

Stretch Goal: N/A Strategic Initiative: N/A

MATTERS FOR ACTION:

Board of Governors of the Colorado State University System (Board): Weapons Control Policy

RECOMMENDED ACTION:

MOVED, that the Board hereby determines that possession, use or display of firearms, explosives, and other deadly, dangerous or illegal weapons, including lawfully concealed weapons (all hereinafter referred to as "weapons"), on the Campuses of the Colorado State University System should be subject to reasonable control. Furthermore it is determined that controlling weapons on the Campuses of the Colorado State University System is consistent with the best practices of other university systems. It is also consistent with the duty of the Board to appropriately manage the risks associated with the possession of such weapons on the Campuses of the Colorado State University System. We further incorporate by reference and make part hereof the position statement of the IACLEA dated August 12, 2008 referenced in the explanation below. This Board is permitted by Colorado law to promulgate rules and regulations for the safety and welfare of the students, employees, and anyone coming onto university property. Therefore, the Board hereby directs the President of Colorado State University, the President of Colorado State University-Pueblo, and the CEO of CSU-Global Campus, to adopt and implement appropriate weapons control policies, subject to final approval by the Board, at their respective institutions and offices consistent with this general policy statement and existing law, but accounting for the specific needs, exceptions, and procedures required of each respective institution.


EXPLANATION:

Presented by Michael D. Nosler, General Counsel of the Colorado State University System.

Pursuant to the Colorado State Constitution, the Board of Governors has overall general supervision of its respective institutions, Colorado Constitution Section 5(2). Moreover, Colorado law recognizes that the Board of Governors may "promulgate rules and regulations for the safety and welfare of students, employees, and property, and to promulgate rules and regulations necessary for the governance of the respective institutions." C.R.S. 23-5-106(1). Consistent with this authority, the Board has determined that it is in the best interest of the institutions within the CSU System to adopt policies controlling the possession, use, or display of firearms, explosives and

other dangerous or illegal weapons including lawfully permitted concealed weapons on its campuses. Moreover, adoption of this policy is consistent with the best practices of other university systems. Noting CSU as the exception, a recent survey on this issue found that: "Twenty-three states allow public campuses or state systems to determine their own weapons policies with nearly all choosing to be 'gun free.' Thomas Harnisch, Concealed Weapons on State College Campuses: In pursuit of Individual Liberty and Collective Security at 2 (American Association of State Colleges and Universities Policy Matters, Nov. 2008), at <http://www.aascu.org/media/pm/pdf/pmdec08.pdf>. Finally, the International Association of Campus Law Enforcement Administrators (IACLEA) published a position statement dated August 12, 2008 which among other things details the potential increased risks associated with weapons on campus, including concealed weapons. A copy of this position statement is attached.

Recognizing that each campus differs in terms of how best to implement this policy, and understanding that each campus may require its own exceptions to the policy for law enforcement, academic, military, and possibly other purposes, the Board asks each institutional President or CEO to develop and adopt policies consistent with the law and this general policy but accounting for the specific needs of each respective institution.



Approved

Denied



Bonifacio A. Cosyleon, Board Secretary



Date

7 DECEMBER 2009 11:27 AM