

Policies of the University of North Texas System Administration	Chapter 02
02.1600 Carrying of Concealed Handguns in System Administration Building	Administration

Policy Statement. The University of North Texas System is committed to providing a safe environment for students, employees, and visitors and to respecting the right of individuals who are licensed to carry handguns where permitted by law. Individuals who are licensed to carry may do so in the UNT System Building except in locations and at Activities prohibited by law or by this policy.

Application of Policy. All individuals. This policy does not apply to commissioned peace officers as defined in article 2.12 of the Texas Code of Criminal Procedures and commissioned security officers while on duty at the UNT System Building as defined in section 1702.002(5) of the Texas Occupations Code.

Definitions.

1. **Activities.** “Activities” means all functions, events, and programs held in the UNT System Building.
2. **Campus premises.** “Campus premises” means all land, buildings and portions of buildings owned or leased by the University of North Texas System.
3. **Concealed handgun.** “Concealed handgun” means a handgun, the presence of which is not openly noticeable to the ordinary observation of a reasonable person.
4. **Days.** “Days” means business days.
5. **Employee.** “Employee” means an individual at any component of the University of North Texas System who is hired in a full-time, part-time, or temporary capacity in a faculty or staff position or in a position where the individual is required to be a student as a condition of employment.
6. **Handgun.** “Handgun” means any firearm that is designed, made, or adapted to be fired with one hand.
7. **Interscholastic event.** “Interscholastic event” means a function or program involving elementary or secondary schools.

8. Large-scale event. “Large-scale event” means a function or event, other than a classroom or academic program, where attendance is reasonably anticipated to exceed 100 individuals.
9. License Holder. “License Holder” means a person issued a License to Carry a Handgun (formerly called a “Concealed Handgun License”) by the Texas Department of Public Safety under Chapter 411 of the Texas Government Code.
10. Reviewing Official. “Reviewing Official” means the Chancellor or the System Administration official designated by the Chancellor to review a decision to temporarily restrict the carrying of concealed handguns in the UNT System Building.
11. UNT System Building. “UNT System Building” means the property located at 1901 Main Street, Dallas, Texas.
12. Work Area. “Work area” means the place or places an individual performs assigned duties as an employee of a component of the University of North Texas System.

Procedures and Responsibilities.

A. Open Carry Prohibited.

All persons, including License Holders, are prohibited from openly carrying a handgun in the UNT System Building.

B. Carrying of Concealed Handgun by a License Holder.

1. Right to Carry. A License Holder may carry a concealed handgun while in the UNT System Building unless prohibited by state or federal law, or by this policy. License Holders are responsible for knowing areas where carrying a concealed handgun is prohibited, including where notice is not required to be posted.
2. Intoxication. A License Holder may not carry a concealed handgun while intoxicated.
3. Display of Concealed Handgun. A License Holder may not carry a partially or wholly visible handgun, or intentionally or knowingly display a handgun in plain view of another person, even if holstered, in the UNT System Building.
4. Requirement to Display License. A License Holder must display his or her license to carry when directed by a law enforcement officer in accordance with section 411.205 of the Texas Government Code. Otherwise, an individual is not required to disclose whether he or she is a License Holder upon entry into the UNT System Building or in order to participate in any program or service offered in the building, except as required by law.

C. Carrying of Concealed Handgun by Employees.

1. Right to Carry. A System Administration employee who lawfully holds a license to carry may carry a concealed handgun into the UNT System Building, unless restricted by this policy. A System Administration employee who is performing duties on the campus premises at a component of the UNT System is responsible for complying with the concealed handgun policy for that campus.
2. Unauthorized Use. A System Administration employee is not authorized to use the weapon in the course and scope of performing his or her duties. A System Administration employee whose possession, storage, or use of a handgun results in personal injury or property damage is personally liable for the injury or damage, and is not entitled to immunity under section 411.208 of the Government Code or any other immunity to which the individual may be otherwise entitled as a System Administration employee.

D. Locations and Activities where Concealed Handguns are Prohibited.

A License Holder is prohibited from carrying a concealed handgun into the UNT System Building where prohibited by law and where prohibited by this policy based on the nature of the student population, specific safety concerns, and uniqueness of the environment.

1. Concealed handguns are prohibited:
 - a. at a location designated as a polling place on the day of a federal, state, or local election, including while early voting is in progress as set out in section 46.03(a)(2) of the Texas Penal Code;
 - b. at a location used as a church, synagogue, or other established place of religious worship as prohibited under section 46.035(b)(6) of the Texas Penal Code;
 - c. at a location in the UNT System Building used by a court unless the handgun is carried pursuant to written regulation or written authorization of the court in accordance with section 46.03(a)(3) of the Texas Penal Code;
 - d. where state or federal law or contract, at the sole discretion of the state or federal government or organization with whom the contract is entered, requires exclusion of a handgun in a specific location and the exclusion does not generally prohibit or have the effect of generally prohibiting License Holders from carrying concealed handguns in the System Building; and
 - e. at a location where an open meeting is being conducted pursuant to Chapter 551 of the Texas Government Code when the proper notices are provided.

2. Concealed handguns are prohibited at the following Activities:
 - a. university, college and high school graduations; and
 - b. where alcoholic beverages are available or served.

Responsible Party: Director, System and External Relations

E. Obligation to Provide Notice Where Concealed Handguns are Prohibited.

The System Administration shall provide notice at all locations and Activities where concealed handguns are prohibited under this policy and may post notice where handguns are expressly prohibited but where notice is not required to be posted by law. The language of the notice, which is set out in section 30.06 of the Texas Penal Code, shall not be altered in any way unless revised by state law. Any individual who without authorization, tampers with, defaces, modifies or removes a notice provided pursuant to this policy is subject to disciplinary action, including trespass from the UNT System Building, suspension, termination of employment or a business relationship, and is subject to criminal prosecution.

1. Notice required under this policy must read:

Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun.

2. Notice must be provided in writing and on a card or other document in both English and Spanish. When notice is posted at a location, the sign must appear in contrasting colors with block letters at least one (1) inch in height, displayed in a conspicuous manner that is clearly visible to the public, and at a sufficient distance from the location or Activity to inform a License Holder that entry on the property or presence at the Activity with a concealed handgun is prohibited.
3. The System Administration shall publish this policy annually in the employee policy manual and on a webpage dedicated to the carrying of concealed handguns, and shall promptly inform organizations that lease property in the building of any changes to the policy.
4. Contracts and leases for use of space in the UNT System Building shall include pertinent provisions of this policy.

Responsible Party: Director, System and External Relations

F. Temporarily Prohibiting Concealed Handguns on Campus Premises.

1. The Chancellor or Chancellor's designee may prohibit the carrying of concealed handguns for up to seventy-two (72) hours in order to promote safety in the UNT System Building:
 - a. when an Activity has a history for violence;
 - b. where a Large-scale event, due to the uniqueness of the building environment, specific threat of violence, or other safety considerations presents a reasonable threat to health or safety;
 - c. when it reasonably appears there is threat of injury to human life, destruction to the UNT System Building, or a threat of willful disruption of orderly operation of the System Administration as defined in section 51.231 of the Education Code, or
 - d. upon receipt of credible information of imminent injury to human life or destruction to university property.

3. Review of Decision to Temporarily Restrict Carrying of Concealed Handgun.
 - a. A License Holder may request review of the decision to temporarily prohibit the carrying of a concealed handgun.
 - b. The request must be submitted in writing to the Reviewing Official and describe why allowing concealed handguns at the location or Activity does not present a safety concern.
 - c. The Reviewing Official may request additional information and must notify the License Holder of the decision no later than two (2) days after receiving the request for review. The notice must provide the reason(s) for the decision.
 - d. The decision of the Reviewing Official is final.

Responsible Party: Reviewing Official

G. Sanctions for Violating this Policy.

Any individual who violates this policy is subject to disciplinary action to include trespass from the UNT System Building, suspension, or termination of employment or a business relationship, and is subject to criminal prosecution.

Responsible Party: Director, System and External Relations, Human Resources Office

H. Report to Legislature.

The System Administration shall prepare a report for the Texas Legislature describing the System Administration rules adopted to regulate the carrying of concealed handguns on campus and the reasons for the rules, not later than September 1, 2016 and every even-numbered year thereafter.

Responsible Party: Chancellor

I. Amending Policy.

The Chancellor may amend this policy as necessary for safety, to include permanently designating new or additional locations where the carrying of concealed handguns in the UNT System Building is prohibited. Any prohibition must be based on specific safety considerations, the nature of the student population that regularly uses the building, and the uniqueness of the UNT System environment; and may not generally prohibit or have the effect of generally prohibiting License Holders from carrying concealed handguns on campus premises.

1. A request to amend this policy to permanently prohibit the carrying of a concealed handgun must be submitted, in writing, to the UNT System Vice Chancellor and General Counsel.
2. The request must describe the specific factual reasons for the permanent designation, including any safety concern(s), the nature of the student population that regularly uses the building, and any unique features or circumstances related to the building or part of the building, or Activity that will take place regularly in the building. The request also should identify other locations in the building or Activities, if any, with similar characteristics where concealed handguns are prohibited.
3. The request and proposed amendment must be posted on the System Administration's webpage dedicated to the carrying of concealed handguns. Interested individuals must be given a reasonable time and opportunity to comment on the request. Employees, as defined in this policy, and students enrolled at an institution of higher education that lease property in the building must be given the opportunity to comment in person before the proposed amendment is submitted to the Chancellor for approval.
4. Any amendment to this policy that has the effect of restricting the lawful carrying of a concealed handgun by a License Holder must be submitted to the Board of Regents within 90 days of the Chancellor's approval, and will not take effect until reviewed by the Board.

Responsible Party: Chancellor

References and Cross-references.

TEX. GOV'T CODE, CHAPTER 411

TEX. PENAL CODE, CHAPTER 30

TEX. PENAL CODE, CHAPTER 46

TEX. EDUC. CODE, section 51.231

TEX. CODE. CRIM. PROC., article 2.12

TEX. OCC. CODE, section 1702.002(5)

Forms and Tools.

Approved: August 9, 2016

Effective: August 19, 2016

Revised: