

## R254, Secure Area Hearing Rooms<sup>1</sup>

**R254-1 Purpose:** To provide guidelines for Utah System of Higher Education (“USHE”) institutions’ policies and procedures for secure areas associated with hearing rooms and dormitories on campuses.

### R254-2 References

- 2.1 Utah Code § 53B-2-106, Duties and Responsibilities of the President
- 2.2 Utah Code § 53B-1-402, Power of the Board to Adopt Rules and Enact Regulations
- 2.3 Utah Code § 53-5-704, Bureau Duties – Permit to Carry Concealed Firearm
- 2.4 Utah Code § 53-5-705, Temporary Permit to Carry Concealed Firearm
- 2.5 Utah Code § 76-8-311.1, Secure Areas—Items Prohibited—Penalty
- 2.6 Utah Code Title 76, Chapter 8, Part 7, Colleges and Universities
- 2.7 Utah Code § 76-10-306, Explosive, Chemical, or Incendiary Device and Parts—Definitions—Persons Exempted—Penalties
- 2.8 Utah Code § 76-10-523.5, Compliance with Rules for Secure Areas
- 2.9 Board Policy R120, Board of Education Bylaws
- 2.10 Board Policy R253, Campus Discipline

### R254-3 Policy

**3.1 Secure Area Associated with a Hearing Room:** A USHE institution may establish a secure area to protect a hearing room as prescribed in Utah Code section 76-8-311.1 and prohibit or control in that area any firearm, ammunition, dangerous weapon, or explosive. Institutions shall only designate one secure area for the purpose of a hearing room at any given time.

**3.2 Size of Secure Area:** A secure area associated with a hearing room shall be as large as warranted by the number of individuals involved in the hearing.

**3.3 Duration of Secure Area Designation:** The restriction of firearms, ammunition, dangerous weapons, or explosives in the secure area associated with a hearing room shall be in effect only during the time the secure area hearing room is in use for hearings and for a reasonable time before and after the hearing.

**3.4 Notice to Invitees:** An individual required or requested to attend a hearing in a secure area hearing room shall be notified in writing of the requirements related to entering a secured area associated with a hearing room under this rule and Utah Code section 76-8-311.1.

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<sup>1</sup> Approved November 8, 2002; amended June 6, 2024.

**3.5 Notice at Each Entrance:** At least one notice shall be prominently displayed at each entrance to the secure area associated with a hearing room in which a firearm, ammunition, dangerous weapon, or explosive is restricted.

**3.6 Secure Weapons Storage:** Provisions shall be made to provide a secure weapons storage area so that persons entering the secure area may store their weapons prior to entering the secure area. The institution shall be responsible for weapons while they are stored in the storage area.

**3.7 Reasonable Means to Detect Violations:** Reasonable means such as mechanical, electronic, x-ray, or similar devices may be used to detect firearms, ammunition, dangerous weapons, or explosives contained in the personal property of or on the person of any individual attempting to enter a secure area associated with a hearing room.

**3.8 Criminal Penalties:** Any person who knowingly or intentionally transports into a secure area of an institution any firearm, ammunition, or dangerous weapon is guilty of a third-degree felony. Any person violates [Utah Code section 76-10-306](#) who knowingly or intentionally transports, possesses, distributes, or sells any explosive in a secure area of an institution.

**3.9 Institutional Enforcement:** As provided in [Utah Code section 53B-3-103](#), an institution may enforce these policies in any reasonable manner, including the assessment of fines, the imposition of probation, suspension, or expulsion from the institution, the revocation of privileges, the refusal to issue certificates, degrees, and diplomas, through judicial process, or by any reasonable combination of the alternatives described.

**3.10 Compliance with Rules a Defense:** It is a defense to any prosecution under [Utah Code section 76-8-311.1](#) and these rules that the accused, in committing the act made criminal by that section, acted in conformity with the Utah Board of Higher Education's and institution's rules or policies established pursuant to that section.

## **R254-4 Dormitory**

**4.1 Dormitory Residents:** An institution may make a policy that allows a resident of a dormitory located at the institution to request only roommates who are not licensed to carry a concealed firearm under [Utah Code sections 53-5-704 or 53-5-705](#).