

Concealed Carry at Arkansas Tech University

Frequently Asked Questions

Background

1. **What is Act 562 of 2017?** The Act (commonly referred to as House Bill 1249 or the “Campus Carry”) allows a concealed-carry licensee to attain a newly created concealed-carry endorsement that would enable the individual to carry a concealed handgun on the campus and in the buildings of a public university and various other places including state offices, subject to some exceptions.
2. **What is Act 859 of 2017?** The Act prohibits a concealed-carry licensee from carrying a handgun into designated firearm-sensitive areas such as UAMS or a “collegiate athletic event.”

Eligibility to Carry

3. **Who is eligible to carry a handgun on Arkansas Tech University property?** Act 562 of 2017 does not allow everyone to carry a handgun on Arkansas Tech property. This Act only concealed-carry licensees that have completed the additional training) and received a concealed-carry endorsement are eligible to carry a handgun on Arkansas Tech property.

A.C.A. §5-73-306(13)(B)(v) allows a concealed carry permit holder have a handgun in his or her motor vehicle that is in a public university parking lot, so long as the vehicle is locked and unattended.

A concealed-carry licensee must be twenty-one (21) years or older or eighteen (18) years of age and (a) currently a federally recognized commissioned or non-commissioned officer or an enlisted member on active duty in the United States Armed Forces, (b) in the National Guard or a reserve component of the United States Armed Forces, or (c) a former member of the United States Armed Forces that has been honorably discharged under Ark. Code Ann. § 5-73-309.

4. **Are concealed-carry licensees required to complete firearm training before carrying a handgun on Arkansas Tech property?** Yes, Ark 562 of 2017 requires a concealed-license endorsement, which a concealed-carry licensee cannot obtain without first completing a training course approved by the Director of the Department of Arkansas State Police. The training shall consist of eight (8) hours with up to four (4) hours waived based on the licensee’s prior training within the past ten (10) years.
5. **What types of weapons may eligible concealed-carry licensees carry?** Only handguns. Ark. Code Ann. § 5-73-309 defines handguns 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.”
6. **Can a person whose concealed-carry license was issued by another state carry a handgun onto Arkansas Tech property?** No. The concealed-carry licensee must have the Arkansas enhanced carry endorsement.

Manner of Carrying and Storage

7. **Do handguns have to be concealed when carried on Arkansas Tech property?** Yes. Concealed-carry licensees shall not carry a handgun openly or in any other manner in which the handgun is visible to ordinary observation by a reasonable person or in public view.
8. **What should I do if I see a handgun and feel threatened?** Any concerns about violations of the concealed handgun carry law should be brought to the immediate attention of the Department of Public Safety. Emergencies should be reported to law enforcement by call 911.
9. **Can an employee or student store a handgun on University property?** The only place that a concealed-carry licensee can store a handgun while on University property is in a locked and unattended motor vehicle on a publicly owned and maintained parking lot of the university. A concealed-carry licensee **cannot**:
 - **Store a handgun in a university or college-operated student dormitory or residence hall.** Act 562 of 2017 prohibits “[t]he storage of handguns in a university or college-operated student dormitory or residence hall.”
 - **Store a handgun in a locked office or desk drawer. When I leave my office, am I allowed to leave my handgun in my purse in a locked desk drawer?** No. You are required to keep the handgun in the same room and immediate vicinity (within arm’s reach) at all times, unless you are entering a location on University property where carrying it is prohibited. In that case, you should secure the handgun in your motor vehicle and store it in compliance with Ark. Code Ann. § 5-73-324.
 - **Store a handgun in a book bag or purse. Is it okay to leave my bag or purse containing a handgun unattended while I use the restroom, complete a lab, or complete some other task?** No. You are required to keep the handgun in the same room and immediate vicinity (within arm’s reach) at all times, unless you are entering a location on University property where carrying it is prohibited. In that case, you should secure the handgun in your motor vehicle and store it in compliance with Ark. Code Ann. § 5-73-324.

Locations

10. **May concealed-carry licensees carry a handgun . . .**
 1. **on all campuses, institutes, and other public universities across the state?** Yes, if, prior to carrying the handgun, the concealed-carry licensee obtains the concealed-carry endorsement and complies with certain exceptions (designated firearm-sensitive area, storage in residence halls/dormitories).
 2. **in an Arkansas Tech vehicle?** Yes, if, prior to carrying the handgun, the licensee obtains the concealed-carry endorsement.
 3. **in an Arkansas Tech classroom?** Yes, if, prior to carrying the handgun, the licensee obtains the concealed-carry endorsement.

4. **in an Arkansas Tech laboratory?** Yes, if, prior to carrying the handgun, the licensee obtains the concealed-carry endorsement.
 5. **in an Arkansas Tech office that is located on property that Arkansas Tech is leasing from another entity?** Yes, if, prior to carrying the handgun, the licensee obtains the concealed-carry endorsement. Act 562 of 2017 explicitly addresses property leased by the University.
 6. **at an Arkansas Tech meeting held on property that Arkansas Tech is renting from a private property owner (e.g., hotel conference room)?** Yes, unless the private property owner has prohibited the carrying of firearms on the property.
 Example: An Arkansas Tech employee, while acting within the course and scope of Arkansas Tech employment, attends an Arkansas Tech - organized meeting being held in a hotel conference room in Little Rock, Arkansas. The employee shall not carry a handgun if the hotel has posted a notice prohibiting firearms on its property.
11. **May a full-time faculty member carry a handgun while they are teaching a course?** Yes, if the faculty member has a (1) a concealed carry license and (2) a concealed-carry endorsement.
 12. **May a concealed-carry licensee carry a handgun to a “collegiate athletic event?”** Act 859 prohibits a concealed-carry licensee with the endorsement from carrying in a posted firearm-sensitive area located at a “collegiate athletic event.” A “collegiate athletic event” means “a sporting or athletic contest, event, or practice of an individual or team of individuals sponsored by, funded by, represented by, or associated with a public or private university, college, community college competes against themselves or another individual or team of individuals.”

 Arkansas Tech will submit a security plan to the Department of the Arkansas State Police for designation of certain areas as a firearm-sensitive area. Upon approval, Arkansas Tech shall post a notification at all firearm-sensitive areas that possession of a concealed handgun is prohibited.
 13. **Is a security plan submitted to the Director of the Department of the Arkansas State Police subject to public disclosure?** No. Act 859 exempts a security plan from public disclosure under the Freedom of Information Act of 1967.

Exemption Regarding Grievance and Disciplinary Hearings

14. **Are concealed-carry licensees with the proper endorsement prohibited from carrying a handgun in a meeting about a grievance or disciplinary matters, and if so, what meeting does that cover?** A concealed-carry licensee may not carry a concealed handgun to a documented grievance or disciplinary procedure at Arkansas Tech if at least 24-hours’ notice is given to the participants, notice is posted on the doors of the location of the meeting that a concealed weapon is prohibited, and the area of the building prohibited is no larger than necessary to complete the grievance or disciplinary matter. The official meeting cannot last more than nine (9) hours.
15. **If a concealed-carry licensee is asked to attend a disciplinary meeting, what should the concealed-carry licensee do with his/her handgun?** If the concealed-carry licensee knew or reasonably should know that a grievance or disciplinary matter will be discussed and a timely notice is posted, then he or she should take the handgun to his/her motor vehicle and store it in compliance with Ark. Code Ann. § 5-73-324.

16. **If a concealed-carry licensee is asked to attend a meeting and an unanticipated disciplinary matter arises during the meeting, what should the concealed-carry licensee do with his/her handgun?** A concealed-carry licensee is only prohibited from carrying a handgun to a grievance or disciplinary procedure at Arkansas Tech if at least 24-hours' notice is given to the participants, notice is posted on the doors of the location of the meeting that a concealed weapon is prohibited, and the area of the building prohibited is no larger than necessary to complete the grievance or disciplinary matter. The official meeting cannot last more than nine (9) hours.

Immunities and Risk

17. **Are employees who carry a handgun pursuant to a concealed-carry license with the proper endorsement considered within the scope of their employment?** No, the decision to carry a concealed handgun is a personal choice made by the employee and not a requirement of Arkansas Tech. The only exception is officers with the Arkansas Tech Department of Public Safety who are required to carry a concealed handgun as part of their job description.
18. **Are employees who carry a handgun pursuant to a concealed-carry license with the proper endorsement entitled to worker's compensation benefits for injuries arising from his or her own negligent acts in possessing or using a concealed handgun?** No. Act 562 of 2017 explicitly prohibits coverage.
19. **Are concealed-carry licensees who carry a handgun pursuant to a concealed-carry license with the proper endorsement immune from personal liability with respect to possession or use of a concealed handgun?** No. Act 562 of 2017 explicitly excludes immunity.

Interactions with Concealed-Carry Licensees

20. **May individual faculty or staff members post signage that prohibits handguns in their offices or tell/ask a concealed-carry licensee not to bring a handgun into the office?** No. Act 562 of 2017 allows a concealed-carry licensee with the proper endorsement to carry a handgun in the buildings or on the grounds of Arkansas Tech. An office, regardless of whether it is assigned to a particular person, is part of the buildings and grounds of Arkansas Tech.
21. **May individual faculty post signage that prohibits handguns in the classrooms, tell/ask a concealed-carry licensee not to bring a handgun into the classroom, or advise in the syllabus that a handgun should not be brought into the classroom?** No. Act 562 of 2017 allows a concealed-carry licensee with the proper endorsement to carry a handgun in the buildings or on the grounds of Arkansas Tech.
22. **May a supervisor request a list of concealed-carry licensees who have obtained the concealed-carry endorsement to carry a handgun?** No. The identity of concealed-carry licensees is confidential under Arkansas law.

Other Questions

23. **How are concealed-carry permits obtained?** The Department of Arkansas State Police administers the concealed-carry license. Visit <http://asp.arkansas.gov/services-and-programs/detail/concealed-handgun-licensing> for more information.