

Central Texas College District Safety Policies and Procedures Manual

Policy No. 131: Campus Carry, Concealed Handgun Policy
(Same as Policy No. 716 in the Human Resource Management Operating Policies and
Procedures Manual)
Effective August 1, 2017

I. PURPOSE

To inform faculty, staff, students and visitors of the rules relating to carrying concealed handguns and other firearms and weapons on the Central Texas College District (CTCD) Central Campus and Service Area locations and promote the safety of all individuals.

II. SCOPE

This policy applies to all CTCD employees, students and visitors at the Central Campus and Service Area locations. This policy does not apply to commissioned peace officers as defined in Texas Code of Criminal Procedure, Article 2.12. To the extent that this policy conflicts with military policies or procedures on military bases, the policy and/or procedure of the military base shall prevail.

III. POLICY

In accordance with Texas Government Code §411.2031 and Texas Penal Code §46.03 and all other relevant Texas state and federal laws, all use, storage, carrying or possession of a firearm or other weapon, concealed or otherwise, is governed by this policy on all campuses and at all college events.

IV. DEFINITIONS

- A. Campus: For the purpose of this policy, Central Campus and Service Area locations premises, including grounds and buildings, or portion of such, public or private sidewalks, walkways, driveways, and parking lots or other parking areas owned, leased or utilized by CTCD. §46.03.
- B. Service Area: CTCD's Service Area locations allowing concealed handguns are limited to Texas.
- C. Handgun: A firearm whose original design is to be fired by one hand and can be carried in a holster that is completely concealed from sight.
- D. License to Carry Holder ("LTC Holder"): An individual who is authorized by the State of Texas to carry a handgun in Texas.
- E. On or About Their Person: Carrying a handgun in a manner that the handgun must be close enough to the LTC holder so that s/he can grasp it without materially changing their position; i.e. easily within arm's reach.

- F. Concealed Carry: The licensed carrying of a handgun, that is concealed and no portion of the handgun is wholly or partially visible, and as defined by the Texas Penal Code and applicable Texas law. An individual carrying a concealed handgun on a CTCD campus must be appropriately licensed to carry a handgun under Texas laws and the handgun must be holstered and concealed in accordance with this policy.
- G. Open Carry: Displaying, wholly or partially, a handgun or long-gun in public. Open Carry is never permitted on CTC Campuses, with exceptions as outlined below.
- H. Reveal: The act of displaying a handgun, in whole or in part, in view of another person in a public area, whether intentional or unintentional; whether the weapon is holstered or not. A visible outline of an otherwise properly concealed handgun does not constitute a reveal.
- I. Weapon: Defined as a manufactured device designed to injure or kill another being, or a device designed to look like a weapon, with the exclusion of an LTC Holder's concealed handgun.

Examples of weapons include, but are not limited to: Knives capable of inflicting serious bodily injury or death, shanks, bombs and explosives (or any incendiary device or component of any incendiary device, whether actual or hoax), fireworks, air guns, pellet guns, stun guns, spear guns, BB guns, paintball guns, crossbows, long bows, swords, martial arts weapons, hunting or fishing knives (e.g. bowie), brass knuckles, chemical weapons, slingshots, billy clubs, loaded or unloaded long-arm guns, including but not limited to: rifle, shotgun, semi or fully automatic weapon, and any modification of such long arms (e.g. sawed off shotguns) or replica/imitation long-arm guns, and any device defined as prohibited by the Texas or federal laws.

- J. Revolver: A revolver is a repeating handgun, which has a revolving cylinder containing multiple chambers and at least one barrel for firing.
- K. Semi-Automatic Firearm: A semi-automatic firearm is operated partially automatically and partly by hand; able to fire repeatedly, but requiring release and another pressure of the trigger for each successive shot. One round fires each time the trigger of a semi-automatic handgun is pulled, and it uses a magazine to store and feed rounds into the chamber.
- L. Gun-Free Zones: A location or area of campus, a building, or a room in which the possession of all weapons, specifically including a licensed concealed handgun, is prohibited and such location is identified as a Gun-Free Zone in accordance with Texas laws.

V. PROCEDURES

A. Weapons Other Than Concealed Handgun:

With the exception of concealed handguns in possession of an LTC Holder, all weapons as defined by this policy, Safety Policy 130, and by Texas laws are prohibited on campus.

B. Campus Carry:

1. Openly carried handguns are always prohibited on CTC campuses, with the exceptions in Section D below.
2. Individuals who do not possess an LTC are prohibited from carrying a handgun on any campus.
3. LTC Holders who carry a handgun on campus must carry it on or about their person at all times in a secure and concealed manner, or secure the handgun in a concealed manner in a locked, privately owned or leased motor vehicle. In compliance with Texas Penal Code §46.035, an LTC Holder may not carry a handgun that is partially or wholly visible on campus, regardless of whether the handgun is holstered. Partially or wholly visible is defined as any portion of the actual handgun being visible, but does not include merely a visible outline of a handgun otherwise properly concealed.
4. An LTC Holder carrying a handgun on campus must at all times have the handgun in a holster that completely covers the entire trigger guard area. The holster must have sufficient tension or grip to retain it in the holster, even when jostled or shaken.
5. All concealed handguns brought on campus must be holstered and be on or about the LTC Holder's person, which requires that at all times the handgun must be within arm's reach of the LTC Holder without him/her materially changing their position.
6. With the exception of Police, and Safety and Security officers acting in the course of their duties, employees are prohibited from inquiring whether an individual is carrying a concealed handgun.

Anyone who has a concern that an individual may be carrying a concealed handgun and is a potential threat to themselves or others are to immediately contact CTCD Police or call 911.

C. Gun-Free Zones:

1. All locations used for early childhood education, daycare, Pre-K-12 school learning or activities, and all areas and CTCD events predominately visited by minor children. TX Penal Code §46.03.
2. CTCD Mental Health care service locations, including individual and group sessions.
3. Areas for all sporting or interscholastic events. TX Penal Code §46.035.
4. Polling locations – to include early voting. TX Penal Code §46.03.
5. Locations where the Board of Trustees are meeting. TX Penal Code §46.035.
6. All Independent School District locations. TX Penal Code §46.03.
7. All other locations where the carrying of handguns is proscribed by Texas or federal law.
8. Mayborn Science Theater during events for minors, such as Cub Scout meetings, ISD events, minor's birthday parties, etc.
9. Sole occupant offices at occupant's discretion. Occupant must post a sign or give verbal notice to visitors that their office is a gun-free zone. An employee designating his/her office as a gun-free zone shall also be prohibited from having a handgun in that office. Occupant's duties that require them to meet with an LTC Holder will make reasonable arrangements to meet them in a location in which the LTC Holder is permitted.
10. Locations used to discuss discipline with a student or employee or hear grievances.
11. Morton Hall residence housing is a gun-free zone as to all areas, with the exception of the study room, lobby and lounge, game room and T.V. room. This will not prevent the parents of dorm residents or CTC staff frequenting Morton Hall to conduct CTC business from carrying a concealed handgun into dorm rooms in accordance with this policy.
12. Locations where dangerous materials or chemicals are stored or used, such as science laboratories, facilities chemical storage locations, power plant, etc.
13. CTCD owned, rented or leased vehicles when used to transport only minors or for transportation for sporting or interscholastic events.
14. Areas containing critical college infrastructure.

15. Areas where contractual or licensing obligations require exclusion of firearms.

16. Gun-Free Zone Defined:

Gun-Free Zones created by state law, as well as those created by this policy, may sometimes comprise only a portion of a building. In some instances, it may not be feasible to exclude concealed handguns only from the designated exclusion zones. The following factors and principles will govern the implementation of these rules and regulations in those buildings in which some, but not all parts, are designated as exclusion zones.

Governing factors:

- a. The percentage of assignable space or rooms in a building that are designated as exclusion zones.
- b. The extent to which the area(s) designated as exclusion zones are segregated from other areas of the building.
- c. The extent to which use of the building, and hence its status as an exclusion zone, varies from day-to-day, or week-to-week.

Governing principles:

- i. If a small number of rooms or a small fraction of assignable space in a building is subject to exclusion, only the rooms or areas that qualify for exclusion should be excluded. Appropriate signage must be posted for excluded rooms or areas.
- ii. If a significant fraction of the total building in terms of number of rooms or assignable space is subject to exclusion, or if the excludable space is not segregated from other spaces, then as a matter of practicality, the whole building will be excluded. Appropriate signage must be posted for any such building.
- iii. All locations not identified as a Gun-Free Zone in this Policy shall not be considered a Gun-Free Zone without prior written approval by the Chancellor.

17. Posting of Notice:

With the exception of sole occupant offices (*see* V.c.9. above), employees utilizing locations as a Gun-Free-Zone must post signage in accordance with Texas Penal Code §30.06 for the duration of the time the location is utilized as a Gun-Free-Zone.

D. Policy Exceptions:

This policy does not apply to:

1. Licensed Law Enforcement Officers.
2. Students enrolled in, and while participating in, CTCD-authorized courses utilizing weapons.
3. Manager/supervisors and instructors utilizing weapons for authorized instructional purposes for CTCD-authorized courses.
4. To the extent there is a conflict, the CTCD locations on military installations or the Texas Department of Criminal Justice (“TDCJ”) shall follow the guidelines and procedures of the military installation or the TDCJ.
5. To the extent there is a conflict, CTCD courses taught on the campus of an Independent School District or other Pre-K-12 educational facility shall follow the guidelines and procedures of that school district or facility.

E. Reporting Violations:

Violation of this policy should be immediately reported to the CTCD Police department. CTCD Police shall maintain a list of all handgun and weapon-related incidents and no later than July 31st of each year provide an annual report to the Chancellor.

F. Reporting to Texas Legislature:

No later than September 1st of each even-numbered year, CTCD shall submit a copy of this policy, along with the justification used for development of the policy, to the appropriate body of the Texas Legislature.

G. Disciplinary Action:

1. A student who possesses an item or material in violation of this policy may be subject to discipline under the Student Code of Conduct, up to and including expulsion, for the first occurrence. See the current CTCD Student Handbook for disciplinary information.
2. An employee who possesses an item or material in violation of this policy may be subject to disciplinary action, up to and including termination for the first occurrence. See the current CTCD Human Resources Policy and Procedure Manual for disciplinary information.
3. Any person in violation of this policy, which also constitutes a violation of Texas or federal criminal laws, may be subject to prosecution, in addition to disciplinary action.