEARCH COMMITTEE**

No items for Consent Agenda