

<b>Policies of the University of North Texas</b>	Chapter 04
<b>04.001 Carrying of Concealed Handguns on Campus</b>	<b>Administration</b>

**Policy Statement.** The University of North Texas 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 behalf of the University on the campus premises. 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 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. **Campus Housing.** “Campus housing” means a residential facility owned or leased and operated by the University and located on the campus premises.
5. **Collegiate Sports.** “Collegiate sports” means intercollegiate, club, and intramural athletic activities occurring on the campus premises.
6. **Concealed Handgun.** “Concealed handgun” means a handgun, the presence of which is not openly noticeable to the ordinary observation of a reasonable person.
7. **Days.** “Days” means business days.
8. **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.
9. **Handgun.** “Handgun” means any firearm that is designed, made, or adapted to be fired with one hand.

10. Interscholastic Event. “Interscholastic event” means a function or program involving elementary or secondary schools.
11. 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.
12. 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.
13. Private Residential Room. “Private residential room” means a room that is capable of being locked by the occupant to whom it is assigned, and no other access to the bedroom space is available through a suite bathroom or other shared space.
14. 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.
15. Store. “Store” means to take steps that a reasonable person would take to prevent the access to a firearm, including but not limited to placing a firearm in a locked container. For purposes of this policy, a firearm that is temporarily rendered inoperable by use of a trigger lock or other means is not stored.
16. 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.**

- I. 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 on the campus premises.
- II. Carrying of Concealed Handgun by a License Holder.
  - A. 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 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.
  - B. Intoxication. A license holder may not carry a concealed handgun while intoxicated.
  - C. 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.

- D. 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, except as required by law.
- III. 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 prohibited under 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 the individual may otherwise be entitled to as a University employee.
- IV. 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.
- A. Concealed handguns are prohibited:
1. 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;
  2. 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;
  3. 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;
  4. 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;
  5. in a nonpublic, secure portion of the University of North Texas Police Department used to conduct official business as prohibited under section 411.207(b) of the Texas Government Code;
  6. in a location where substances designated as “immediately dangerous to life and health” are present, access is restricted to individuals who perform research or duties, and a sealed and filtered environment is essential, specifically the Clean Room located at Discovery Park;
  7. in a laboratory where biological hazards, as defined by this policy, are present;

8. in an area where equipment that is incompatible with metallic objects is present, (such as magnetic resonance imaging (MRI) and nuclear magnetic resonance (NMR) machines);
  9. 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;
  10. at a location where medical, health, or clinical services are provided, specifically Chestnut Hall, Life of Purpose in Chilton Hall, the Psychology Clinic in Terrill Hall, Speech and Hearing Clinic in the Speech and Hearing Building, and the Welch Street Complex 2;
  11. at a location where services to minors are provided, specifically the Child and Family Resource Center in Matthews Annex, Child Development Lab, Kristin Farmer Autism Center, and McConnell Hall;
  12. at a location where special student services are provided, specifically, Goolsby Chapel and the University Union Meditation Room;
  13. at a location where intercollegiate, club, and intramural athletic events occur on the campus premises, specifically the Physical Education Building, Ken Bahnsen Gymnasium building, and Pohl Recreation Center; and
  14. at a location where large-scale events occur on the campus premises, specifically the ballrooms and Lyceum in the University Union, ballroom in the Gateway Center, Coliseum, Main Auditorium in the Auditorium Building, Murchison Performing Arts Center, University Theater in the Radio, TV, Film, and Performing Arts Building, and the Voertman Concert Hall in the Music Building.
- B. Concealed handguns are prohibited at the following Activities:
1. where intercollegiate, club, and intramural athletic events occur on the campus premises specifically Apogee Stadium, Fouts Field, fields used for intramural activities, Lovelace Softball Stadium, Sand Volleyball Courts at Mean Green Village, Soccer Stadium at Mean Green Village, Volleyball Complex at Mean Green Village, and Warranch Tennis Complex; and
  2. university and high school graduations.

Responsible Party: Chief of Police

- V. 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.

A. 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.**

B. 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.

C. 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.

D. Contracts for use of the campus premises shall include pertinent provisions of this policy.

Responsible Party: Chief of Police

VI. Campus Housing. A concealed handgun may be carried or stored in campus housing as set out in this policy.

A. Residents.

1. A license holder who resides in campus housing may carry a concealed handgun into campus housing and may store the weapon in his or her private residential room except during periods between the spring and fall semesters when the facility hosts summer camps attended by minors.

2. A resident who brings a concealed handgun into campus housing pursuant to this policy must carry the weapon on his or her person at all times or store it in his or her private residential room.

3. A handgun may be stored only in a private residential room as defined in this policy, and in a locked container installed or approved by the University.

4. A resident may not intentionally or knowingly display a handgun in plain view of another person in campus housing except as necessary to properly store the weapon in his or her private residential room.

B. Non-Residents.

1. A license holder who does not reside in campus housing may carry a concealed handgun into campus housing except during periods between the spring and fall semesters when the facility host summer camps attended by minors.
  2. The handgun must be carried on the non-resident's person at all time and may not be stored in a campus housing room.
- C. Responsible for Personal Injury or Damage. A resident or non-resident whose possession, use, or storage of a handgun results in personal injury or property damage is personally liable for the injury or damage.

Responsible Party: Vice President for Student Affairs

VII. Temporarily Prohibiting Concealed Handguns on Campus Premises.

- A. The President or President's designee may prohibit the carrying of concealed handguns for up to seven (7) days in order to promote safety on the campus premises:
1. when the Activity has a history for violence; or
  2. where a large-scale activity, due to the presence of alcohol, uniqueness of the campus environment, specific threat of violence, or other safety considerations present a reasonable threat to health or safety.
- B. The University Chief of Police may prohibit the carrying of concealed handguns on the campus premises:
1. 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
  2. upon receipt of credible information of imminent injury to human life or destruction to University property.
- C. Review of Decision to Temporarily Restrict Carrying of Concealed Handgun
1. A license holder may request review of the decision to temporarily prohibit the carrying of a concealed handgun.
  2. 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.
  3. 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.
  4. The decision of the reviewing official is final.

Responsible Party: Chief of Police

- VIII. 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: Cabinet Level Executives

- IX. Report to Legislature. The University of North Texas 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

- X. 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.
- A. 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.
  - B. The request must describe the specific factual reasons for the permanent designation, including 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 regularly takes place in the building. The request also should identify other locations of the campus or Activities with similar characteristics where concealed handguns are prohibited.
  - C. 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.
  - D. 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.**

[campuscarry.unt.edu](http://campuscarry.unt.edu)

Approved: 02/09/2016

Effective: 08/01/2016

Revised: