



# FLORIDA GULF COAST UNIVERSITY

## NOTICE OF REGULATORY ACTION

August 5, 2010

**REGULATION TITLE:**

Possession of Firearms and Weapons on University Property

**REGULATION NO.:**

FGCU-PR9.005

**SUMMARY:**

This regulation updates the current regulation prohibiting the possession of firearms or weapons on University property except for certain items in certain circumstances.

**FULL TEXT:**

The full text of the regulation being proposed is attached and can also be found at <http://www.fgcu.edu/generalcounsel/promulgation.asp>

**LAW IMPLEMENTED:**

Sections 790.01, 790.06 and 790.115 Florida Statutes

**UNIVERSITY OFFICIAL INITIATING THE PROPOSED REVISED REGULATION:**

Chief Steven Moore, University Police

**UNIVERSITY OFFICIAL APPROVING THE PROPOSED REGULATION:**

Dr. Joseph Shepard, Vice President of Administrative Services and Finance

**PERSON TO BE CONTACTED REGARDING THE PROPOSED NEW REGULATION:**

Diane St. John, Administrative Assistant, [dstjohn@fgcu.edu](mailto:dstjohn@fgcu.edu); 239.590.7466 (Phone), 239.590.7470 (Facsimile); 10501 FGCU Blvd. S, Fort Myers, FL 33965-6565.

**ANY COMMENTS REGARDING THE PROPOSED NEW REGULATION SHOULD BE SUBMITTED IN WRITING ON OR BEFORE AUGUST 20, 2010 BY 5:00 P.M. THE COMMENTS MUST IDENTIFY THE REGULATION ON WHICH YOU ARE COMMENTING.**

**THIS NOTICE WAS POSTED ON THE FGCU WEBSITE ON: AUGUST 5, 2010**



## REGULATION: FGCU-PR9.005

Effective Date  
of Regulation:

### Possession of Firearms and Weapons

~~8/2/98~~ \_\_\_\_\_

### On University Property

**A. ~~(1)~~ Scope: SCOPE**

This ~~rule~~regulation applies to all ~~students, faculty, staff, invitees and guests of persons on~~ Florida Gulf Coast University: property or property under the control of the University.

~~(2) Possession of Firearms on University Property:~~

**B. ~~(a)~~ POSSESSION OF FIREARMS ON UNIVERSITY PROPERTY**

1. ~~The possession of firearms, fireworks of any description, explosives, chemical weapons, or any lethal weapon other than a common pocket knife with a blade length of no more than three (3) inches, a firearm~~ is prohibited on University property or property under the control of the University. ~~Personal chemical protection devices with 10% or less active ingredients are exempt from this rule. The University specifically waives the exception provided for in Section 790.115(2)(a)3., Florida Statutes, thereby prohibiting possession of firearms within vehicles parked on campus.~~

2. ~~(b)~~ Sworn peace officers who are required by their employment to be armed, ~~and are in uniform,~~ are exempt from this ~~rule~~regulation.

3. ~~(c)~~ Persons possessing concealed weapon permits ~~are NOT exempt from~~must comply with this ~~rule~~regulation and may not possess a ~~firearms~~firearm or other weapon on University property or ~~other weapon on~~property under the control of the University ~~property~~ except as permitted by Section 790.06(12), ~~ES~~Florida Statutes.

**C. ~~(3)~~ Any student POSSESSION OF WEAPONS ON UNIVERSITY PROPERTY**

The possession of any weapon is prohibited on University property or employee found property under the control of the University. Additional items prohibited by law or regulation include: fireworks, explosives, chemical weapons or devices, bb guns, pellet guns, and air soft/paintball guns or weapons except that a person may possess a common pocket knife, legitimate tools appropriately used in authorized work on campus, and certain other weapons as defined in this policy.

## D. EXCEPTIONS

Notwithstanding the above, the following are permitted:

1. A weapon or firearm to be displayed or used in any of the academic programs of the University, after permission is obtained from the Office of the Provost and the Chief of Police.
2. A self-defense chemical spray may be carried.
3. A person licensed to carry a concealed weapons, and who is affiliated with the University as a student, employee, or faculty, may carry a non-dart firing stun gun for defensive purposes.

## E. VIOLATION OF REGULATION

A student found to be in violation of this rule regulation shall may be subject to discipline under Regulation FGCU-PR4.003 and/or the Student Code of Conduct and may be subject to arrest and prosecution, under Section 790.06(12), F.S. An employee found to be in violation of this regulation shall be subject to discipline under Regulation FGCU-PR5.016 or the Collective Bargaining Agreement, as applicable, and may be subject to arrest and prosecution. Any other person found to be in violation of this rule regulation shall may be subject to arrest and prosecution under Section 790.06(12), F.S.

*Specific Authority:*

~~240.227(1) F.S.~~ Board of Governors' Regulation 1.001

*Law Implemented:*

~~240.261~~ Sections 790.01, 790.06(12) F.S. and 790.115 Florida Statutes

*Action by Florida Gulf Coast University Board of Trustees:*

Approved: 08/02/98

*History of Regulation:*

New 08/02/98, Amended \_\_\_\_\_

*Effective Date of Regulation:*

~~08/02/98~~ \_\_\_\_\_