Task Force for Implementation Provisions of SB 11: Campus Conceal Carry

Context:

Effective August 1, 2016, SB 11 (Act) generally authorizes a handgun license holder to carry a concealed handgun on the campus of an institution of higher education, subject to an institution's rules adopted in accordance with the Act. The term "institution of higher education" in the Act has the meaning supplied by section 61.003 of the Education Code, and this includes all A&M System universities, agencies and System Offices. "Campus", as used in the Act, means all land and buildings owned or leased by the institution.

In order to facilitate communication between each member and System Offices during this implementation process, each member should designate a lead contact for this implementation project and put this individual in contact with the System Offices implementation team. The System Offices team is led by Brooks Moore, Managing Counsel, Governance and includes: Jerry Brown, Managing Counsel, Student Affairs & Special Projects; Scott Kelly, Deputy General Counsel; and Kevin McGinnis, Executive Director, Risk Management & Benefits Administration.

Each System member should adopt rules addressing the following topics:

a) The storage of handguns in campus dormitories/residential facilities; and
b) After prior student/staff/faculty consultation, rules regarding carrying of concealed handguns by license holders on campus/campus premises, including identification of any areas in which license holders may not carry (but the rules may not generally prohibit or have the effect of generally prohibiting concealed carry by license holders).

The Act provides certain requirements regarding the establishment of the System member rules.

1) Prior consultation with students, staff and faculty regarding (1) the nature of the student population, (2) specific safety considerations, and (3) the uniqueness of the campus environment. This process will inform whether the rule prohibits concealed carry from any specific campus areas or activities.

2) Effective notice under Tex. Penal Code § 30.06 is required with respect to any premises on which concealed carry is prohibited.

3) Within 90 days of the rules being established by the System member CEO, the A&M System Board of Regents (Board) must review the rule and, either take no action, or by a vote of at least two-thirds of the Board, wholly or partly amend the rules.

4) These rules must take effect August 1, 2016, and the CEO is required to take necessary action to adopt the rule before August 1, 2016.

Certain campus areas/premises may require special consideration in member rules regarding whether or not concealed carry is prohibited. For example, areas/premises warranting special consideration could include: high-security areas (certain laboratories, nuclear reactors, etc.); campus health clinics and counseling centers; intercollegiate and interscholastic athletics event


facilities; and areas/premises leased to a private entity. These examples are provided only for illustrative purposes.

Implementation Timeline and Related Issues. In order to meet the Act's required implementation/effective date, the System has established the following implementation timeline.

a) By August 1, 2015, the A&M System will provide a rule template to facilitate the development of System member rules.

b) From August 1, 2015-December 1, 2015, System member CEOs will consult with students, faculty, and staff as required by 3(b) and may identify certain locations where concealed handguns will be prohibited.

c) From December 1, 2015-February 1, 2016, each System member will prepare a rule for CEO approval and submission to the System Offices no later than the deadline in 4(d).

d) February 1, 2016 is the deadline by which each member rule must be submitted to the A&M System Policy Office.

e) February 1, 2016-March 1, 2016. The A&M System Policy Office will submit each System member rule for Office of General Counsel review and Chancellor approval. Any recommended revisions will be presented to the System member for concurrence or further revision as proposed by the System member.

f) March 1, 2016-March 31, 2016. The System Offices will prepare an agenda item for the review or amendment of the System member concealed carry rules.

g) April 1, 2016 or applicable Board Office agenda item deadline. The A&M System Policy Office will submit the final, executed agenda item and System member rules to the Board Office for inclusion into the meeting materials for the April/May 2016 Board meeting.

h) Late April/early May 2016 Board meeting. The A&M System Board of Regents will review the System member rules as discussed in 3(b)(3) above.

i) May 2016-July 31, 2016. Each System member will make all necessary implementation preparations in order for the concealed carry rules to become effective on August 1, 2016. This includes posting effective notice under Tex. Penal Code § 30.06 with respect to any premises on which concealed carry is prohibited and, if applicable, making sufficient preparations for the storage of handguns in campus dormitories.

j) August 1, 2016. The Act and System member rules become effective. Also, the A&M System weapons regulations will be revised to conform to the Act's requirements.

k) September 1, 2016 (and September 1 of each even-numbered year). Each System member must submit a report to legislature describing System member concealed carry rules and explaining the reasons for establishing the rules.

Charge:

a) Develop a communication plan to inform campus community of the process for developing a campus rule for the purpose of implementing the provisions of SB 11;

b) To inform the President/CEO whether the campus rule should prohibit concealed carry from any specific campus areas or activities, develop a set of talking points with regard to the nature of the student population, (2) specific safety considerations, and (3) the uniqueness of the campus environment.
c) Arrange for a series of Town Hall meeting with faculty, staff and students to discuss the provisions of SB 11 and receive input from each stakeholder group. President will also be meeting with Faculty Senate, Student Senate and Staff Council to discuss the provisions of SB 11 and receive input from each stakeholder group.

d) Submit recommendations to the President by November 15, 2015 regarding 1) the storage of handguns in campus dormitories/residential facilities and, 2) identification of any areas in which license holders may not carry.

Members:
Michael Knox, Vice President for Student Affairs, Chair
Shawn Burns, Chief, UPD, Contact Person with System
Dr. Wade Shaffer, Provost/Vice President for Academic Affairs
Dr. Jean Stuntz, Professor of History and President, Faculty Senate
Dr. Harry Hueston, Professor of Criminal Justice
Betty Stocker, President, Staff Council
Edward Akinyemi, Student Body President
Ann Underwood, Director of Communication and Marketing Services – Institutional Advancement
Jon Davis, Assistant Vice President for Student Affairs
Cliff Vanderpool, Director, PPHM
Tracee Post, Executive Assistant to the President
Julie Imke, Director, Amarillo Center