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| Policies of the University of North Texas at Dallas    | Chapter 12                 |
| <b>12.006 Carrying of Concealed Handguns on Campus</b> | Campus Safety and Security |

**Policy Statement.** The University of North Texas at Dallas is committed to providing a safe environment for students, faculty, staff, and visitors, and to respecting the right of individuals who are licensed to carry a handgun where permitted by law. Individuals who are licensed to carry may do so on campus premises except in locations and at Activities prohibited by law or by this policy.

**Application of Policy.** All faculty, staff, students, guests, visitors and individuals and organizations doing business on or on behalf of the University of North Texas at Dallas. This policy does not apply to commissioned peace officers as defined in article 2.12 of the Texas Code of Criminal Procedures.

**Definitions.**

1. **Activities.** “Activities” means all functions, events, and programs on the University of North Texas at Dallas campus premises.
2. **Biological hazard.** “Biological hazard,” for purposes of this policy, means a biological substance used in research or experimentation that poses a threat to the health of a living organism, primarily that of a human, and is classified as biosafety level (BSL) 3 or 4 by the Center for Disease Control. Biological hazards can include medical waste or samples of microorganisms.
3. **Campus premises.** “Campus premises” means all land, buildings and portions of buildings owned or leased by the University.
4. **Collegiate sports.** “Collegiate sports” means intercollegiate, club, and intramural athletic activities occurring on the campus premises.
5. **Concealed handgun.** “Concealed handgun” means a handgun, the presence of which is not openly noticeable to the ordinary observation of a reasonable person.
6. **Days.** “Days” means business days.
7. **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.

8. Handgun. "Handgun" means any firearm that is designed, made, or adapted to be fired with one hand.
9. Interscholastic event. "Interscholastic event" means a function or program involving elementary or secondary schools.
10. 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 200 individuals.
11. 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.
12. Reviewing Official. "Reviewing Official" means the University official designated by the President to review a decision to temporarily restrict the carrying of concealed handguns on the campus premises.
13. 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 on the campus premises, including on any public driveway, street, sidewalk or walkway, parking lot, parking garage or other parking area.

##### **B. Carrying of Concealed Handgun by a License Holder.**

1. Right to Carry. A License Holder may carry a concealed handgun while on the campus premises (including public driveways, streets, sidewalks or walkways, parking lots, parking garages and other parking areas) and in University of North Texas at Dallas passenger transportation vehicles 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 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, on the campus premises, including public driveways, streets, sidewalks or walkways, parking lots, parking garages or other parking areas on the premises of the University of North Texas at Dallas.

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 in order to participate in any program or service offered by the University of North Texas at Dallas, except as required by law.

**C. Carrying of Concealed Handgun by Employees.**

An employee who lawfully holds a License to Carry may carry a concealed handgun into his or her work area, unless restricted by this policy, but is not authorized to use the weapon in the course and scope of performing his or her duties. An 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 University employee.

**D. Locations and Activities where Concealed Handguns are Prohibited.**

A License Holder is prohibited from carrying a concealed handgun onto the campus premises 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 campus environment.

1. Concealed handguns are prohibited:

- a. at a location where a high school, collegiate, or professional sporting event or interscholastic event is taking place as prohibited under section 46.035(b)(2) of the Texas Penal Code; or where a sports club or intramural athletic competition is taking place, specifically the volleyball and basketball courts and soccer field;
- 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 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;
- d. at a location where the campus premises is 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;
- e. in a nonpublic, secure portion of the University of North Texas at Dallas Police Department used to conduct official business as prohibited under section 411.207(b) of the Texas Government Code;

- f. at a location where mental health services are provided, specifically the Community Counseling Clinic and the offices of UNT Dallas faculty and staff who provide mental health counseling as part of their official responsibilities;
  - g. in a laboratory that contains containerized combustibles, flammables, corrosives, or natural gas outlets, or where biological hazards, as defined by this policy, are present;
  - h. 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 on the campus premises; and
  - i. at a location where a student disciplinary proceeding is being conducted.
2. Concealed handguns are prohibited at the following Activities:
- a. university and high school graduations; and
  - b. where alcoholic beverages are available or served.

Responsible Party: UNT Dallas Police Department

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

The University 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 campus, 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 University shall publish this policy annually in the policy manual and student handbook, and on a webpage dedicated to the carrying of concealed handguns on campus premises.
4. Contracts for use of the campus premises shall include pertinent provisions of this policy.

Responsible Party: UNT Dallas Police Department

**F. Temporarily Prohibiting Concealed Handguns on Campus Premises.**

1. The President or President's designee may prohibit the carrying of concealed handguns for up to seventy-two (72) hours in order to promote safety on the campus premises:
  - a. when the Activity has a history for violence; or
  - b. where a large-scale activity, due to the uniqueness of the campus environment, specific threat of violence, or other safety considerations present a reasonable threat to health or safety.
2. The University Chief of Police may prohibit the carrying of concealed handguns on the campus premises:
  - a. when it reasonably appears there is threat of injury to human life, destruction to university property, or a threat of willful disruption of orderly operation of the university as defined in section 51.231 of the Education Code, or
  - b. 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 campus, suspension, or termination of employment or a business relationship, and is subject to criminal prosecution.

Responsible Party: UNTD Police Department, Human Resources Office, and Dean of Students

**H. Report to Legislature.**

The University of North Texas at Dallas shall prepare a report for the Texas Legislature describing the campus 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.

The report will be submitted to the Chancellor and Vice Chancellor for Governmental Relations prior to submission to the Legislature.

Responsible Party: President

**I. Amending Policy.**

The President may amend this policy as necessary for campus safety, to include permanently designating new or additional locations where the carrying of concealed handguns on campus premises is prohibited. Any prohibition must be based on specific safety considerations, the nature of the student population, and the uniqueness of the campus 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 University Policy Office.
2. The request must describe the specific factual reasons for the permanent designation, including any safety concern(s), the nature of the student population, and any unique features or circumstances related to the building, part of a building, or Activity that will take place regularly in the building. The

request also should identify other locations of the campus or Activities with similar characteristics where concealed handguns are prohibited.

3. The request and proposed amendment must be posted on the University's webpage dedicated to the carrying of concealed handguns. Interested individuals must be given a reasonable time and opportunity to comment on the request. Students, faculty, and staff must be given the opportunity to comment in person before the proposed amendment is submitted to the President 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 President's approval, and will not take effect until reviewed by the Board.

Responsible Party: President

#### **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

#### **Forms and Tools.**

Approved: 3/7/16

Effective: 8/1/16

Revised: