

**University of Arkansas System Division of Agriculture
WEAPONS POLICY**

UA SYSTEMWIDE POLICIES AND PROCEDURES (UASP) 290.1, "WEAPONS", prohibits the possession, discharge, or other use of any weapon on the grounds or in the buildings of any campus, division, unit or other area controlled by the University of Arkansas System, except that a handgun may be possessed by an individual who has a concealed handgun permit and has completed enhanced certification training in accordance with Ark. Code Ann. § 5-73-322(g). Further, UASP 290.1 prohibits the storage of any weapon, including handguns, at any location owned or operated by any campus, division or unit of the University of Arkansas System, except that a concealed handgun licensee (with or without the enhanced certification) may store a concealed handgun in the licensee's locked and unattended motor vehicle.

Definitions

A "weapon," as defined in UASP 290.1, means "any object designed or used for inflicting bodily harm or physical damage. Weapons include, but are not limited to: firearms, air pistols, air rifles, fireworks, incendiary devices, knives with a blade length of four inches or greater, blackjacks, metal knuckles, bows, arrows, nunchucks, tasers or other electrical stun devices, or any other such offensive objects."

A "handgun" is defined in *Ark. Code Ann. § 5-73-301* as "any firearm, other than a fully automatic firearm, with a barrel length of less than twelve inches (12") that is designed, made, or adapted to be fired with one (1) hand." A concealed handgun must be covered from observation so as to prevent public view. *Id.*

Exceptions

Carrying a concealed weapon at grievance or disciplinary meetings conducted in accordance with certain specifications of Act 562 is prohibited, whether or not a person obtains an enhanced concealed carry license. In accordance with Ark. Code Ann. §§ 5-73-306 and -322, the Division shall post appropriate signage prohibiting the carrying of concealed handguns when such grievance or disciplinary meetings are to be held.

Division-Specific Exceptions

UASP 290.1 authorizes each campus, division and unit of the UA System to establish policies that create other specific exemptions permitting the use and storage of weapons related to the scope of an individual's employment or to regular educational or recreational activities conducted under the supervision of appropriate university personnel. Campus policies established under this subsection must be reviewed by the Office of General Counsel.

Accordingly, the following Division-specific exceptions to UASP 290.1 are authorized for Division purposes:

- The possession, use, and storage of tools, implements, equipment, and other items (including knives) that may otherwise fall within the definition of “weapon” as set forth in UASP 290.1, but are needed for conducting Division field and laboratory operations;
- The possession, use, and storage of firearms, air pistols, air rifles, and bows and arrows for 4-H shooting sports purposes;
- The possession, use, and storage of firearms on Division property, by designated Division personnel, for protection against wildlife, euthanasia of severely injured or diseased animals in accordance with American Veterinary Medical Association guidelines, harvesting of animals for research purposes in accordance University of Arkansas Institutional Animal Care & Use Committee (IACUC) approved procedures, and for the elimination of nuisance animals within Arkansas Game and Fish Commission (AGFC) regulations.
- Additionally, neither UASP 290.1 nor this Division Weapons Policy shall apply to Division land managed by the AGFC as a Wildlife Management Area, provided such possession and use of weapons are done in accordance with applicable law and AGFC regulations.
- Likewise, neither UASP 290.1 nor this Division Weapons Policy shall preclude station or resident directors who reside on Division property from the legal possession and storage of unloaded weapons in their residence.

***** Firearms permitted for any of the above-listed Division purposes shall not be loaded when possessed or stored within any Division building or facility. Other than a concealed handgun in the possession of a licensed concealed carry holder with an enhanced certification, loaded firearms are prohibited within all Division buildings and facilities. *****

Conduct of Licensed Concealed Carry Holders with Enhanced Certifications

Ark. Code Ann. §§ 5-73-322(j) specifies that unless an employee is required to carry a concealed handgun as part of the employee’s specific job duties, any possession or use of a concealed handgun by the employee is not considered to be within the scope of employment with the University. As such, any Division employee who chooses to possess or use a concealed handgun is acting in the employee’s individual capacity and not as an agent of the University, and is not immune from personal liability with respect to possession or use of the concealed handgun. If the employee is injured by his or her own negligence in possessing or using a concealed handgun in the workplace, he or she will not be entitled to worker’s compensation.

A person with a license and enhanced certification to carry a concealed handgun on campus:

1. Must comply with all relevant federal or state laws;
2. Must conceal the weapon at all times;
3. Must maintain possession and control of the weapon at all times, unless the weapon is stored in a locked and unattended vehicle;

4. May not intentionally display or use the handgun in a threatening manner unless such display or use is allowed by federal or state law; and
5. May not discharge a concealed handgun on the grounds or in the building of any campus, division, unit or other area controlled by the University of Arkansas System unless such discharge is allowed by law.

Enforcement

Violations of the weapons policy or state law, including violations regarding carrying concealed handguns, may result in disciplinary action, up to and including termination for employees and/or possible criminal charges.

Violations of the weapons policy or state law, including violations regarding carrying concealed handguns by contractors or visitors may result in the violator being removed from the Division and could lead to criminal charges.

This policy also does not apply to:

1. Law enforcement officers or other security personnel employed or contracted by a campus, division or unit of the UA System who are specifically authorized to carry a weapon in the scope of their employment.
2. Non-university law enforcement officers employed by local, state or federal law enforcement agencies engaged in work on university property and required to carry a weapon in the scope of their duties.