



**AGENDA
FOR MEETING OF
THE UNIVERSITY OF TEXAS SYSTEM
BOARD OF REGENTS**

August 24-25, 2016
Austin, Texas

	Board Meeting	Page
<u>Wednesday, August 24, 2016</u>		
COMMITTEE MEETINGS	9:00 a.m. - 11:30 a.m.	
CONVENE THE BOARD IN OPEN SESSION TO RECESS TO EXECUTIVE SESSION PURSUANT TO <i>TEXAS GOVERNMENT CODE</i> , CHAPTER 551 (working lunch at noon)	11:30 a.m.	
Personnel Matters Relating to Appointment, Employment, Evaluation, Assignment, Duties, Discipline, or Dismissal of Officers or Employees – Section 551.074		
U. T. System: Discussion and appropriate action regarding individual personnel matters relating to assignment and duties of the Chancellor and individual U. T. System employees, including responsibilities associated with planning and implementation of strategic vision (Regents' <i>Rules and Regulations</i>, Rule 20101)		
RECESS TO COMMITTEE MEETINGS	1:00 p.m. - 3:30 p.m.	
RECONVENE THE BOARD IN OPEN SESSION TO CONSIDER AGENDA ITEMS	3:30 p.m.	
1. U. T. System: Annual Meeting with Officers of the U. T. System Faculty Advisory Council	Report/Discussion <i>Chair Catherine Ross, U. T. Tyler</i>	6
2. U. T. System Board of Regents: Recognition of academic and health institution recipients of the 2016 Regents' Outstanding Teaching Awards	4:30 p.m. Report/Presentation <i>Chairman Foster</i>	37
RECESS	5:00 p.m. approximately	

	Board Meeting	Page
<u>Thursday, August 25, 2016</u>		
RECONVENE THE BOARD IN OPEN SESSION TO CONSIDER AGENDA ITEMS	8:30 a.m.	
3. U. T. System Board of Regents: Approval of Consent Agenda items and consideration of any items referred to the full Board	8:40 a.m. Action	38
4. U. T. System Board of Regents: Discussion and appropriate action concerning proposed amendments to Regents' <i>Rules and Regulations</i>, Rule 20201 (Presidents), Section 4.9, regarding duties and responsibilities associated with institutional Handbooks of Operating Procedures	8:50 a.m. Action	39
5. U. T. System Board of Regents: Discussion and appropriate action regarding proposed deletion of Regents' <i>Rules and Regulations</i>, Rule 40602 (Organized Research Units)	8:55 a.m. Action	42
6. U. T. System Board of Regents: Discussion and appropriate action regarding proposed amendment to Regents' <i>Rules and Regulations</i>, Rule 50203 (Participation in Student Government), Subsections 1.2 and 1.3, regarding adoption, amendment, or repeal of constitution or bylaws	9:00 a.m. Action	46
7. U. T. System: Proposed revisions to 2012 Executive Performance Incentive Compensation Plan for Presidents and System Administration Executive Officers	9:05 a.m. Action <i>Deputy Chancellor Daniel</i>	47
STANDING COMMITTEE RECOMMENDATIONS AND REPORTS TO THE BOARD	9:20 a.m.	
RECESS TO EXECUTIVE SESSION PURSUANT TO <i>TEXAS GOVERNMENT CODE</i> , CHAPTER 551 (working lunch at noon)	9:35 a.m.	
1. Deliberations Regarding the Purchase, Exchange, Lease, Sale, or Value of Real Property – Section 551.072		
U. T. Austin: Discussion regarding the lease or value of property related to the Brackenridge Tract, including Lions Municipal Golf Course, Austin, Travis County, Texas		
2. Negotiated Contracts for Prospective Gifts or Donations – Section 551.073		
a. U. T. Austin: Discussion and appropriate action regarding proposed negotiated gifts with potential naming features		
b. U. T. Dallas: Discussion and appropriate action regarding proposed negotiated gifts with potential naming features		
c. U. T. M. D. Anderson Cancer Center: Discussion and appropriate action regarding proposed negotiated gifts with potential naming features		

3. Consultation with Attorney Regarding Legal Matters or Pending and/or Contemplated Litigation or Settlement Offers – Section 551.071
 - a. **U. T. System Board of Regents: Discussion with Counsel on pending legal issues**
 - b. **U. T. System Board of Regents: Discussion and appropriate action regarding legal issues concerning pending legal claims by and against U. T. System**
 - c. **U. T. System Board of Regents: Discussion and appropriate action regarding pending litigation styled *Glass, Moore, and Carter v. State of Texas, University of Texas at Austin, et al.***
 - d. **U. T. System Board of Regents: Discussion and appropriate action regarding legal issues concerning implementation of Senate Bill 11 (Campus Carry)**
 - e. **U. T. Austin: Discussion regarding legal issues related to the Brackenridge Tract in Austin, Travis County, Texas, the Lions Municipal Golf Course, and the listing of the Lions Municipal Golf Course in the National Register of Historic Places**
 - f. **U. T. M. D. Anderson Cancer Center: Discussion and appropriate action regarding legal issues related to thermal energy plant at Texas Medical Center**
4. Deliberation Regarding Security Devices or Security Audits – Section 551.076

U. T. System: Discussion and appropriate action regarding safety and security issues, including security audits and the deployment of security personnel and devices, including implementation of Senate Bill 11 (Campus Carry)
5. Personnel Matters Relating to Appointment, Employment, Evaluation, Assignment, Duties, Discipline, or Dismissal of Officers or Employees – Section 551.074
 - a. **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, and related personnel aspects of the operating budget for Fiscal Year 2017**

- b. **U. T. System: Discussion and appropriate action concerning individual personnel matters relating to appointment, employment, evaluation, compensation, assignment, and duties of U. T. System and institutional employees including employees covered by Regents' *Rules and Regulations*, Rule 20204, regarding compensation for highly compensated employees, and Rule 20203, regarding compensation for key executives**
- c. **U. T. System: Discussion and appropriate action regarding individual personnel matters relating to compensation including achievement of goals for qualitative performance incentive compensation for Presidents**
- d. **U. T. Austin: Discussion and appropriate action regarding provisions of employment and compensation agreement for Head Men's Basketball Coach Shaka Smart**

RECONVENE IN OPEN SESSION TO CONSIDER ACTION, IF ANY, ON EXECUTIVE SESSION ITEMS AND TO CONSIDER AGENDA ITEMS

1:30 p.m.

- 8. **U. T. System Board of Regents: Review and possible action regarding the U. T. Austin, U. T. Dallas, U. T. El Paso, U. T. San Antonio, U. T. M. D. Anderson Cancer Center, and U. T. System Administration campus carry rules, regulations, and provisions**

1:35 p.m.
Report/Discussion **56**
- 9. **U. T. System: Approval of the nonpersonnel aspects of the operating budgets and associated budget rules and procedures for Fiscal Year 2017, including the Permanent University Fund Bond Proceeds allocation for Library, Equipment, Repair and Rehabilitation Projects; allocation for the Faculty Science and Technology Acquisition and Retention Program; and allocation for land acquisition by U. T. Tyler**

1:50 p.m.
Action **108**
Chancellor McRaven
- 10. **U. T. System: Discussion and appropriate action regarding personnel aspects of the U. T. System Administration operating budget for Fiscal Year 2017**

2:10 p.m.
Action **110**

ADJOURN

2:15 p.m.

1. **U. T. System: Annual Meeting with Officers of the U. T. System Faculty Advisory Council**

REPORT

The U. T. System Faculty Advisory Council will meet with the Board to discuss accomplishments of the Council and plans for the future. The Council's report, including attachments, is set forth on [Pages 7 - 24](#), and a PowerPoint presentation is set forth on [Pages 25 - 36](#). Council members scheduled to attend are:

Chair: Catherine Ross, Ph.D., U. T. Tyler, Literature and Languages

Academic Affairs and Faculty Quality Committee: Jill Hernandez, Ph.D., U. T. San Antonio, Philosophy

Governance Committee: Dan Cavanagh, M.M., U. T. Arlington, Music

Health Affairs Committee: Ann Killary, Ph.D., U. T. M. D. Anderson Cancer Center, Genetics

Chair-elect: Jonathan Cheng, M.D., U. T. Southwestern Medical Center, Plastic Surgery, is also scheduled to attend.

BACKGROUND INFORMATION

The University of Texas System Faculty Advisory Council was established in 1989 to provide a forum for communicating ideas and information between faculty, the Board of Regents, and the Executive Officers of U. T. System. Council guidelines require that recommendations have a multi-institutional focus and that the Council explore individual campus issues with institutional administrators prior to any consideration.

The Faculty Advisory Council consists of two faculty representatives from each U. T. System institution and meets quarterly. The Standing Committees of the Council are: Academic Affairs and Faculty Quality, Governance, and Health Affairs.

The University of Texas System Faculty Advisory Council Report to the Board of Regents of the U. T. System

The Faculty Advisory Council (FAC) consists of the presidents and a second officer from each of the fourteen U. T. System institutions' faculty governance groups. They are all active scholars, clinicians, teachers, and mentors at their home institutions. FAC members are charged by their peers to speak for them and to advise the Board of Regents and the U. T. System leadership on matters pertaining to teaching, clinical practice, service, and research. The FAC members' jobs are to stay on top of faculty issues; to advocate for the highest possible standards in education, research, and clinical practice in the state and country; and to do their part to help steer higher education and academic medicine through the many challenges they are facing today.

FAC members gather three times a year in Austin to confer with each other, the U. T. System leadership, members of the Board of Regents, Texas state legislators, the Texas Higher Education Coordinating Board, and members of the Student and Employee Advisory Councils. The Executive Committee meets three additional times to plan for these meetings. In the intervals between those gatherings, FAC members work on projects and communicate and collaborate electronically. Among the topics the FAC studied and discussed in 2015-2016 are student success, graduation rates, dual credit, the marketable skills movement in higher education, faculty workload, protecting faculty's research time, research funding, intellectual property, campus leadership, work climate, and how faculty can contribute to the Quantum Leaps, particularly to the Texas Prospect Initiative, Winning the Talent War, and the American Leadership Program. The council has three standing committees--Academic Affairs and Faculty Quality, Health Affairs, and Governance.

A review of the past year:

The 2015-2016 academic year was an important one for the FAC. Members began working more closely with U. T. System staff, and FAC leaders were invited to participate in Board of Regents' meetings. For the first time in a number of years the FAC took the initiative to launch system-wide projects in service of the entire U. T. System. These projects studied and addressed the issues of shared governance on U. T. System campuses, ways to enhance institutions' research potential, and student success and graduation rates. Below are summaries of what these FAC initiatives accomplished in 2015-2016.

Shared Governance: The healthiest, most enterprising and innovative universities rely upon the shared governance model of operation, whereby faculty and administration communicate regularly and openly and work together to ensure that each university is providing excellence in teaching, research, and service. To determine how shared governance is working at U. T. System institutions, the Governance Committee surveyed faculty senate leaders from each campus. The survey suggested that four of our institutions are doing well in this regard; that four are struggling; and that the other six are interested in making improvements. FAC members discussed the results of this

survey with the entire council and with U. T. System, and wrote “Shared Governance at the University of Texas System Institutions: A White Paper.” The FAC presented this document to the Chancellor and the Executive Vice Chancellors in April, 2016. The white paper makes the case for improving shared governance at U. T. System; it sets forth a six-point Statement of Shared Governance Philosophy to which all institutions might aspire, and it provides a practical list of 12 best practices that might be adopted, as needed, at all U. T. System institutions. Copies of the executive summary of the white paper, the paper itself, and the philosophy statement are attached. Two faculty senates, those at U. T. Rio Grande Valley and U. T. Tyler, began to prepare the way for sharing governance more openly and transparently at their institutions by sponsoring workshops on leadership that were led by Associate Vice Chancellor Anthony Cucolo.

Support for Research: The country is in the midst of a crisis in national research funding, particularly at health institutions. As a result, medical schools are losing some of their best and brightest researchers and physicians. Believing that new and creative mechanisms should be explored to support and retain our medical and research faculty, members of the FAC’s Health Affairs Committee explored ideas to support and enhance the success and effectiveness of U. T. System research faculty with various leaders in the Office of Health Affairs. This effort helped to identify some of the barriers to internal research funding at the U. T. System, but in the process made it possible for two FAC members, who are neuroscientists, to join the Brain Health Board for the Chancellor’s Quantum Leap on Brain Health. Additionally, FAC members participated in discussions of how campuses might be integrated into the Quantum Leap on National Security. These discussions forged new partnerships, which have led the FAC’s Health Affairs Committee to create a bold new initiative, which will be announced at the Board of Regents’ meeting.

Student Success and Graduation Rates: Faculty of the U. T. System have been increasingly concerned about the exponential growth of dual credit programs around the state, a program which now involves over half of our student population. While well-meaning and seemingly cost-effective, not all dual credit programs produce the desired effects; some may actually slow or make students’ time to graduation more difficult. To address this concern, the FAC’s Academic Affairs Committee partnered with the Office of Strategic Initiatives to conduct a major, empirically designed quantitative and qualitative study of the effects of the dual credit phenomenon on student success and graduation rates. The final stage of this research project, interviewing focus groups of students and faculty, will be completed in Fall 2016. The FAC is confident that the dual credit study will provide data that can be used to advise Texas’ students and their parents about how to select high school or junior college programs that will help them progress towards graduation in a four-year college in a timely fashion and that will contribute most beneficially to their career plans after college. This project has been incorporated into the Chancellor’s Texas Prospect Initiative Quantum Leap.

Conclusion:

The Faculty Advisory Council offers its thanks to the Chancellor for his inspiring leadership; he has challenged faculty to reach into our schools to help younger students, to win the talent war, to be better leaders, and to aspire in all that we do to set a standard for the nation in teaching, health care, and research. Thanks, as well, go to Drs. Daniel, Greenberg, and Leslie for their willingness to listen, advise, and support faculty; and to Associate Vice Chancellor Cucolo for his tireless encouragement, guidance, intelligence, and good humor. Finally the Faculty Advisory Council is deeply grateful to the Board of Regents for reaching out to talk with and listen to the faculty and for recognizing the role faculty plays in serving the U. T. System inside and outside of the classroom, clinic, laboratory, library, or performance hall. This is a challenging, uncertain time in higher education and for the great institutions we all serve; but it is also a time of great promise and opportunity. With the Regents at our back and the Chancellor at the helm, the faculty of the U. T. System look forward to facing the challenges ahead.

**Shared Governance at the University of Texas System Institutions: A White Paper
Executive Summary for the Chancellor**

Passed unanimously by the U. T. System Faculty Advisory Council, April 8th, 2016

"Shared Governance" is a concept of collegial, cooperative, and trust-based organizational leadership that enables meaningful combined participation by administration and faculty in the management of an institution's operations. Outstanding universities across the globe apply this concept that involves a combined governance effort. Though the application of such democratic principles to the governance of a higher education institution in the U.S. was first codified in 1920 in a report by the American Association of University Professors, shared governance in American higher education is almost 200 years old. History, proven practice, and tradition have shown that involving employees in the decision making processes at institutions allow those organizations to excel in the generation of knowledge and ideas, sustain high quality education, and protect both quality and productivity from short-sighted decisions. Shared governance creates a highly effective team culture of "all-in" on a campus.

Recent developments in the higher education environment in the United States put this critically important concept at risk. Driven by many factors -- political decisions and reduced sources of funding among them -- the business aspects running a university often reduce the internal decision making processes to those akin to a corporation. More and more frequently the "front line" employees -- the faculty -- are no longer involved in these processes. A routine of faculty exclusion in one area of governance gradually expands to other processes of shared decision making and soon the conscience of an institution that provides educational expertise, continuity, and the long view is lost.

We are fortunate here in the U. T. System to have shared governance codified by Regents' *Rules and Regulations*, Rule 40101, Faculty Role in Educational Policy Formation. This Regents' Rule states that "the faculties of the institutions regularly offering instruction shall have a major role in the governance of their respective institutions." This is further clarified in Regents Rule 20201, Section 4.9(b), that requires the campus president to assure that all policies that come under Rule 40101 are reviewed by elected governance body of the campus before they are submitted to the Regents for final approval for inclusion in the campus Handbook of Operating Procedures.

However, the results of a U. T. System Faculty Advisory Council survey conducted in the 2015-2016 Academic year show cause for concern. Six of our institutions reported serious problems or little-to-no shared governance, and four institutions reported "moderately effective" or mixed results in their shared governance procedures. Only four of our fourteen institutions reported having "very effective" shared governance structures and cultures of communication.

We believe we can do better. As a result we, the FAC, have developed a white paper on Shared Governance, and this executive summary briefly captures the paper's two main points:

1) The Chancellor considers establishing a set of "Essential Elements of Effective Shared Governance" as a U. T. System standard to be met by our institutions.

2) Apply a specific set of best practices tailored to U. T. System conditions as a start point for the discussion between faculty and administration at each institution for the implementation or enhancement of existing shared governance.

The draft listing of the FAC-recommended Six Essential Elements of Shared Governance ideally found at each U. T. System institution follow:

- **An institution-wide commitment to the concept of shared governance** linking the president, faculty, and all stakeholders in a well-functioning partnership, purposefully devoted to a clearly defined and broadly affirmed institutional vision.
- **An organizational culture of caring, mutual respect, and trust.**
- **Consistently open, bidirectional, and transparent communication without threat or fear of reprisal.**
- **A standing elected faculty governance organization recognized institution-wide as the voice of the faculty.**
- **Partnership, shared responsibility, and shared accountability in decision-making** for all academic, clinical, and research matters; shared accountability in all other institutional decision-making.
- **A proclivity for action and persistent follow-up** on all institutional decisions.

The following are specific recommended “best practices” that would enhance shared governance at institutions across the U. T. System:

- Implement policies, if not already in place, that specifically establish, secure and clearly define the role of the institution’s Faculty Governance Organization in overall institutional governance. Specific details on membership, procedure, and unique functions are provided in the full White Paper. Appointments of faculty to committees whose concerns fall under Rule 40101 should be recommended by the elected faculty governance body.
- Consider establishment of a separate Shared Governance Board (SGB) or add that function to existing Faculty Governance Executive Committees/Councils (SGB/FGEC) for each campus. The composition of this body may vary from institution to institution but at a minimum include the university President, the leadership of the faculty governance organization, and others in staff and administrative executive leadership as deemed appropriate. It is considered a best practice that this SGB/FSEC be the foremost advisory committee to the President and meet regularly, no less than bi-monthly. The full White Paper further outlines recommended areas of shared decision making in detail.
- Include the faculty-at-large and faculty governance organization early and often in strategic planning, review of the institutional budget, philanthropic funding distributions as well as clinical revenue allocations across the university/institution. Provide transparency to faculty-at-large and faculty governance organization on budgets and allow their input on budgetary decisions. Specific details are in the full White Paper.
- Develop an evaluation tool for assessment of faculty performance that incorporates all dimensions of faculty workload including all areas of faculty participation in scholarly

and non-revenue generating activities and service, in addition to teaching and clinical care.

- Develop an upward evaluation tool or 360 degree assessment tool for all higher administrators including but not limited to Chairs/Directors, Division Directors, Deans, Provosts, Vice Presidents and Presidents that includes participation by the institution's Faculty Governance Organization, with a written report given to the appropriate U. T. System Executive Vice Chancellor and the Deputy Chancellor.
- Ensure the medical and health professions faculty has shared decision-making in setting their clinical expectations, and faculty is provided a mechanism to appeal decisions if an increased workload is affecting the safety of patients.
- Review for internal compliance and update as necessary all policies in HOPs and HOOPs regarding promotion and tenure, term tenure renewal or post tenure review. It is required by Regents' Rule 20201 to have any changes to the HOP reviewed and approved by the Faculty Governance Organization prior to implementation. Further details are in the full White Paper.
- Implement clear faculty appeal and grievance policies, and a mechanism for review and approval of such policies by the Faculty Governance Organization or the institution's Shared Governance Board if formed.
- Conduct a culture and climate survey among the faculty and administration within the first 90 days of the arrival of a new President and thereafter on an interval determined with the faculty governance organization.
- Establish a mechanism for institution faculty or administration to raise issues or problems with shared governance that cannot be resolved internally to the U. T. System Administration level.
- Provide adequate administrative and financial support, including protected time for faculty governance leaders, and designated space for the faculty governance organization to improve efficiency of communication and transparency.
- Develop and maintain a faculty governance body website for each institution to improve transparency.

A strong sense of partnership and shared collective commitment to the institution among faculty and administration is essential to the successful daily operations of our universities, sustaining excellence for our students and patients, and reacting thoughtfully to a rapidly changing environment. The results of our survey show this critical sense of "team" is inconsistent on most of our campuses and non-existent at a few. We, the FAC, believe the U. T. System senior leadership should step in and establish a guardrail against the further erosion and loss of true shared governance.

Recommendation: the Chancellor applies a common standard, a set of guidelines, for shared governance across the U. T. System. These guidelines would be a general statement of the

minimum expectations for shared governance and evaluated on an annual basis. The Six Essential Elements of Shared Governance outlined in this executive summary are strongly recommended by the FAC to be the start point for discussion of this common standard.

Shared Governance at the University of Texas System Institutions: A White Paper

Prepared by the University of Texas System Faculty Advisory Council

Spring 2016

Introduction

"Shared Governance" is a concept of collegial, cooperative, and trust-based organizational leadership that enables meaningful combined participation by administration and faculty in the management of an institution's operations. Outstanding universities across the globe practice this form of combined governance. Though the application of such democratic principles to the governance of a higher education institution in the US was first codified in 1920 and then included in the *American Association of University Professors Policy Documents and Reports*, shared governance in American higher education is almost 200 years old. History, proven practice, and tradition have shown that involving employees in the decision-making processes at institutions allow those organizations to excel in the generation of knowledge and ideas, sustain high quality education, and protect both quality and productivity from short-sighted decisions. Shared governance creates a highly effective team culture of "all in" on a campus.

Recent developments in the higher education environment in the United States have put this critically important concept at risk. Driven by many factors -- political decisions and reduced sources of funding among them -- the business aspects of running a university often reduce the internal decision-making processes to those found in corporations. More and more frequently the "front line" employees -- the faculty -- are no longer involved in these processes. A routine of faculty exclusion in one area of governance gradually expands to other processes of what should be shared decision-making, and soon the conscience of an institution that provides educational expertise, continuity, and the long view is lost.

We are fortunate here in the U. T. System to have shared governance codified by Regents' *Rules and Regulations*, Rule 40101, "Faculty Role in Educational Policy Formation." This Regent Rule states that "the faculties of the institutions regularly offering instruction shall have a major role in the governance of their respective institutions." In fact, Regents' Rule 20201, Section 4.9(b) requires the campus president to assure that all policies coming under Rule 40101 are reviewed by the elected governance body of the campus before they are submitted to the Regents for final approval and then inclusion in the campus Handbook of Operating Procedures.

However, the results of a U. T. System Faculty Advisory Council (FAC) survey conducted in the 2015-2016 academic year show cause for concern. Six of the institutions reported serious problems or little to no shared governance, and four institutions reported "moderately effective" or mixed results in their shared governance procedures. Only four of our 14 institutions reported having "very effective" shared governance structures and cultures of communication.

We believe we can do better. As a result we, the FAC, have developed this white paper on shared governance, which focuses on three main goals:

1. We urge the Chancellor to consider establishing a set of “Essential Elements of Effective Shared Governance” as a U. T. System standard to be met by our institutions.
2. We propose adoption of a Philosophy of Shared Governance for the U. T. System
3. We propose applying a specific set of best practices tailored to U. T. System conditions as a starting point for the discussion between faculty and administration at each institution and for the subsequent implementation or enhancement of shared governance on each campus.

Therefore, the UTS Faculty Advisory Council (FAC) respectfully presents this document, “Shared Governance at the University of Texas System Institutions: A White Paper” to the UTS Chancellor. Within the document we present Six Essential Elements of Shared Governance, a Philosophy of Shared Governance for the U. T. System, and a list of twelve Best Practices to Enhance Shared Governance with recommended action items. Finally, we end the white paper with our recommendation to the Chancellor that this document can be part of a transformational moment in the history of leadership at the U. T. System.

Six Essential Elements of Shared Governance for the U. T. System

This section outlines the FAC-recommended Six Essential Elements of Shared Governance ideally found at each U. T. System institution. These elements must be present in order for shared governance to function at its most effective and efficient level.

1. An institution-wide commitment to the concept of shared governance linking the president, faculty, and all stakeholders in a well-functioning partnership, purposefully devoted to a clearly defined and broadly affirmed institutional vision.
2. An organizational culture of caring, mutual respect, and trust
3. Consistently open, bidirectional, and transparent communication without threat or fear of reprisal.
4. A standing elected faculty governance organization recognized institution-wide as the voice of the faculty.
5. Partnership, shared responsibility, and shared accountability in decision-making for all academic, clinical, and research matters; shared accountability in all other institutional decision-making. These areas include the following:
 - a. Institutional strategic planning;
 - b. Establishment & review of educational curricula & academic programs (see Regents’ Rule 40307 Section 2.2 a, b, c & e)

- c. Institutional budgets and faculty compensation;
- d. Faculty and administrative hiring;
- e. Tenure and promotion;
- f. Faculty appointments & reappointments;
- g. Policy formation;
- h. Selection, evaluation, and retention of administrators; and
- i. Other institutional & university procedures & committees essential for the mission and success of the university/institution.

6. A proclivity for action and persistent follow-up on all institutional decisions.

A Philosophy of Shared Governance at the U. T. System

Shared governance at both academic and health institutions require broad participation from both faculty and administration to ensure that the voice of the faculty is heard and that there is open dialog and communication as well as transparency and accountability for institutional operations and all academic functions. To this end, we offer the following:

Shared Governance at U. T. System institutions should be based upon:

- A total commitment to collegial, cooperative, and trust-based organizational leadership that enables meaningful combined participation by the administration and the faculty in the management of an institution's operations;
- A devoted partnership among all stakeholders to a clearly defined and broadly affirmed institutional vision;
- A standing elected faculty governance organization recognized as the voice of the faculty;
- Consistently open and transparent communication without threat or fear of reprisal;
- Shared responsibility and accountability in decision making and a proclivity for action and persistent follow-up on all institutional decisions; and
- An organizational culture of caring, mutual respect and commitment to collectively address any challenge.

Twelve Best Practices in Shared Governance

The recommended best practices for shared governance are subsumed below under four broad categories of Leadership, Policy, Communication, and Culture or Work Climate. The practices are numbered and presented in bold face. Corresponding recommended action items and, in some cases, brief discussion, are presented below each best practice.

Leadership Roles, Responsibilities, and Structures

1. The Faculty Governance Organization should implement or maintain policies that specifically establish, secure, and clearly define the role of the institution's Faculty

Governance Organization (FGO) in overall institutional governance. Appointments of faculty to committees whose concerns fall under Regents' Rule 40101 should be recommended by the elected faculty governance body

Recommended Action Items:

- a) The FGO will recommend faculty for appointments to committees that fall under RR 40101, including search committees for both faculty and administrative positions.
- b) FGO leadership shall be included as active members of the President's Council or primary executive committee.
- c) The President shall schedule monthly or bi-monthly meetings between the President and the leadership of the FGO.
- d) To facilitate communication, meeting schedules and locations that are sensitive to the teaching and clinical schedules of FGO leaders should be considered. If possible, the FGO executive officers (e.g., Chair and Chair Elect) should be given schedules that allow them to attend required meetings.
- e) The President and the Provost should be accessible to consult with the faculty governance leadership. Communication should be bi-directional in order to get quick responses to pressing issues, "bubbling" concerns, etc. FGO leadership should also be available to Administration to offer input on a timely basis.

2. The Faculty Governance organization should consider establishing a separate Shared Governance Board (SGB) or add that function to existing Faculty Governance Executive Committees/Councils (FGEC) for each institution.

Discussion: The composition of this body may vary from institution to institution, but, at a minimum, it should include the university President, the leadership of the faculty governance organization, and others in staff and administrative executive leadership as deemed appropriate. It is considered a best practice that this SGB/FGEC be the foremost advisory committee to the President and meet regularly, no less than once a month.

Recommended Action Items:

- a) The SGB or FGEC will function as a way to provide "shared governance" oversight and counsel.
- b) The SGB/FGEC will make recommendations and advise the President on important areas of shared decision making as they pertain to faculty. Minutes should be kept of all meetings. Accountability and follow up are critical components of these meetings.

3. The Faculty Governance Organization should develop and maintain faculty governance organization website for each institution

Recommended Action Items:

- a) The website should be up-to-date and contain at minimum: agenda, meeting schedule for the academic year, approved minutes, directory of senators, bylaws and/or constitution for the FGO, links to Regents Rules for the UTS, announcements for elections, etc. Other information such as attendance records of Senate representatives may also be posted; HOP policies under review, etc.
- b) A robust election system should be designed that promotes widespread participation; encourages service in the FGO; and provides information to voters regarding the role of a Senator and the responsibilities of his/her position. There may be a need for electronic support in conducting elections on some campuses/institutions whereas others may use departmental procedures to elect/select senate representatives. A message from Administration that supports and encourages service on the FGO is also recommended.

4. The institution/university administration should provide adequate administrative and financial support, including protected time for faculty governance leaders, and designated space for the faculty governance organization to improve efficiency of communication and transparency.

Recommended Action Items:

- a) The FGO should be granted a defined office space for the Faculty Governance Organization operations. In addition, the FGO should have a line item departmental budget that should be over and above what is allocated by the UTS for travel to FAC meetings. UTRGV may serve as one model for this since the FGO has had its own office space and budget for over 10 years.
- b) FAC recommends having dedicated support staff for the FGO office
- c) FAC recommends administration officials consider giving the FGO departmental status.
- d) The FGO President, at a minimum, should be eligible for protected time/release time.

Policy Development, Review, and Implementation

5. Each campus should develop an evaluation tool for assessment of faculty performance that incorporates all dimensions of faculty workload including faculty participation in scholarly and non-revenue generating activities and service, in addition to teaching and clinical care.

6. Each campus should review for internal compliance and update as necessary all policies in HOPs and HOOPs regarding promotion and tenure, term-tenure renewal or post-tenure review. Regents' Rule 20201 requires that any changes to the HOP be reviewed and approved by the Faculty Governance Organization prior to implementation.

7. Each campus should implement clear faculty appeal and grievance policies, and a mechanism for review and approval of such policies by the Faculty Governance Organization or the institution's Shared Governance Board, if formed. Ensure the medical and health professions faculty has shared decision-making in setting their clinical expectations, and faculty is provided a mechanism to appeal decisions if an increased workload is affecting the safety of patients.

Recommended Action Items:

- a) Administrators and faculty leaders should be required to have a working knowledge of HOP, HOOP, Regents Rules and UTS policies.
- b) Administrators and faculty leaders should adhere to existing policies as vetted and approved by the FGO. When there are differences in what the FGO proposes and what Administration wants, a Blue Ribbon taskforce shall be established to work through the differences and propose solutions that both the FGO and Administration can support.
- c) Policies not vetted by the FGO (or in some cases, departmental faculty) should not be posted on websites and "proclaimed" as official University policies.
- d) A Faculty Salary Review Committee should be established. This committee will analyze salaries across the institution to ensure equity across gender, ethnic and departmental lines. This committee can also be charged with advising on how to address salary compression/inversion issues on a proactive basis.
- e) Each institution should have a Grievance policy that specifies the procedures for faculty who believe that they need to appeal a decision or file a grievance.
- f) Promotion and Tenure Policies
 - i. Tenure track faculty should be reviewed and evaluated by the policies in place at the time of their initial tenure-track appointment. These policies should be given to the candidate as part of the hiring package of materials and should be reviewed yearly with the candidate, especially at the 3rd year review mark and one year prior to advancing to the final review year.
 - ii. Each institution should develop its own policies for tenure and promotion and these policies will include information on committee composition and evaluation procedures. Any differences between departmental policy expectations and those at other administrative levels need to be vetted at the departmental level for a vote of the faculty. In other words, changes to policies must be agreed upon by departmental faculty and that may require engagement and difficult conversations with the Dean and the Provost.
- g) Faculty Workload:
 - i. A holistic metric for accurately measuring the workload of faculty must be developed. This metric should take into account supervision of labs, music rehearsals, advising, mentoring and coaching students, serving on governance groups (committees and FGOs), research, creative activities, community engagement, outreach, and service to the profession. All dimensions of faculty workload should be measured to more accurately

- provide data for our faculty productivity reports. Faculty participation in scholarly and non-revenue generating activities should also be included in addition to teaching and clinical care.
- ii. The business side of the medical and academic institutions while important should not supersede the institution's commitment to quality care and quality instruction.
 - iii. Academic time for scholarly/creative pursuits must be preserved to give faculty the opportunity to generate new knowledge and creative works.
 - iv. Academic freedom to pursue scholarly interests must be preserved in the interest of advancing the academy and solving pressing societal problems.

Bi-Directional Communication, Transparency, and Accountability

8. Institutions' administrators should include faculty-at-large and the faculty governance organization early and often in strategic planning, review of the institutional budget, philanthropic funding distributions, as well as clinical revenue-allocations across the university/institution. Provide transparency to faculty at large and faculty governance organization on budgets and allow their input on budgetary decisions.

Recommended Action Item:

- a) Administrators should contribute to positive faculty morale, transparency and accountability via regular electronic and/or face to face (townhall, etc.) communication with the faculty.

9. It should be a campus/institution norm that faculty input is sought by the President and other Administrators on major issues that impact faculty per RR 40101. Communication is most effective when it is proactive and not reactive.

Institutional Culture and Work Climate

10. Each campus should develop an upward evaluation tool or a "360 degree" type assessment tool for all higher administrators, including but not limited to, Chairs/Directors, Division Directors, Deans, Provosts, Vice Presidents and Presidents that includes participation by the campus Faculty Governance Organization, with a written report to the appropriate U. T. System Executive Vice Chancellor and the Deputy Chancellor.

Discussion: All UTS institutions strive to be work places with a positive, supportive culture that values integrity, fairness, equity, respect, service and joint responsibility for the mission of the institution. Shared governance can enhance and create this type of culture where top down authoritarian decision making is the exception and not the rule. In addition, Shared Governance can promote trust, collegiality, mutual respect and open dialog while preventing bullying, mobbing, and behaviors that impede gender equity,

faculty recruitment and faculty retention. With this in mind, several recommended action items are listed below.

Recommended Action Items:

- a) All institutions should have a periodic evaluation of Presidents by faculty, staff and other administrators in addition to periodic evaluations of other top level administrators (Deans and up).
 - i. Administration evaluations should be public information.
 - ii. Administrators should also be evaluated for credibility and level of confidence in their leadership.
 - iii. UTS officials should consider action plans to remediate or remove these leaders. The FGO should be consulted regarding their perceptions of the leadership issues being faced by the institution.
- b) Training and Education on Shared Governance should be available through the U. T. System. Administrators and FGO members should be trained in: Shared Governance, Servant Leadership, and Conflict Management. The evaluation instrument used for Administration should have items that measure shared governance behaviors.
- c) The principles of shared governance should also be provided to new Chairs at the UTS Leadership Academy.
- d) New Faculty Orientation should also socialize and inform the new faculty to the culture of shared governance.
- e) Academic Affairs and the FGO should partner in hosting shared governance retreats/workshops for members of committees. Staff Senators should also be included in this training.
- f) Training should be provided on how to plan effective meetings. These meetings would not be for information dissemination; instead, participants will be actively engaged in brainstorming solutions for the pressing problems of the institution. This active engagement of stakeholders will revitalize campuses/institutions and help build team work. Accountability/follow up must be built in to the process.
- g) The UTS institutions/universities should work together to design evaluation instruments/tools that measure shared governance behaviors by administrators (chairs, etc.). When behaviors are operationalized and measured, the expectations are clearer and there is accountability built in to the system.
- h) Each campus should develop its own time table for administrator evaluations.
- i) Instruments used to evaluate administrators should be tested for reliability and validity.
- j) Institutional policies to prevent or deal effectively with cases of bullying, mobbing, and/or retaliation should be developed and adopted at each institution.
- k) Administrators and FGO should be seen as partners in the educational enterprise.
 - i. Therefore, they should meet regularly; have open and honest communication; agree to disagree agreeably; focus on solutions and the best interest of the institution as a whole.

11. Each campus should conduct a culture and climate survey among the faculty and administration within the first 90 days of the arrival of a new president and thereafter on an interval determined with the Faculty Governance Organization.

Recommended Action Item:

- a) Survey results should be released to the public, and the FGO leadership and Administration should meet to discuss any problems or concerns that emerge from the survey and to formulate remedies for these problems. Positive climate results should also be widely communicated.

12. Each campus should establish a mechanism for institution or administration to bring issues or problems with shared governance that cannot be resolved internally to the U. T. System Administration.

Recommended Action Items:

- a) Faculty Governance Leaders and Administration who find themselves in a difficult situation should seek to mediate conflicts instead of escalating them. The use of an independent ombudsperson, a mediator or other objective third party (possibly facilitated through the U. T. System) should be sought. Many grievances and lawsuits may be prevented if there is a mechanism for resolving problems instead of escalating them. There is a perception that the proliferation of legal offices at institutions has served to exacerbate situations instead of resolving them early on. Legal teams should be trained in mediation.
- b) The UTS may want to explore providing training for ombudspersons for the component institutions.

Concluding Recommendation:

A strong sense of partnership and shared commitment among faculty and administration is essential to the successful daily operations of our universities. Shared governance as outlined here can help all members of the U. T. System community sustain excellence in teaching, research, and clinical care and can help us react thoughtfully to the rapidly changing environment in modern higher education.

This is a transformational moment in the history of leadership in the University of Texas System. The U. T. System Faculty Advisory Council respectfully urges the Chancellor to consider and apply a common standard and set of guidelines for shared governance across the System. These guidelines would serve as a general statement of the expectations for shared governance in the U. T. System and could be evaluated and adjusted locally as needed on an annual basis.

The FAC strongly recommends that the Chancellor might use this document, with its Six Essential Elements of Shared Governance, Philosophy of Shared Governance, and twelve Best Practices as the starting point for Systemwide discussion and implementation of a more enlightened and contemporary leadership model than presently exists on most of our campuses. The model these principles and practices outline is based on “trust, common purpose, shared consciousness, and empowered execution.” (McChrystal 7)

Works Cited

Kreiser, B. Robert, ed. *American Association of University Professors Policy Documents and Reports* 9th ed. Washington, D. C: American Association of University Professors, 2001. Print.

McChrystal, Stanley. *Team of Teams. New Rules of Engagement for a Complex World*. New York: Penguin, 2015. Print.

(DRAFT)
UNIVERSITY OF TEXAS SYSTEM
PHILOSOPHY OF SHARED GOVERNANCE

- Total commitment to collegial, cooperative, and trust-based organizational leadership that enables meaningful combined participation by the administration and the faculty in the management of an institution's operations.
- A devoted partnership among all stakeholders to a clearly defined and broadly affirmed institutional vision.
- A standing elected faculty governance organization recognized as the voice of the faculty.
- Consistently open and transparent communication without threat or fear of reprisal.
- While recognizing it is the President who is accountable for the all the institution does or fails to do, an appropriate level of shared responsibility and accountability in decision making exists along with a bias for action and follow-up on all institutional decisions.
- An overall organizational culture of caring, mutual respect, and commitment to collectively address any challenge.

The University of Texas System Faculty Advisory Council

Catherine Ross, Ph.D.,
Chair

U. T. System Board of Regents' Meeting
Meeting of the Board
August 2016



THE UNIVERSITY of TEXAS SYSTEM
FOURTEEN INSTITUTIONS. UNLIMITED POSSIBILITIES.
www.UTSYSTEM.EDU

Who We Are

- Faculty Senate Presidents and Officers



What We Do

- Advise the Board of Regents
- Advise U. T. System leadership
- Stay on top of faculty issues
- Advocate for highest standards
- Help to steer higher education and academic medicine through today's challenges



Last Year's Projects

- Shared Governance: a study, a white paper, and a proposed Systemwide philosophy
- Investigation of internal opportunities for research funding
- Dual credit study



Initiatives for the Coming Year

- Shared Governance
- Student and Faculty Success
- Academic Medicine



Shared Governance: Goals

- Open communication
- Accountability
- Environment of trust



Shared Governance: Initiatives

- Leadership workshops for Faculty Advisory Council
- Reassess status of shared governance
- Visit institutions
- Report to Chancellor



Academic Affairs and Faculty Quality: Goals



- Win the Talent War: nontenure track faculty
- Texas Prospect Initiative: timely progress to degrees – current choices
- Student Success after college: connecting college to the workplace



Health Affairs: Rationale



- Growing challenges to academic medicine
 - Reductions in health care reimbursement
 - Falling value of National Institutes of Health (NIH) research funding
 - Difficult economic times since 2008

Our health institutions remain strong. This is a testament to the high quality of our institutions and the incredible value of work provided by our faculty.



Health Affairs: Rationale (cont.)

- There is a national trend toward crisis in academic medicine
 - 50% of academic faculty leave within 10 years
 - High attrition
 - Lost value, substantial replacement cost
 - 25% of faculty in national survey considered leaving academic medicine in the prior year
 - Exacerbated by a projected 90,000 physician national shortage by the year 2025
- Where does U. T. System stand on this trend line?



Health Affairs: Plan



- Define the problem
 - Collect data on clinical and academic time across U. T. System health institutions
 - Develop a white paper describing the scope of the challenges to academic medicine
- Recommend solutions
 - Systemwide working group to develop innovative solutions to support academic medicine
 - Convene a national symposium on the future of academic medicine



Health Affairs: Plan (cont.)

- Lead the future of academic medicine
 - Support the Chancellor's Quantum Leaps
 - Winning the Talent War
 - Enhancing fairness and opportunity for women and minorities in the sciences
 - Increasing collaboration across the health care institutions
 - Serve as a national model for supporting faculty at academic health care institutions



2. U. T. System Board of Regents: Recognition of academic and health institution recipients of the 2016 Regents' Outstanding Teaching Awards

PRESENTATION

Chairman Foster will recognize the 2016 recipients for the Regents' Outstanding Teaching Awards as listed on the website at <http://www.utsystem.edu/sites/regents-outstanding-teaching-awards>. A short video presentation will be made at the meeting.

BACKGROUND INFORMATION

The Board of Regents of the U. T. System places the highest priority on undergraduate teaching at U. T. System universities and encourages teaching excellence by recognizing those faculty who deliver the highest quality of undergraduate instruction, demonstrate their commitment to teaching, and have a history and promising future of sustained excellence with undergraduate teaching in the classroom, in the laboratory, in the field, or online.

On August 14, 2008, the Board established the Regents' Outstanding Teaching Awards (ROTA), which are a symbol of the importance the Board places on the provision of teaching and learning of the highest order, in recognition of those who serve students in an exemplary manner and as an incentive for others who aspire to such service. These teaching awards complement existing ways in which faculty excellence is recognized and incentivized.

The Board allocated \$1 million per year for the awards for U. T. Austin and another \$1 million per year for the remaining academic institutions. On August 25, 2011, the Board expanded the program to the faculty at the six health institutions and allocated \$1 million per year for the awards. The allocations have been approved through Fiscal Year 2017.

Program details for the awards were approved by the Board on November 13, 2008, and modified to include one-time payments of \$25,000 each to the individual faculty members.

Among the academic institutions, awards are made according to faculty level, with no more than 30 awards for tenured faculty, tenure-track faculty, and contingent faculty (including adjuncts, lecturers, and instructional assistants). Across the health institutions, no more than 30 awards are made annually.

3. **U. T. System Board of Regents: Approval of Consent Agenda items and consideration of any items referred to the full Board**

RECOMMENDATION

The Board will be asked to approve the Consent Agenda items located at the back of the book under the [Consent Agenda](#) tab and will discuss any items referred for consideration by the full Board.

4. **U. T. System Board of Regents: Discussion and appropriate action concerning proposed amendments to Regents' *Rules and Regulations*, Rule 20201 (Presidents), Section 4.9, regarding duties and responsibilities associated with institutional Handbooks of Operating Procedures**

RECOMMENDATION

The Chancellor concurs in the recommendation of the Deputy Chancellor, the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Health Affairs, and the Vice Chancellor and General Counsel that Regents' *Rules and Regulations*, Rule 20201 (Presidents), Section 4.9, regarding duties and responsibilities associated with institutional Handbooks of Operating Procedures, be amended as set forth in congressional style on the following pages.

BACKGROUND INFORMATION

Section 4.9 of Regents' Rule 20201 requires institutional rules and regulations included in the *Handbooks of Operating Procedures* to be approved by the appropriate Executive Vice Chancellor and the Vice Chancellor and General Counsel. This results in U. T. System review of approximately 500 institutional rules and regulations each year. The Office of General Counsel advises that the reviews rarely add value to the work already done at the institutions and results in delays and redundancy.

To promote efficiency and better service to the institutions, it is recommended that the review and approval of institutional rules and regulations be delegated to the institutional president and chief legal officer or the Vice Chancellor and General Counsel. Consistent with this authorization, the Chancellor, the Deputy Chancellor, and the Executive Vice Chancellors may require review of any specific policies by the Vice Chancellor and General Counsel.

This agenda item was reviewed by the U. T. System institutional presidents and representatives of the Student Advisory Council, the Faculty Advisory Council, and the Employee Advisory Council.

**The University of Texas System
Rules and Regulations of the Board of Regents**

Rule: 20201

1. Title

Presidents

2. Rule and Regulation

...

Sec. 4 Duties and Responsibilities. Within the policies and regulations of the Board of Regents and under the supervision and direction of the Chancellor, the Deputy Chancellor, and the appropriate Executive Vice Chancellor, the president has general authority and responsibility for the administration of that institution. Specifically, the president is expected, with the appropriate participation of the staff, to:

...

4.9 ~~Cause to be prepared and submitted to the appropriate Executive Vice Chancellor and the Vice Chancellor and General Counsel for approval, Develop and administer~~ the rules and regulations for the governance of the institution and any related amendments. Such rules and regulations shall constitute the *Handbook of Operating Procedures* for ~~the that~~ institution. Any rule or regulation in the institutional *Handbook of Operating Procedures* that is in conflict with any rule or regulation in the Regents' *Rules and Regulations* is ~~null and~~ void and has no effect.

(a) Input from the faculty, staff, and student governance bodies for the institution will be sought for all significant changes to an institution's *Handbook of Operating Procedures*. The institutional *Handbook of Operating Procedures* will include a policy for obtaining this input ~~that is in accordance with a model policy developed by the Office of General Counsel~~.

(b) Sections of the *Handbook of Operating Procedures* that pertain to the areas of faculty responsibility as defined in Regents' *Rules and Regulations*, [Rule 40101](#) titled Faculty Role in Educational Policy Formulation will be explicitly designated in the *Handbook of Operating Procedures*. The president, with the faculty governance body of the campus, shall

**The University of Texas System
Rules and Regulations of the Board of Regents**

Rule: 20201

develop procedures to assure formal review of these sections by the faculty governance body before such sections are finalized-submitted for approval. The formal review should be done occur within a reasonable timeframe (60 days or less).

(c) All rules and regulations or amendments in the Handbook of Operating Procedures must be approved by the president and by the institution's chief legal officer or the Vice Chancellor and General Counsel.

....

5. **U. T. System Board of Regents: Discussion and appropriate action regarding proposed deletion of Regents' Rules and Regulations, Rule 40602 (Organized Research Units)**

RECOMMENDATION

The Chancellor concurs in the recommendation of the Deputy Chancellor, the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Health Affairs, and the Vice Chancellor and General Counsel that Regents' *Rules and Regulations*, Rule 40602 (Organized Research Units), as set out on the following pages, be deleted.

BACKGROUND INFORMATION

Organized Research Units (ORUs) are established at the institutional level to provide support for interdisciplinary research that complements the academic goals of departments of instruction and research. They are typically referred to as institutes, laboratories, or centers.

Regents' Rule 40602 contains detailed requirements for the establishment and review of ORUs at all U. T. System institutions. The Rule was adopted by the Board in 2006 to address a concern about the increasing number of administrative units and the lack of a clear-cut review process to assure continued operation of each ORU was still aligned with institutional missions and priorities. Since that time, the review process has been implemented and is working well. Rule 40602 is recommended for deletion as part of an ongoing effort to identify unnecessary review and approval activity at U. T. System Administration. The role of System Administration will focus instead on assisting the institutions and serving as a resource when establishment of a new ORU is proposed.

This agenda item was reviewed by the U. T. System institutional presidents and representatives of the Student Advisory Council, Faculty Advisory Council, and the Employee Advisory Council.

**The University of Texas System
Rules and Regulations of the Board of Regents**

Rule: 40602

1. Title

Organized Research Units

2. Rule and Regulation

Sec. 1 Functions of an Organized Research Unit. An Organized Research Unit (ORU) is established to provide support for interdisciplinary research that complements the academic goals of departments of instruction and research. These units are typically referenced as institutes, laboratories, or centers. The functions of an ORU are to

- 1.1 Facilitate research and research collaborations;
- 1.2 Disseminate research results through conferences, meetings, and other activities;
- 1.3 Strengthen graduate and undergraduate education by providing students with training opportunities and access to facilities;
- 1.4 Seek extramural research funds; and
- 1.5 Carry out university and public service programs related to the ORU's research expertise.

Sec. 2 Designation of ORUs. Units included as organized research units normally carry one of the designations listed and defined below. Institute, Laboratory, and Center are the most commonly used designations.

- 2.1 Institute. A major unit that coordinates and promotes faculty and student research on a continuing basis over an area so wide that it extends across department, school or college, or campus boundaries. The unit enhances and supports broad-based research efforts. The unit may also engage in public service activities stemming from its research program, within the limits of its stated objectives.
- 2.2 Laboratory. A non-departmental organization that establishes and maintains facilities for research in several departments, sometimes with the help of full-time research staff appointed in accordance with institutional policy. A laboratory in which substantially all participating faculty members are from the same academic department is a departmental laboratory and not an ORU.

**The University of Texas System
Rules and Regulations of the Board of Regents**

Rule: 40602

- 2.3 Center. A unit that furthers research in a designated field or a unit engaged primarily in providing research facilities for other units and departments. Centers with anticipated annual budgets of at least \$3,000,000, representing the sum of research grants and contracts managed through the Center's operations as well as institutional and other funding, are in this category.
- 2.4 Non-ORU Center. The term Center may be used for research units not formally constituted as ORUs. Centers with an anticipated annual budget of less than \$3,000,000 may be constituted upon approval of the campus president or designee. The campus shall periodically review non-ORU centers and programs.
- Sec. 3 Procedure for Establishment of ORUs. An ORU is established upon submittal and approval of a proposal by the president and the Executive Vice Chancellor for Academic Affairs or the Executive Vice Chancellor for Health Affairs. The proposal should describe the purpose and benefits of the ORU to the institution, the faculty members and other participants, research and other activity plans, space requirements, and budget needs. If institutional space or funds are committed, confirmation of such commitments from the appropriate institutional representative should be included in the proposal.
- Sec. 4 Named ORU. Proposals to name an ORU for an individual or an entity must comply with the provisions of Regents' *Rules and Regulations*, [Rule 80307](#) related to honorific and gift-related namings, and should be submitted to the appropriate Executive Vice Chancellor. The ORU naming will only be maintained as long as the ORU is active.
- Sec. 5 Advisory Committee or Council. Each ORU is headed by a director and will have an advisory committee/council that assists the director in setting the unit's goals and may assist by critically evaluating its effectiveness on a continuing basis. The creation of an advisory committee/council must be approved by the Board of Regents in accordance with Regents' *Rules and Regulations*, [Rule 60302](#).
- Sec. 6 Procedures for Review. Periodic review of ORUs is necessary to ensure consistency with institutional goals and priorities and the institution's need to sustain a capacity to innovate. Each ORU should be reviewed at least every six years. An ad hoc

**The University of Texas System
Rules and Regulations of the Board of Regents**

Rule: 40602

committee shall be formed to assess the ORU's original goals and objectives, its present functioning, recent accomplishments, future plans, adequacy of space and budget allocations, and future prospects to contribute to the institution's vision and mission. The committee's report will be forwarded to the president, who, in consultation with others, will determine whether the ORU should continue, be phased out, or be discontinued. The president shall forward the recommendation and ad hoc committee's report to the Executive Vice Chancellor for Academic Affairs or the Executive Vice Chancellor for Health Affairs.

- Sec. 7 ORU Reviews and Approvals. The periodic reviews and the establishment of institutes, laboratories, and centers must be filed with the office of Academic Affairs or Health Affairs. Such office will maintain and make available to the Board of Regents an inventory of those organized research units throughout The University of Texas System.

6. **U. T. System Board of Regents: Discussion and appropriate action regarding proposed amendment to Regents' Rules and Regulations, Rule 50203 (Participation in Student Government), Subsections 1.2 and 1.3, regarding adoption, amendment, or repeal of constitution or bylaws**

RECOMMENDATION

The Chancellor concurs in the recommendation of the Deputy Chancellor, the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Health Affairs, and the Vice Chancellor and General Counsel that Regents' Rules and Regulations, Rule 50203 (Participation in Student Government), Subsections 1.2 and 1.3, regarding adoption, amendment, or repeal of constitution or bylaws, be amended as set forth below in congressional style:

- 1.2 Approval of Changes. An amendment to the constitution or bylaws of a students' association may be adopted by an association, in accordance with its constitution and bylaws, but the change shall not become effective until transmitted to and approved by the chief student affairs officer, ~~and~~ the president ~~and the appropriate Executive Vice Chancellor~~.
- 1.3 Amendment or Repeal of Provisions. The chief student affairs officer shall have the power, when in his or her judgment the interests of the institution require it, to amend or repeal any provision in the constitution or bylaws of the particular association, but such action shall not be effective until approved by the president ~~and the appropriate Executive Vice Chancellor~~.

BACKGROUND INFORMATION

Regents' Rule 50203 provides the authorization and jurisdiction for student government associations at U. T. System institutions. Currently, any amendment to the governing rules of a student association must be reviewed and approved by the appropriate Executive Vice Chancellor. This proposed amendment will simplify the process at the institutional level while maintaining appropriate review.

This agenda item was reviewed by the U. T. System institutional presidents and representatives of the Student Advisory Council, the Faculty Advisory Council, and the Employee Advisory Council.

7. **U. T. System: Proposed revisions to 2012 Executive Performance Incentive Compensation Plan for Presidents and System Administration Executive Officers**

RECOMMENDATION

The Chancellor concurs in the recommendation of the Deputy Chancellor that the Executive Performance Incentive Compensation Plan for U. T. System Presidents and U. T. System Administrative Executive Officers approved by the Board on August 23, 2012, be revised as set forth on the following pages.

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THE UNIVERSITY OF TEXAS SYSTEM
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EXECUTIVE
PERFORMANCE
INCENTIVE
COMPENSATION PLAN

FOR
PRESIDENTS AND SYSTEM
ADMINISTRATION EXECUTIVE OFFICERS

EFFECTIVE: SEPTEMBER 1, 2016

EXECUTIVE PERFORMANCE INCENTIVE COMPENSATION PLAN
THE UNIVERSITY OF TEXAS SYSTEM
PRESIDENTS AND SYSTEM ADMINISTRATION EXECUTIVE OFFICERS

I. BACKGROUND

The Executive Performance Incentive Compensation Plan for The University of Texas System Presidents and UT System Administration Executive Officers (Incentive Plan) is designed to provide structure for the annual review and consideration of incentive reward that is based on predetermined performance goals.

The original Incentive Plan, dated September 1, 2012 is hereby amended effective September 1, 2016, and shall be as follows.

II. INCENTIVE PLAN OBJECTIVES

The Incentive Plan serves a number of objectives, as follows:

- Supports the strategic mission of The University of Texas System by setting performance objectives aligned with attainment in focus areas.
- Provides a mechanism to enhance The University of Texas System's ability to provide competitive pay levels to attract the highest quality Presidents and System Administration Executive Officers.
- Rewards and helps to retain high-performing Presidents and System Administration Executive Officers through the provision of incentive compensation.
- Focuses the attention and efforts of key executive on the issues that are most important to the mission of The University of Texas System by placing a significant fraction of the executive's compensation on attainment of specific goals.

III. THE PLAN DESIGN

Eligibility

The University of Texas Presidents and The University of Texas System Administration Executive Officers will be Participants in the Incentive Plan for a performance period if, and only if, he or she is both:

- ✓ employed by The University of Texas System in an employment position that is designated as an “Eligible Position,” (See Attachment A) and,
- ✓ selected by the Board of Regents as eligible to participate in the Incentive Plan.

Generally, employees who are newly hired or promoted into an Eligible Position on or before March 1 of a given year may participate on a prorated basis. The Board of Regents in its discretion may designate the employment position of a newly-hired or promoted employee as eligible to participate in the full Incentive Plan for any performance period or remainder of a performance period.

An employee will cease to be a Participant in the Incentive Plan on the earliest to occur of:

- the date such employee is no longer employed in an Eligible Position;
- the date of termination of the Incentive Plan;
- the date such employee commences a leave of absence;
- the date the Board of Regents designates that such employee’s employment position is not an Eligible Position; or
- any date designated by the Board of Regents as the date on which said employee is no longer a Participant.

Setting Performance Goals

Performance goals for the upcoming fiscal year will typically be finalized annually no later than August 31. Performance goals for newly eligible Participants will normally be finalized within 60 days of eligibility. The performance period for Participants will be from September 1 through August 31 of each fiscal year.

Performance goals will be established annually with final approval by the Chancellor or his or her designee. Each Participant may have both Systemwide goals and specific university or functional goals. Performance goals should be realistic, but aggressive, and should address the highest-level issues of greatest priority in advancing institutions and The University of Texas System.

Assessing goal attainment

Assessing attainment of performance goals will include holistic consideration of the degree to which an individual effectively executed their duties and addressed issues of greatest priority, and, as appropriate, may include either quantitative goals and/or qualitative goals. These assessments will be completed for the prior fiscal year, generally in October, in preparation for the Regents consideration at its November Board of Regents' meeting. Recommendations for each Participant's incentive award will typically be considered by the Board of Regents at their November meeting.

As a guide, three levels will be used to assess performance relative to establish performance goals:

1. **Threshold** means that an individual came close to meeting, but did not fully meet a goal.
2. **Target** means that an individual fully met a goal.
3. **Maximum** means that an individual significantly exceeded a goal.

Primary assessors of performance goal attainment will be the appropriate Executive Vice Chancellor for the Presidents, and the Chancellor (or his or her designee) for System Administration Executive Officers. The Chancellor will conduct a final review of the assessments and make recommendations to the Board of Regents.

Incentive Award Specifics

The University of Texas System will continue to target total direct compensation for key executives as per Regents' Rule 20203: Compensation for Key Executives.

The incentive award covered within this Incentive Plan is 15% of a Participant's base salary.

Award opportunity levels will be adjusted to reflect the Participant's success in attaining performance goals. Based upon meeting Threshold, Target or Maximum the awards will be provided as follows:

1. meeting **threshold** will earn the Participant 50% of the potential award;
2. meeting **target** will earn 100% of the potential award, and
3. significantly exceeding, **maximum**, the Participant will earn 150% of the potential award.

Of note, the Board of Regents has full discretion over the amount of the approved award and is not obligated to make any award.

Incentive Award Payments

Incentive awards will be considered annually following the performance period, and will normally be approved at the Board of Regents' November meeting and paid as soon as practical thereafter, in compliance with current Internal Revenue Service regulations.

Incentive award payments will be made in lump sum and may be deferred, subject to Internal Revenue Service limitations.

Calculation of prorated incentive awards, if applicable, will be based on the Participant's attainment of performance goals and the length of time a Participant was eligible to receive an incentive award during the performance period. Explanation of payment of incentive awards upon termination of employment follow.

All incentive awards will be subject to any deductions as noted:

1. for tax withholding required by federal, state, or local law at the time such tax and withholding is due (irrespective of whether such incentive award is deferred and not payable at such time), and
2. for any and all amounts owed by the Participant to The University of Texas System at the time of payment of the incentive award. The University of Texas System will not be obligated to advise an employee of the existence of the tax or the amount that The University of Texas System will be required to withhold.

Payment of Incentive Award upon Termination of Employment

Except as otherwise noted below, any Participant who ceases to be a Participant, either because of termination of employment with The University of Texas System (including a U. T. System institution), or for any other reason stated below, prior to the end of a performance period will not be eligible to receive payment of any incentive award for that or any subsequent performance periods.

If a Participant ceases to be a Participant in the Incentive Plan prior to the end of the performance period because he or she commences an approved leave of absence or retires, such Participant's incentive award for the current performance period, if any, will be calculated on a prorated basis from the first day of the performance period to the date coinciding with the date the Participant commences such leave of absence or retirement, and such individual will not be entitled to any incentive awards for any performance period thereafter (unless he or she again becomes a Participant as previously described)

If a Participant transitions from one Eligible Position to another during a fiscal year, and is in an Eligible Position for an entire performance period, the award will be calculated by prorating performance from the Eligible Positions.

The following chart outlines the treatment of the incentive award upon termination of a Participant's employment:

Termination reason	Forfeit	Prorated	Discretion of Board of Regents
Death		X	
Disability		X	
Retirement		X	
Quit	X		
Termination			X

Annual Due Dates

Annual Due Date	Action
July 15 Propose Goals for Upcoming Year Developed Using the Template Provided by Chancellor's Office	Proposed goals for upcoming fiscal year are developed by employee (plan participant) and submitted to the appropriate individual (Chancellor, Deputy Chancellor, or Executive Vice Chancellor) for consideration.
August 31 Goal Review Process and Final Approval	Performance goals for upcoming fiscal year are discussed with employee (plan participant), possibly revised, and finally approved by the appropriate individual (Chancellor, Deputy Chancellor, or Executive Vice Chancellor) by August 31.
September 15 Self-Assessment of Prior Year's Goal Attainment	Self-assessment of prior year's goal attainment prepared by employee (plan participant) and submitted to appropriate individual (Chancellor, Deputy Chancellor, or Executive Vice Chancellors).
October 15 Performance Evaluations	Performance evaluations completed.
November Incentive Award Recommendations	Chancellor makes recommendations to the Board of Regents for payment of incentive awards. Awards are paid as soon as possible following Board of Regents' approval.

IV. INCENTIVE PLAN AUTHORITY, RESPONSIBILITY AND INTERPRETATION

Authority

Except as otherwise specifically provided, this Incentive Plan will be administered by the Chancellor, or the Chancellor's designee.

The Board of Regents and the Chancellor have all powers specifically vested herein and all powers necessary or advisable to administer or direct administration of the Incentive Plan as it determines in its discretion, including without limitation, the authority to:

1. establish the conditions for the determination and payment of compensation by establishing the provisions of the Incentive Plan,
2. select the employees who are eligible to be Participants in the Incentive Plan, and
3. designate to any other person, committee, or entity any of its ministerial powers and/or duties under the Incentive Plan, as long as any such delegation is in writing and complies with Regents' Rules.

Responsibility/Rights

The Board of Regents has the right in its discretion to amend the Incentive Plan or any portion thereof from time to time, to suspend it for a specified period or to terminate it entirely, or any portion thereof.

If the Incentive Plan is suspended or terminated during a performance period, Participants will receive a prorated incentive award based on performance achieved through the performance measurement date immediately preceding such suspension or termination. The Incentive Plan will be in effect until suspension or termination by the Board of Regents.

All records for the Incentive Plan will be maintained by the Office of the Chancellor.

Interpretation

Consistent with the provisions of the Incentive Plan, the Board of Regents has the discretion to interpret the Incentive Plan and may from time to time adopt such rules and regulations that it may deem advisable to carry out the Incentive Plan. All decisions made by the Board of Regents in selecting the Participants approved to receive incentive awards, including the amount thereof, and in construing the provisions of the Incentive Plan, including without limitation the terms of any incentive awards, are final.

ATTACHMENT A

LIST OF ELIGIBLE POSITIONS

System Administration Executive Officers

Deputy Chancellor, The University of Texas System Administration
Executive Vice Chancellor for Health Affairs, The University of Texas System Administration
Executive Vice Chancellor for Business Affairs, The University of Texas System Administration
Executive Vice Chancellor for Academic Affairs, The University of Texas System Administration
Vice Chancellor for Health and Academic Affairs, The University of Texas System Administration
Vice Chancellor for External Relations, The University of Texas System Administration
Vice Chancellor for Strategic Initiatives, The University of Texas System Administration
Vice Chancellor and General Counsel, The University of Texas System Administration
Vice Chancellor and Chief Governmental Relations Officer, The University of Texas System Administration
Vice Chancellor for Federal Relations, The University of Texas System Administration

Presidents

President – The University of Texas at Arlington
President – The University of Texas at Austin
President – The University of Texas at Dallas
President – The University of Texas at El Paso
President – The University of Texas of the Permian Basin
President – The University of Texas Rio Grande Valley
President – The University of Texas at San Antonio
President – The University of Texas at Tyler
President – The University of Texas Southwestern Medical Center
President – The University of Texas Medical Branch at Galveston
President – The University of Texas Health Science Center at Houston
President – The University of Texas M. D. Anderson Cancer Center
President – The University of Texas Health Science Center at San Antonio
President – The University of Texas Health Science Center at Tyler

8. **U. T. System Board of Regents: Review and possible action regarding the U. T. Austin, U. T. Dallas, U. T. El Paso, U. T. San Antonio, U. T. M. D. Anderson Cancer Center, and U. T. System Administration campus carry rules, regulations, and provisions**

SUBMISSIONS FOR REVIEW

President Fenves submits revisions made to U. T. Austin campus carry rules, regulations, and provisions regarding the carrying of handguns by license holders on campus, effective August 1, 2016, for review by the Board of Regents. The rules, regulations, and other provisions are set forth on [Pages 58 - 65](#), with changes identified.

President Benson submits revisions made to U. T. Dallas campus carry rules, regulations, and provisions regarding the carrying of handguns by license holders on campus, effective August 1, 2016, for review by the Board of Regents. The rules, regulations, and other provisions are set forth on [Pages 66 - 71](#), with changes identified.

President Natalicio submits revisions made to U. T. El Paso campus carry rules, regulations, and provisions regarding the carrying of handguns by license holders on campus, effective August 1, 2016, for review by the Board of Regents. The rules, regulations, and other provisions are set forth on [Pages 72 - 77](#), with changes identified.

President Romo submits revisions made to U. T. San Antonio campus carry rules, regulations, and provisions regarding the carrying of handguns by license holders on campus, effective August 1, 2016, for review by the Board of Regents. The rules, regulations, and other provisions are set forth on [Pages 78 - 93](#), with changes identified.

President DePinho submits revisions made to U. T. M. D. Anderson Cancer Center campus carry rules, regulations, and provisions regarding the carrying of handguns by license holders on campus, effective August 1, 2016, for review by the Board of Regents. The rules, regulations, and other provisions are set forth on [Pages 94 - 102](#), with changes identified.

Chancellor McRaven submits revisions made to U. T. System Administration campus carry rules, regulations, and provisions regarding the carrying of handguns by license holders on campus, effective August 1, 2016, for review by the Board of Regents. The rules, regulations, and other provisions are set forth on [Pages 103 - 107](#), with changes identified.

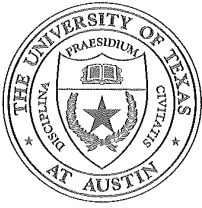
BACKGROUND INFORMATION

These amendments were made following the Board's review of its previous campus carry policy at the July 13, 2016 Board meeting. The amended policies went into effect on August 1, 2016.

President Fenves amended the U. T. Austin policy regarding concealed carry of handguns on campus to include the Frank Erwin Center as an exclusion zone at ticketed events. President Benson amended the U. T. Dallas policy, President Natalicio amended U. T. El Paso policy, and President Romo amended the U. T. San Antonio policy regarding concealed carry of handguns on campus to include a provision allowing individual office holders to prohibit concealed carry in offices at the office holder's discretion.

President DePinho amended the U. T. M. D. Anderson Cancer Center policy to include blood drives as an exclusion zone, to disallow personal gun safes, and to clarify that vehicles owned and operated by third-party vendors are private property and are subject to that vendor's determination regarding Concealed Handgun License (CHL) or exclusion zones, but will communicate any applicable zones to the institution before passenger transport. Chancellor McRaven amended the U. T. System Administration policy to remove the U. T. System aircraft as an exclusion zone.

Senate Bill 11, as passed by the 2015 Texas legislature, and identified as *Texas Government Code* Section 411.2013, permits a university president 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 institution's governing board must review the rules not later than the 90th day after the date the rules are established. A two-thirds vote of the full Board of Regents is required to amend the rules.



THE UNIVERSITY OF TEXAS AT AUSTIN

Gregory L. Fenves, *President*
110 Inner Campus Drive, G3400 · Austin, TX 78712-3400
512-471-1232 · president@utexas.edu

July 29, 2016

Dr. David E. Daniel
Deputy Chancellor
The University of Texas System
O. Henry Hall, Room 414
601 Colorado Street, Stop P4100
CAMPUS MAIL

Dear Dr. Daniel:

As the University of Texas at Austin approaches the August 1st effective date for the implementation of the new campus carry law, we continue to be confronted with newly discovered issues where the law can have a significant impact on the university and which require a policy change to address a unique circumstance. The Frank Erwin Center (the Center) recently asked for a policy to address safety concerns related to ticketed performances at the Center.

In addition to the campus carry policies recently considered by the Board of Regents, I have adopted a new policy related to performances at the Center. Consistent with the Campus Carry Policies and Implementation Strategies document previously submitted, I provide the following:

Policy Statement

The carrying of any firearm, including a concealed handgun carried by a license holder, is prohibited at ticketed events at the Frank Erwin Center where the introduction of firearms is inconsistent with the safety and security of the event. Notice conforming to Section 30.06, Texas Penal Code, will be provided.

Finding

The Frank Erwin Center has been an integral part of the university and greater Austin area athletic and entertainment community for almost forty years. During that time, it has hosted millions of people at thousands of events. Most of these events are produced by promoters, companies, performers, and others contracting for the use of the Center for a ticketed event.

The Center hosts many events at which the introduction of firearms, including concealed handguns carried by a license holder, would raise safety and security concerns. In events where there are thousands of ticket-holders densely located in an arena-style configuration with high levels of excitement, low-lighting, loud sounds which at times may include pyrotechnics, and often the consumption of alcoholic beverages, the presence of firearms, including those held by license holders, may jeopardize safety. Because of these complex crowd issues in this very unique environment at the Center, restricting the carrying of weapons for performances will address specific safety concerns.

Dr. David E. Daniel
July 29, 2016
Page 2

I point out that State law similarly recognizes these complex issues and prohibits the carrying of handguns, even by a license holder, at high school, collegiate, and professional sporting events.

Furthermore, because this restriction will satisfy safety and security conditions required by parties seeking to use the Center, the continued use for many events that are integral to the university community will be further assured. This policy therefore will further preserve 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 within the authority granted to university presidents.

Implementation Strategy and Criteria

The campus will work with the Center to develop the area to which this policy applies and will ensure that the areas where weapons are prohibited are limited to those areas within the Center where persons are screened prior to proceeding into the Center, and those areas secured and controlled by the UT Police Department or other law enforcement agencies designated for securing the Center. Other security measures will be employed to detect and prevent the introduction of any firearm into secured areas of the Center. The campus will include information and notice in the appropriate informational materials and websites.

I look forward to working with you as we implement this policy.

Sincerely,



Gregory L. Fenves
President

GLF: dwd

cc: Admiral William H. McRaven, Chancellor, The University of Texas System
Dr. Steven W. Leslie, Executive Vice Chancellor for Academic Affairs
Ms. Tamra English, Assistant General Counsel, Office of General Counsel
Dr. Gerald R. Harkins, Chair, Campus Carry Implementation Task Force, The University of Texas at Austin



Policy Workflow Status

This Policy Document is part of open Policy Workflow case #2843.
Current Review Group: *Legal Affairs Policy Owner & Delegates*

Handbook of Operating Procedures 8-1060

Campus Concealed Carry

Effective August 01, 2016

Executive Sponsor: Vice President for University Operations
Policy Owner: Associate Vice President for Campus Safety and Security

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](http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.411.htm#411.2031) (<http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.411.htm#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](http://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.46.htm#46.03) (<http://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.46.htm#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](http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.2.htm#2.12) (<http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.2.htm#2.12>).

IV. Definitions (specific to this policy)

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.

Revolvers:

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 (for policy)

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

VI. Contacts

CONTACT	DETAILS	WEB
Campus Safety and Security	Phone: 512-471-5767	Website: http://www.utexas.edu/campus-life/safety-and-security (http://www.utexas.edu/campus-life/safety-and-security)

VII. Responsibilities & Procedures

A. General Safety

1. Texas Penal Code, **Section 46.035(a-1)** (<http://www.statutes.legis.state.tx.us/Docs/PE/hm/PE.46.htm#46.035>) 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. 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)(3) 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** (<http://catalog.utexas.edu/general-information/appendices/appendix-c/student-discipline-and-conduct/>), Student Discipline and Conduct; Board of Regents' *Rules and Regulations*, **Rule 31008** (<http://www.utsystem.edu/board-of-regents/rules/31008->

[termination-faculty-member](#)) Termination of a Faculty Member; and the *Handbook of Operating Procedures* ("HOP") **HOP** (<https://www.policies.utexas.edu/policies/faculty-grievance-procedure>) **2-2310** (<https://www.policies.utexas.edu/policies/faculty-grievance-procedure>), Faculty Grievance Procedure, or **HOP 5-2420** (<https://www.policies.utexas.edu/policies/policies-and-procedures-discipline-and-dismissal-employees>), Policies and Procedures for Discipline and Dismissal of Employees. Notice conforming to Texas Penal Code, **Section 30.06** (<http://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.30.htm#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 activity is conducted at a particular location, 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 46.035(b)(2)** (<http://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.46.htm#46.035>) 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** (<http://www.policies.utexas.edu/policies/youth-protection-program>), Youth Protection Program. 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 at ticketed events at the Frank Erwin Center where the introduction of firearms is inconsistent with the safety and security of the event. Notice conforming to Section 30.06, Texas Penal Code 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** (<http://www.statutes.legis.state.tx.us/Docs/AL/htm/AL.104.htm#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)** (<http://catalog.utexas.edu/general-information/appendices/appendix-c/student-discipline-and-conduct/#subchapter11400.prohibitedconduct>), General Misconduct of the Institutional Rules on Student Services and Activities; and **HOP 8-1010** (<https://www.policies.utexas.edu/policies/prohibition-campus-violence>), 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** (<http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.411.htm#411.2031>), the president is authorized to enact reasonable rules and regulations regarding the concealed carry of handguns on campus.

VIII. Form & Tools

None

IX. Frequently Asked Questions

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

X. Related Information

Texas Government Code, **Section 411.204** (<http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.411.htm#411.204>)

Texas Government Code, **Section 411.2031** (<http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.411.htm#411.2031>) (Senate Bill 11)

Texas Penal Code, **Section 30.06** (<http://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.30.htm#30.06>)

Texas Penal Code, **Section 46.03(a)(2)** (<http://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.46.htm#46.03>)

Texas Penal Code, **Section 46.03(a)(3)** (<http://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.46.htm#46.03>)

Texas Penal Code, **Section 46.035(a-1)** (<http://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.46.htm#46.035>)

Texas Penal Code, **Section 46.035(b)(2)** (<http://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.46.htm#46.035>)

Texas Penal Code, **Section 46.035(2)** (<http://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.46.htm#46.035>)

Texas Code of Criminal Procedures, **Article 2.12** (<http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.2.htm#2.12>)

Board of Regents' **Rule 31008** (<http://www.utsystem.edu/board-of-regents/rules/31008-termination-faculty-member>) - Termination of a Faculty Member

HOP 2-2310 (<http://www.policies.utexas.edu/policies/faculty-grievance-procedure>) – Faculty Grievance Procedure

HOP 3-1710 (<http://www.policies.utexas.edu/policies/youth-protection-program>) – Youth Protection Program

HOP 5-2420 (<http://www.policies.utexas.edu/policies/policies-and-procedures-discipline-and-dismissal-employees>) – Policies and Procedures for Discipline and Dismissal of Employees

HOP 8-1010 (<https://www.policies.utexas.edu/policies/prohibition-campus-violence>) – Prohibition of Campus Violence

General Information Catalog, Appendix C (<http://catalog.utexas.edu/general-information/appendices/appendix-c/student-discipline-and-conduct/>): Institutional Rules on Student Services and Activities

General Information Catalog, Appendix C, Chapter 11 (<http://catalog.utexas.edu/general-information/appendices/appendix-c/student-discipline-and-conduct/#subchapter11400.prohibitedconduct>) – Student Discipline and Conduct

General Information Catalog, Appendix C, Chapter 11, Section 11-404(a) (<http://catalog.utexas.edu/general-information/appendices/appendix-c/student-discipline-and-conduct/>) – General Misconduct Compliance

Training Module: CW 122: A Safe Workplace

Administrative Fields

Policy Details

Proposed HOP Number

8-1060

Policy State

Full Policy Display

Policy Type

Policy

Policy Effective Date

08/01/2016

Policy Owner

Policy Owner (for display)

Associate Vice President for Campus Safety and Security

Executive Sponsor (for display)

Vice President for University Operations

Policy Review Information

Policy Review Frequency (in years)

2

Existing Policy Information

Existing Policy Title

n/a

Existing HOP Number

n/a

Policy Taxonomy and Tagging

Policy Category

Risk / Security / EH&S (/policies/category/risk-security-ehs)

Policy Audience

All (audience/all)

XI. History

None

Please log out to submit a comment to the policy owner



THE UNIVERSITY OF TEXAS AT DALLAS

OFFICE OF THE PRESIDENT

RICHARD C. BENSON

August 1, 2016

Chancellor William H. McRaven
The University of Texas System
601 Colorado Street
Austin, Texas 78701

Dear Chancellor McRaven:

I am writing in my capacity as president of The University of Texas at Dallas to advise you that I have amended our policy for the carry of concealed handguns. Please see the attached UT Dallas policy statement. As you know, the UT Dallas "campus carry" policy was reviewed by The University of Texas System Board of Regents on July 13, 2016, and the provisions, without changes, take effect today, August 1, 2016.

At UT Dallas, as well as at many other UT System campuses, we took note of the provision in the UT Austin policy that the occupant of an individually held office could prohibit the concealed carry of a handgun in that office. At UT Dallas, we have decided to adopt this UT Austin provision verbatim. The new language will be found in Section 6, Offices, which I also present here:

"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."

A minor change has also been made in Section 5, Exclusions Zones, of our policy statement to align with the new provision in Section 6. The first sentence of Section 5 has been changed from:

"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."

800 WEST CAMPBELL ROAD, AD22 RICHARDSON, TEXAS 75080-3021 (972) 883-2201 FAX (972) 883-2237

The University of Texas at Dallas is an equal opportunity/affirmative action university.

Chancellor McRaven
The UT Dallas amended policy for the carry of concealed handguns
August 1, 2016
Page 2

to:

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

I have underlined the changed words.

This is a good opportunity for me to alert you to the fact that I have asked the UT Dallas campus carry working group to assess the efficacy of our policy over the next few months. The working group will also review the campus carry policies at other UT System campuses to see if there are better approaches that we might want to adopt. I have asked the working group to not make final recommendations until we are well into the fall semester, as I would like to have the advantage of knowing how our policy is working on a fully populated campus.

Thank you for your consideration of this change in the UT Dallas campus carry policy, and thank you for bringing it to the attention of the UT System Board of Regents. I welcome your review.

Sincerely,



Richard C. Benson
President

RCB/kg

Attachment

cc: David E. Daniel, Deputy Chancellor
Steven W. Leslie, Executive Vice Chancellor for Academic Affairs
Gerald R. Harkins, Associate Vice President for Campus Safety and Security

UT DALLAS POLICY REVISED August 1, 2016

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 licensed

UT DALLAS POLICY REVISED August 1, 2016

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-multi-person~~ faculty and staff 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 REVISED August 1, 2016

- 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 Offices

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.

Sec. 67 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.

UT DALLAS POLICY REVISED August 1, 2016

Sec. 78 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 El Paso

Concealed Handguns and Weapons Policy

Section: IX: Environmental Health and Safety

Chapter: 10

Date Updated: July 14, 2016

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 and securely 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:

EXCLUSION AREAS	UTEP LOCATION
Areas for which federal law requires exclusion or in which weapons are prohibited by an accrediting authority.	<ul style="list-style-type: none"> • University Heights Early Learning Center, 315 W. Schuster • On-campus voting locations organized by governmental agencies
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"> • Student Health Center, Union East Building • University Counseling Center, Union West Building • College of Health Sciences Clinics <ul style="list-style-type: none"> – Speech, Language and Hearing Clinics (lab and waiting room) – Community Rehabilitation Program Clinics (lab and waiting room)
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"> • Sun Bowl Stadium • Don Haskins Center • Kidd Field • Memorial Gym • University Field • Helen of Troy Softball Complex
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"> • Biosciences Building Vivarium • Psychology Building, Animal Holding Area • Biology Building, Animal Holding Area
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"> • Biology Building • Bioscience Research Building • Campbell Building • Chemistry and Computer Science Building • Engineering Building • Fox Fine Arts Center • Geological Sciences Building • Health Sciences and Nursing Building • Physical Sciences Building • Psychology Building

<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"> • Campbell Building • Health Sciences Building • Larry K. Durham Center • Ross Moore Building
<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"> • Student Assessment and Testing examination rooms, Academic Advising Center • Other rooms or facilities on campus when national testing is taking place
<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"> 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. <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"> • Sun Bowl Stadium • Don Haskins Center • Magoffin Auditorium • Memorial Gymnasium • Union Cinema
<p>Properties owned or leased by the University which have existing tenant leases prohibiting weapons.</p>	<ul style="list-style-type: none"> • UTEP Graduate Business Center, Chase Building,
<p>Student housing where individuals live in shared space.</p>	<ul style="list-style-type: none"> • Miner Heights Student Housing Complex • Miner Canyon Student Housing Complex
<p>A mixed-use residence where the authorized resident resides.</p> <p>The occupant of an office to which the occupant has been solely assigned and that is not generally</p>	<ul style="list-style-type: none"> • The Hoover House

<p>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. 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.</p>	
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9.48 Carrying of Concealed Handguns on Campus (Campus Carry)

I. POLICY STATEMENT

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~~Handguns or the carrying (concealed or open) of any other firearms.

II. RATIONALE

This policy establishes guidelines and procedures for the implementation of Texas State Senate Bill No. 11, popularly known as the “~~campus carry~~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.

III. SCOPE

This policy applies to all faculty, staff, students, visitors, volunteers, contractors, prospective students and parents of prospective students, as well as 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, (UTSAPD), other commissioned police officers as defined in article 2.12 of the Texas Code of Criminal Procedures, and federal law enforcement officers.

IV. WEBSITE ADDRESS FOR THIS POLICY

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

V. RELATED STATUTES, POLICIES, REQUIREMENTS OR STANDARDS

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](#)~~
- E. [Student Code of Conduct](#)

Other Policies & Standards

- ~~F. [Senate Bill 11](#)~~
- F. [Texas Government Code Section 411.2031](#)
- 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](#)

VI. CONTACTS

If you have any questions about HOP ~~policy~~, [9.48, Carrying of Concealed Handguns on Campus Carry](#), contact the following ~~offices~~office:

UTSA Police Department
210-458-4242

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

VII. DEFINITIONS

Campus: (as defined by ~~SB 11~~[Section 411.2031 of the Texas Government Code](#)) 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.

License to Carry a Concealed Handgun License ~~(CHL/LTC)~~: A valid and current [License to Carry a 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~~[\(formerly called Concealed Handgun”\)](#) [License](#))

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.

Holder of License to Carry a Concealed Handgun (License Holder) – Anyone appearing on UTSA Campuses with a valid, current LTC.

Open Carry: Visible possession of a Handgun in public.

Premises: Consistent with Section 46.035(f) (~~s~~3) 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 ~~guns~~ 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 repellents. Possession of chemical repellants labeled for police use only or for law enforcement use only are restricted to law enforcement.

VIII. RESPONSIBILITIES

A. **Holder of License to Carry a Concealed Handgun (License Holder)**

1. While UTSA will employ all reasonable means to clearly delineate Exclusionary Zones by signage in ~~accordance~~ accordance 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 the Handgun at all times ~~the Handgun~~.
4. Must not leave the Handgun unattended or unsecured.

B. President

1. Designates ~~gun free zones~~Exclusion Zones on ~~campuses~~Campuses in accordance with Senate Bill 11, Section 411.2031 of the Texas Government Code.
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~~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.

E. Faculty and Staff

1. Faculty and staff who occupy an office that has been solely assigned to him or her and that office is not generally open to the public may prohibit the concealed carry of a handgun in that office. Such faculty and staff must provide verbal notice that the concealed carry of a handgun in the occupant's office is prohibited, and, when feasible, they also should provide such notice in writing. In addition, if the job duties of such faculty and staff ordinarily entail meeting people who may be license holders, they will make reasonable arrangements to conduct meetings in another location.
2. All Faculty and Staff must complete mandatory Campus Carry training.

F. Student

1. Completes mandatory Campus Carry training.

IX. PROCEDURES

C.A. General Provisions

1. Subject to applicable Texas or federal laws and rules adopted by UTSA, individuals holding a valid ~~CHL~~LTC or the ~~new~~former state designation for the same, Concealed Handgun License to Carry (LTC)(CHL), 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~~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~~accordance with Texas law, it is the responsibility of the ~~Concealed Handgun~~ 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~~LTC 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~~LTC 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~~LTC status.
5. UTSA will not provide gun storage on ~~campuses~~. ~~CHL~~Campuses. LTC 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~~LTC Holder so that, without materially changing his/her position, the ~~CHL~~LTC Holder could get his/her hand on it. UTSA recommends the use of holsters or protective covers.

~~8.6~~. ~~CHL~~LTC 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~~LTC 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.

~~D.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 ~~CHLTC~~ Holders may not carry. Signage will be provided for these areas, using the required wording.

~~E.~~ **Training and Awareness**

~~C.~~ **Training**

Mandatory training regarding information about the Campus Carry Law and procedures for responding to violations or associated emergencies will be provided to: faculty, staff and students.

~~0. Students by the Office of the Vice President for Student Affairs~~

~~0. Faculty and Staff by the Office of the Vice President for Business Affairs~~

~~I.D.~~ **Compliance, Violations and Enforcement**

1. Compliance is the responsibility of all persons on UTSA Campuses. It is the responsibility of the ~~CHLTC~~ Holder to know, understand, and follow this policy and applicable laws while on UTSA Campuses. ~~CHLTC~~ 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.

~~5.4.~~ 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-Standards.~~

X. SPECIAL INSTRUCTIONS FOR INITIAL IMPLEMENTATION

None

XI. FORMS AND TOOLS/ONLINE PROCESSES

None

XII. APPENDIX

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

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Appendix A

Specific Building/Location	Information/Background	Applicable Laws and Regulations	Makeup of Campus Population	Safety Considerations	Unique Environment
General Policy Recommendations					
Campus storage for weapons will not be provided by UTSA.	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 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 allows the University President to establish reasonable rules, regulations, or other provisions regarding the carrying of concealed handguns by license holders on campus. Texas Penal Code 46.03.	All license holders must meet requirements established by the Texas Government Code to obtain their license, which includes training on how to safely store and secure their firearm. Therefore individuals are responsible for maintaining ownership and control of their handgun and making appropriate decisions relating to gun storage when the handgun is not on or about their person.	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. Existing lockers, cabinets, closets and furnishings are property of UTSA and do not meet the definition of providing safe and secure storage for handguns.	The 1995 Concealed Handgun License legislation and the new open carry legislation provide the foundation for Senate Bill 11. They do not require storage be provided for license holders.
Polling locations- TBD	Areas for which federal and/or state law requires exclusion or in which weapons are prohibited by an accrediting authority.	Penal code -Section 46.03	General public and including all students, faculty and staff.		
Locations where alcohol is being served under a TABC license.	Areas for which state law requires exclusion.	Texas Penal Code § 46.035(b)(1), provides: (b) A license holder commits an offense if the license holder intentionally, knowingly, or recklessly carries a handgun under the authority of Subchapter H, Chapter 411, Government Code, regardless of whether the handgun is concealed or carried in a shoulder or belt holster, on or about the license holder's person: (1) on the premises of a business that has a permit or license issued under Chapter 25, 28, 32, 69, or 74, 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, as determined by the Texas Alcoholic Beverage Commission under Section 104.06, Alcoholic Beverage Code. By analogy and extension, recommend that all location on campus where alcohol is sold be designated as an exclusion zone.	General public and including all students, faculty and staff.		

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Meeting room in which a governmental entity is holding an open meeting subject to the Texas Open Meeting Act.	Occasionally the campus may hold for the benefit of a governmental entity an "open meeting" subject to Chapter 551, Governmental Code	Senate Bill 273	General public		
Faculty or Staff Offices not generally open to the public that are occupied by a single occupant and the occupant chooses to designate their office as an Exclusion Zone.	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.	Senate Bill 11 allows the University President to establish reasonable rules, regulations, or other provisions regarding the carrying of concealed handguns by license holders on campus. In addition, the law has traditionally vested the occupant of an office with substantial control over his or her office space.	General public and including all students, faculty and staff.	Occupants of offices that are designated as exclusion zones must provide visitors verbal notice that the concealed carry of a handgun in the office is prohibited. When feasible, that notice also should be provided in writing. 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.	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. Faculty and staff offices have traditionally been places where members of the university community can have open dialogue. There is concern that permitting the carrying of handguns in offices will inhibit open dialogue especially when discussing difficult and sensitive issues. 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.
None	Training materials to guide students in the general understanding of rules, regulations or other provisions surrounding carrying of concealed handguns on campus would be useful. A public awareness campaign by University Communications would also be beneficial.	Senate Bill 11 allows the University President to establish reasonable rules, regulations, or other provisions regarding the carrying of concealed handguns by license holders on campus.	All students would be impacted by requirement to view training materials at least once that were developed for campus carry.	Safety tips and guidelines would be referenced in training materials. Reporting violations would also be covered in materials.	
None	Training materials to guide faculty and staff in the general understanding of rules, regulations or other provisions surround carrying of concealed handguns on campus would be useful. A public awareness campaign by University Communications would also be beneficial.	Senate Bill 11 allows the University President to establish reasonable rules, regulations, or other provisions regarding the carrying of concealed handguns by license holders on campus.	All faculty and staff would be impacted by requirement to view training materials as a function of holding a position with UTSA.	Safety tips and guidelines would be referenced in training materials. Reporting violations would also be covered in materials.	

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Recommended as an Exclusionary Area: Locations Providing Counseling and Health Services					
Student Health Services and Counseling Services Offices within the Recreation Wellness Center and Buena Vista Building	These offices provide patient care for general health services and mental health services for all registered students. The Center conducts services including diagnosing, dispensing pharmacy items and also providing 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 and by analogy and extension; it is recommended that all patient care areas be exclusion zones.	Services are provided to all registered students.	Services are provided to students that may require a physical examination of the body which could require removal of handgun. Mental health services are being provided to those that may be under stress or experiencing mental and behavioral health issues which could create a concern for safety of students and staff of these offices.	Client treatment areas in this location are equivalent to those excluded in the referenced legislation.
Durango Building- Sarabia Family Counseling Center	The Sarabia Family Counseling Center provides clinical services, education and research. They provide counseling services for social, emotional and relational functioning through supervised clinical training.	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 on which a school sponsored activity is being conducted.	Services are provided to the public, many of whom are school-age children or their family members as the Center offers services to the community. Students provide these services in a supervised clinical setting.	Services are provided to patients who are experiencing mental and behavioral health problems to include 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.
Recommended as an Exclusionary Area: Location Providing Childcare for Minor Children					
Durango Building- Teacher Education Autism Model	The Center provides training to teachers for procedures used in teaching children with Autism Spectrum Disorders and other intellectual disabilities. Children and adolescents are serviced at this center during supervised field experience for UTSA students.	Senate Bill 11 allows the University President to establish reasonable rules, regulations, or other provisions regarding the carrying of concealed handguns by license holders on campus. Texas Penal Code 46.03.	This facility serves young as well as adolescent children. The Center serves the public including the families of the children.	Given the population served, there are significant concerns about a child having the ability to access a firearm.	This location is in a unique setting to serve children and their families.
Buena Vista Building-The Reading Place	The Center offers assistance with reading and writing to area children. Also the center provides training to UTSA students through teaching experiences with children.	Senate Bill 11 allows the University President to establish reasonable rules, regulations, or other provisions regarding the carrying of concealed handguns by license holders on campus. Texas Penal Code 46.03.	This facility serves school aged children and UTSA students.	Given the population served, there are significant concerns about a child having the ability to access a firearm.	This location is in a unique setting to serve children.

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August 24-25, 2016 Meeting of the U. T. System Board of Regents - Meeting of the Board

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TBD locations in buildings, campus owned residential facilities, dining facilities or any area of campus as needed when serving Summer or Youth related Camps and events.	The campus provides youth (minors) with camps and engagement activities throughout the year and in structured summer programs.	Senate Bill 11 allows the University President to establish reasonable rules, regulations, or other provisions regarding the carrying of concealed handguns by license holders on campus. Texas Penal Code 46.03. The Texas Penal Code prohibits weapons in pre-K thru 12 schools and on grounds/buildings where school-sponsored activities are being conducted. By analogy and extension, on-campus summer/youth camps whose participants are children under the age of 18 should be exclusion zones.	These locations serve school aged children and UTSA students.	Given the population served, there are significant concerns about a child having the ability to access a firearm.	The locations may and will be unique to the activity conducted. Temporary provision will be made for signage and notices to the general public when an event is taking place.
Institute for Texan Cultures (ITC)	Over the course of a year this history and cultural museum provides activities for numerous area school districts to actively conduct tours and learning activities on the campus of ITC.	Senate Bill 11 allows the University President to establish reasonable rules, regulations, or other provisions regarding the carrying of concealed handguns by license holders on campus. Texas Penal Code 46.03.	This facility serves school aged children from various school districts. As well the facility is open to the general public as a museum and cultural center. Many of the visitors are families visiting with their children as well as UTSA faculty, staff and students.	Given the population served, there are significant concerns about a child having the ability to access a firearm.	Additionally, there are many exhibits that contain rare and irreplaceable materials of historical significance that could be damaged in the event of an accidental firearm discharge.
Child Development Center	The Center provides child care services for infant to 4 year olds.	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 4 year old 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.

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John Peace Library (JPL) Dining Services	The campus provides youth(minors) with official tours on a daily basis. The JPL or Roadrunner Café Dining Services are often utilized by campus tour groups.	Senate Bill 11 allows the University President to establish reasonable rules, regulations, or other provisions regarding the carrying of concealed handguns by license holders on campus. Texas Penal Code 46.03. The Texas Penal Code prohibits weapons in pre-K thru 12 schools and on grounds/buildings where school-sponsored activities are being conducted. By analogy and extension, on-campus official tours whose participants are children under the age of 18 should be exclusion zones.	This facility serves school aged children and UTSA students.	Given the population served, there are significant concerns about a child having the ability to access a firearm.	It's impractical to place temporary signage for an exclusion zone given the numerous tour groups in this location at multiple times during the day.
Roadrunner Café Dining Services	The campus provides youth(minors) with official tours on a daily basis. The JPL or Roadrunner Café Dining Services are often utilized by campus tour groups.	Senate Bill 11 allows the University President to establish reasonable rules, regulations, or other provisions regarding the carrying of concealed handguns by license holders on campus. Texas Penal Code 46.03. The Texas Penal Code prohibits weapons in pre-K thru 12 schools and on grounds/buildings where school-sponsored activities are being conducted. By analogy and extension, on-campus official tours whose participants are children under the age of 18 should be exclusion zones.	This facility serves school aged children and UTSA students.	Given the population served, there are significant concerns about a child having the ability to access a firearm.	It's impractical to place temporary signage for an exclusion zone given the numerous tour groups in this location at multiple times during the day.

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Recommended as an Exclusionary Area: Locations Primarily Used for NCAA, UIL or Professional Sports Events					
Convocation Center, Park West Athletic Complex, Main Campus Baseball, Softball and Tennis Complexes.	This Convocation Center is home to NCAA women's volleyball, women's basketball, and men's basketball teams; and occasionally hosts other UIL State competitions. The Park West Athletic Complex is home to NCAA women's and men's track and women's soccer teams and, as well, will occasionally host other county/city sporting events. The Main campus is home to NCAA women's softball and tennis as well as men's baseball and tennis teams.	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.	UTSA students, faculty and staff attend or participate in events and practices, as does the general public.	For safety purposes, the Texas Penal Code, NCAA and UIL all prohibit the possession of weapons at facilities hosting designated events. The majority of events held at these locations are NCAA or UIL events or practices.	Large capacity NCAA and UIL events are hosted at these venues. These events require safety and security plans to be in place to provide a safe environment. UTSA Police are onsite for most events.
Recommended as an Exclusionary Area: Locations with Special or Unique Uses					
Physical Education Building (PEB) and Athletic annex buildings	The PEB houses a weight room, lockers and treatment facilities for athletic related injuries or examinations.	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. Due to the type and level of activity conducted in these locations it would be impractical for a license holder to ensure their firearm remained in a concealed condition.	The locations are available to all UTSA students, faculty and staff.	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 display of the firearm. It would also require additional handling of the firearm, increasing the possibility of an accidental discharge. Also poses risk of theft of guns from lockers.	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, although some 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.
Recreation Wellness Center (RWC) and Intramural outdoor playing fields	The RWC houses a gymnasium, indoor/outdoor basketball/volleyball courts, racquetball/badminton courts, game room, table tennis, climbing wall, locker rooms, classrooms and offices. A number of competitive events are held at the center and the fields.	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 UTSA students, faculty and staff. They are also available to the public, and could be utilized by independent school districts and other organizations who 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 display of the firearm. It would also require additional handling of the firearm, increasing the possibility of an accidental discharge. Also poses risk of theft of guns from lockers.	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, although some 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.

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John Peace Library (JPL) - Special Collections area only	The JPL special collection houses materials of special value so that access to the area is restricted.	Senate Bill 11 allows the University President to establish reasonable rules, regulations, or other provisions regarding the carrying of concealed handguns by license holders on campus.	The locations are available to all UTSA students, faculty and staff. They are also available to the public.		The JPL special collections contains materials that are rare and in many cases irreplaceable. An accidental discharge could cause damage to the materials.
University Resident Halls or Housing units that are deemed to not provide a private room/space for the student.	Residence hall units which do not provide a private room and so the "room" portion of the housing unit is shared by residents and could subject a resident to having a firearm in his or her "room" with no choice. This could be even more problematic given that no university firearm storage will be provided in any facility, as such residents would have to rely upon their roommates to provide their own secure storage.	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.	Primary student body that resides in Housing is under 21 and therefore not eligible to be a licensed concealed handgun holder.	Without secure location to store firearms there would be opportunity for the handguns to be stolen or tampered with by other students within the space or building.	Most of the students living in housing are not eligible to obtain a concealed handgun license because they are under 21. The majority of rooms on campus are rooms that are shared and therefore not private. UTSA Housing and Residence Life will provide UTSA students, residing in a university owned residence hall, housing options where campus carry is allowed.
Summer Camps & Orientation Events (May - August) in University Owned Residence Halls	Significant number of orientation and summer camp participants have an opportunity to reside in on-campus, UTSA owned residence halls during the summer, with many of these users being in grades K-12 along with family and children as participants during orientation.	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. Families with children typically attend orientation along with their prospective UTSA student.	During fall and spring semesters, license holders in university owned housing in which firearms are allowed must have their firearm on or about their person, or they must safely secure or store their firearm to prevent tampering or theft. During the summer semesters, the majority of housing occupants are K-12 students or Families attending Orientation. This population and the activities these minor children participate in are the same or similar to those governed by the Penal Code.	This location is in a unique setting to serve children and their families.
Single Location (TBD) - Official Proceedings and Hearings locations	These meetings/hearings can be emotionally charged and generate a range of emotions to include; 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.	UTSA faculty, staff and students will utilize various locations for formal proceedings and hearings.	Removal or elimination of handguns in an environment that has the potential to become emotionally charged reduces safety concerns for all attendees.	There are numerous processes/hearing events such as faculty or staff grievance, faculty appeals of tenure, student grievance, personnel discipline or dismissal, student conduct and community standards, fitness to practice review and research misconduct. Meetings and events associated with these processes are not unlike those associated with court hearings where handguns are not allowed in accordance with the Texas Penal Code.

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Office of Equal Opportunity Services, Office of Institutional Compliance and Risk Management, and Office of Student Conduct and Community Standards	These offices investigate potential violations of university policy and in the course of those investigations, conduct meetings that can be emotionally charged and generate a range of emotions to include; 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.	UTSA faculty, staff and students will utilize these offices.	Removal or elimination of handguns in an environment that has the potential to become emotionally charged reduces safety concerns for all attendees.	These offices investigate potential violations of university policy and in the course of those investigations, conduct meetings have the potential to become volatile.
Labs at various locations at Downtown and Main Campus	Identification of labs with combustible, flammable or other dangerous materials would be designated as exclusion zones	Senate Bill 11 allows the University President to identify areas where concealed handguns are prohibited.	General student, faculty, staff and visitors will be occupants of buildings considered mixed use containing these exclusion zones.	Areas where discharge of a handgun might cause widespread harm, such as laboratories with extremely dangerous chemicals, biological agents, or explosive agents, or equipment that is incompatible with metallic objects such as magnetic imaging machines. Also in these restrictive areas the donning on and off of protective gear is required making it necessary to potentially remove concealed firearms from a person.	All license holders must meet requirements established by the Texas Government Code to obtain their license, which does not include specific training on handling of handguns in such facilities. Impractical for building users to go in and out of numerous exclusion zones within one building.
Biosafety Labs and Vivarium	Identification of labs with combustible, flammable or other dangerous materials as well as those used in animal holding facilities for research.	Senate Bill 11 allows the University President to identify areas where concealed handguns are prohibited.	General student, faculty, staff and visitors will be occupants of buildings considered mixed use containing these exclusion zones.	Areas where discharge of a handgun might cause widespread harm, such as laboratories with extremely dangerous chemicals, biological agents, or explosive agents, or equipment that is incompatible with metallic objects such as magnetic imaging machines. Also in these restrictive areas the donning on and off of protective gear is required making it necessary to potentially remove concealed firearms from a person.	All license holders must meet requirements established by the Texas Government Code to obtain their license, which does not include specific training on handling of handguns in such facilities.
Biosciences Building	Buildings that have a mixed use in terms of those areas identified as potential exclusion zones and space that is not. Review of floor plans and building layout would show the majority of the spaces within the building are exclusion zones.	Senate Bill 11 allows the University President to establish reasonable rules, regulations, or other provisions regarding the carrying of concealed handguns by license holders on campus. Texas Penal Code 46.03.	General student, faculty, staff and visitors will be occupants of buildings considered mixed use containing these exclusion zones.	Areas where discharge of a handgun might cause widespread harm, such as laboratories with extremely dangerous chemicals, biological agents, or explosive agents, or equipment that is incompatible with metallic objects such as magnetic imaging machines.	All license holders must meet requirements established by the Texas Government Code to obtain their license, which does not include specific training on handling of handguns in such facilities. Impractical for building users to go in and out of numerous exclusion zones within one building. Designated to ensure campus safety and avoid confusion by making entire facility an exclusion zone.

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Multidisciplinary Studies Building - The Testing Center	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 UTSA students, non-UTSA 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.	These services are necessary to be accessible to our students and the public, therefore it would not be beneficial to cancel contracts with the test providers.
Bosque Building - University Police space	University Police space within Bosque building has restricted access for entering the offices as well as the investigative rooms.	SB 11 allows the University President to identify areas where concealed handguns may be prohibited.	University Police require that access their spaces be restricted due to the nature of the work performed. No restrictions would be placed on the lobby area serving the general public and students, faculty and staff.	The University Police department detains suspects that could become violent and seize opportunities to remove handguns from those that are legitimate licensed handgun carriers. Additionally, during investigative matters it would be disruptive to the police processing to have others within their confined space with handguns.	Police department seeks to minimize unnecessary harmful events from occurring. No storage facility will be available for license holders if they arrive at the Police department with a firearm.
Central Receiving Warehouse	Receiving has deliveries and short term storage of combustible or dangerous materials in the warehouse building pending delivery to various labs on campus.	SB 11 allows the University President to identify areas where concealed handguns may be prohibited.	Limited access or visits to the warehouse occurs from the campus community most days.	Areas where discharge of a handgun might cause widespread harm, such as storage of extremely dangerous chemicals, biological agents, or explosive agents, or equipment that is incompatible with metallic objects such as magnetic imaging machines.	All license holders must meet requirements established by the Texas Government Code to obtain their license, which does not include specific training on handling of handguns in such facilities.

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.

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 UTSA. At all times, the handgun must be on or about the license holder's body or secured and concealed safely.

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; The Oaks Apartments, Chisholm Hall, Follett Bookstore. 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. A review of the current leases requires compliance with University rules and practices, therefore these locations will follow Campus Carry rules, regulations and provisions.



UTMDACC INSTITUTIONAL POLICY # ADM1254

POLICY ON CONCEALED HANDGUN CARRIAGE ON MD-ANDERSON'S CAMPUS

DRAFT DATE: 03-1807-29-2016

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.

POLICY STATEMENT

It is the policy of The University of Texas MD Anderson Cancer Center (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 ("prior to January 2016) and Licenses to Carry a Handgun (after January 2016), collectively, "CHL Holders". for purposes of this policy. 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 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.

SCOPE

Compliance with this policy is the responsibility of all persons on MD Anderson's Campus.

TARGET AUDIENCE

The target audience for this policy is all persons on MD Anderson's Campus.

DEFINITIONS

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).~~ Per the Campus Carry Law and Texas Penal Code Section 46.03, open carriage by Handgun Licensees on MD Anderson's Campus is prohibited.

~~**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): For the purposes of this policy, a Concealed Handgun License (CHL) means any valid handgun license issued pursuant to [Subchapter H, Section 411.171 et seq., of the Texas Government Code](#) (i.e., a Concealed Handgun License (CHL), issued prior to Jan. 1, 2016, or a License to Carry a Handgun (LTC), issued on or after Jan. 1, 2016) when relied upon while on MD Anderson's Campus. Irrespective of handgun license type, Handgun Licensees must keep their Handguns concealed while on the premises of institutions of higher education, including MD Anderson's Campus.

Concealed Handgun License (CHL) Holder: ~~Anyone~~A Handgun Licensee under [Subchapter H, Section 411.171 et seq., of the Texas Government Code](#) appearing on MD Anderson's Campus ~~with a valid, current CHL and~~ carrying 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\(5\)](#)).

Handgun Licensee: Any person who holds a valid, unexpired license to carry a handgun in a concealed fashion, issued either by the Texas Department of Public Safety, or by another state whose licenses to carry a handgun are recognized as valid by the Texas Department of Public Safety. In Texas, such a license may be called a Concealed Handgun License (CHL), issued prior to Jan. 1, 2016, or a License to Carry a Handgun (LTC), issued on or after Jan. 1, 2016. Notwithstanding that a person may hold a valid, unexpired license to carry a handgun in a concealed fashion issued by another state, Handgun Licensees are expected to know and follow Texas state law and all MD Anderson rules, regulations, and policies as they pertain to carrying Concealed Handguns on Campus.

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 an 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 (AHRLC), 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.

PROCEDURE`

1.0 Policy Permissions and Violations

- 1.1 Subject to a [CHL Concealed Handgun License \(CHL\)](#) 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 [personpersons](#) 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 federal, state, and local law, as well as](#) 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/ or her** position, the CHL Holder could **getplace his/ or 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, **gun safes**) or holding services for CHL Holders. **Moreover, no person is permitted to bring a gun safe or other secured storage area onto MD Anderson’s Campus for the purpose of storing handguns.**
- 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) **at 713-792-2890.**
- 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)**).
- 1.11 Faculty members, trainees/students, other members of MD Anderson’s workforce, patients, and visitors who are CHL holders and park their vehicles in parking areas owned and managed by Texas Medical Center Corporation (TMC) are subject to the policies and standards TMC has in place for its parking areas. Review the **TMC Policy Prohibiting Firearms and Weapons on TMC Property.****

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 Participating in, donating to, attending, or conducting blood drives.

~~3.3.4~~ Handling laboratory animals.

~~3.4.5~~ Attending events on MD Anderson's Campus at which alcoholic beverages are served.

~~3.5.6~~ Attending any meeting related to proceedings made necessary by or in connection with MD Anderson's [Grievance Policy \(UTMDACC Institutional Policy # ADM0266\)](#), [Classified Employees 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.

~~3.6.7~~ Attending or participating in a ticketed sporting event on MD Anderson's Campus

~~3.7.8~~ Providing care or services to minor children.

4.0 Institutional Vehicles

4.1 Subject to ~~Section 4.2~~ **Section 4.2 and Section 4.3** below, vehicles owned or leased **by MD Anderson and operated** 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, **regardless of who operates the vehicles**, 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.

4.3 Vehicles owned and operated by a third-party vendor contracted by MD Anderson for the purpose of providing passenger transportation to MD Anderson are considered the private property of the contracted vendor. Each contracted vendor will determine whether its vehicles are considered CHL Zones or Exclusion Zones, and will communicate such to MD Anderson prior to the provision of passenger transportation services to MD Anderson.

Note: As of July 18, 2016, MD Anderson employee and patient shuttle services are operated by a third-party vendor that has deemed all its shuttles to be CHL Zones.

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 **the Institutional Compliance Office** 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 **UTUniversity of Texas** 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 **of this policy** 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.

ATTACHMENTS/LINKS

[Examples of Unacceptable Conduct and Work Performance \(Attachment # ATT1800\).](#)

Texas Government Code, Chapter 411.

~~[Texas Government Code, Section 411.171.](#)~~

[Texas Medical Center Policy Prohibiting Firearms and Weapons on TMC Property.](#)

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\(f\)\(3\).](#)~~

RELATED POLICIES

~~[Appeal Policy \(UTMDACC Institutional Policy # ADM0268\).](#)~~

[Classified Employees 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 \(UTMDACC Institutional Policy # ADM0257\).](#)

JOINT COMMISSION STANDARDS / NATIONAL PATIENT SAFETY GOALS

None.

OTHER RELATED ACCREDITATION / REGULATORY STANDARDS

None.

REFERENCES

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>.

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

Policy: INT184

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

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

Policy: INT184

7. Dates Approved or Amended

~~April 1, 2016~~

August 1, 2016

8. Contact Information

Questions or comments about this policy should be directed to:

- bor@utsystem.edu

9. U. T. System: Approval of the nonpersonnel aspects of the operating budgets and associated budget rules and procedures for Fiscal Year 2017, including the Permanent University Fund Bond Proceeds allocation for Library, Equipment, Repair and Rehabilitation Projects; allocation for the Faculty Science and Technology Acquisition and Retention Program; and allocation for land acquisition by U. T. Tyler

RECOMMENDATION

The Chancellor, with the concurrence of the Deputy Chancellor, the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Business Affairs, the Executive Vice Chancellor for Health Affairs, and the presidents of the U. T. System institutions, recommends that the nonpersonnel aspects of the U. T. System Operating Budgets and associated Budget Rules and Procedures for Fiscal Year (FY) 2017, including Educational and General Funds, Auxiliary Enterprises, Grants and Contracts, Designated Funds, Restricted Current Funds, and Medical, Dental, Nursing, and Allied Health Faculty Services, Research and Development Plans, as summarized below, be approved for funding and implementation during FY 2017.

In making this recommendation, the Chancellor seeks the Board's understanding that the ongoing U. T. System Administration strategic assessment and organizational review may impact determinations about the priority of funding and staffing for the projects and initiatives included in the recommended U. T. System Administration budget. He requests that the Board agree that, should any previously approved projects or funding allocations be identified as not consistent with the strategic assessment or not clearly identified as an effective mission for the U. T. System Administration, he be allowed the flexibility to reallocate or eliminate those projects and funding in the approved budget.

The Chancellor also recommends that the Board approve the U. T. System Administration budget as outlined in the presentation with the understanding it is a goal that the total U. T. System Administration budget will be reduced by 130 budgeted full-time equivalent (FTE) employees and associated cost savings, through a combination of the previously approved Voluntary Separation Incentive Program, outsourcing, and a potential reduction in force. The target date for completion of this reduction is the end of FY 2017.

It is further recommended that the Chancellor also be authorized to make nonsubstantive editorial corrections to the approved budget, and that subsequent adjustments be reported to the U. T. System Board of Regents through the Consent Agenda subject to the requirements of the Budget Rules and Procedures. The Chancellor will present the following recommended items:

- FY 2017 Operating Budget
- FY 2017 Reserve Allocations for Library, Equipment, Repair and Rehabilitation (LERR)
- FY 2017 Reserve Allocations for the Faculty Science and Technology Acquisition and Retention (STARs) program

It is recommended that Permanent University Fund (PUF) Bond Proceeds in the amount of \$35 million be appropriated directly to the institutions to fund LERR projects for FY 2017.

It is also recommended that \$30 million of PUF Bond Proceeds be appropriated through the Faculty STARs program to provide additional funding to build and enhance research infrastructure to attract and retain the best qualified faculty. Through a competitive proposal process determined by U. T. System Administration, funds will be distributed for the purpose of recruiting or retaining top researchers.

It is also recommended that \$2 million of PUF Bond Proceeds be appropriated to U. T. Tyler to acquire two key pieces of land consistent with the institution's strategic plan to accommodate future growth.

BACKGROUND INFORMATION

A supplemental volume of the budget materials titled "Operating Budget Summaries and Reserve Allocations for Library, Equipment, Repair and Rehabilitation and Faculty STARs" was provided to all Regents prior to the meeting and is available online at <http://www.utsystem.edu/board-of-regents/meetings/board-meeting-2016-08-24>. That volume also contains the Budget Rules and Procedures for FY 2017. The Board approved the Budget Rules and Procedures for FY 2016 on August 20, 2015, as part of the operating budgets for FY 2016. The Board approved amendments to a portion of those Budget Rules and Procedures on February 11, 2016, and there are no substantive amendments to that portion of the Budget Rules and Procedures for FY 2017.

The Annual Operating Budget and appropriation of PUF Bond Proceeds presented in the Fiscal Year 2017 LERR Budget along with Faculty STARs are subject to the approved budget rules and the requirements of the U. T. Systemwide Policy, *UTS168 Capital Expenditure Policy*. The allocation of LERR funds to the U. T. System institutions was developed from prioritized lists of projects submitted by the institutions and reviewed by U. T. System Administration staff. Additionally, PUF Bond Proceeds appropriated above to LERR and Faculty STARs must be spent in accordance with the Article VII, Section 18 of the Texas Constitution. PUF Bond Proceeds may only be used for the purpose of acquiring land either with or without permanent improvements, constructing and equipping buildings or other permanent improvements, major repair and rehabilitation of buildings and other permanent improvements, acquiring capital equipment, and acquiring library books and library materials.

See Agenda Item 10 below and also the Executive Session items related to the individual personnel aspects of the U. T. System Operating Budgets (Items 3a through 3c).

10. **U. T. System: Discussion and appropriate action regarding personnel aspects of the U. T. System Administration operating budget for Fiscal Year 2017**

RECOMMENDATION

The Chancellor concurs with the Deputy Chancellor, the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Health Affairs, and the Executive Vice Chancellor for Business Affairs that approval be granted regarding personnel aspects of the U. T. System Administration operating budget for Fiscal Year 2017 as included in the previous agenda item (Item 9).

See also the Executive Session items related to the individual personnel aspects of the U. T. System Operating Budgets (Executive Session Item 3a through 3c).