Texas Woman's University
Regent Policy

Regent Policy Name: Weapons and Firearms Policy

Regent Policy Number: Regent Policy: E.50510

POLICY STATEMENT

Texas Woman's University ("TWU" or "University") is committed to providing a safe environment for students, faculty, staff, university affiliates, and guests. Texas Woman's University respects the right of properly licensed individuals to carry a firearm.

APPLICABILITY

This policy is applicable to TWU Students, Employees, University Affiliates, and Guests. This policy does not apply to commissioned peace officers as defined in the Texas Code of Criminal Procedures.

DEFINITIONS

1. "Activities" means all functions, events, and programs on the Texas Woman's University campus property.

2. "Biological hazard" 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") 2 or higher by the Centers for Disease Control and Prevention. Biological hazards can include medical waste or samples of microorganisms.

3. "Campus property" means all land, buildings, and portions of buildings owned or leased by the University. It does not include any public or private driveway, street, sidewalk or walkway, parking lot, parking garage, or other parking area.

4. "Campus housing" means a residential facility owned or leased and operated by the University and located on the campus property.

5. "Collegiate sports" means intercollegiate, club, and intramural athletic activities occurring on the campus property.

6. "Concealed handgun" means a handgun, the presence of which is not openly noticeable to the ordinary observation of a reasonable person.

7. "Days" means business days.

8. “Employees” means an individual who is employed part-time, full-time, or in a temporary capacity as faculty, staff, or who is required to be a student as a condition of employment, undergraduate or graduate.

9. “Firearm” means any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use. Firearm does not include a firearm that may have, as an integral part, a folding knife blade or other characteristics of weapons made illegal by the Texas Penal Code and that is:

    a. An antique or curio firearm manufactured before 1899; or

    b. A replica of an antique or curio firearm manufactured before 1899, but only if the replica does not use rim fire or center fire ammunition.

10. “Guests” means any individual not affiliated with TWU.

11. “Handgun” means any firearm that is designed, made, or adapted to be fired with one hand.

12. “Illegal Knife” means any of the following:

    a. A knife with a blade over five and one-half inches;

    b. A hand instrument designed to cut or stab another by being thrown;

    c. A dagger, including but not limited to a dirk, stiletto, and poniard;

    d. A bowie knife;

    e. A sword; or

    f. A spear.

13. “Interscholastic event” means a function or program involving elementary or secondary schools.

14. “Large-scale event” means a function or event, other than a classroom or academic program, where attendance is reasonably anticipated to exceed two hundred (200) individuals.

15. “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.

16. “Open carry” means carrying a firearm that is partially or wholly visible, or a handgun that is carried in a holster that otherwise is partially or wholly visible based on the ordinary observation of a reasonable person.

17. “Private residential room” means a room that is capable of being locked by the occupants to whom it is assigned, and no other access to the bedroom space is available through a suite bathroom or other shared space.

18. “Reviewing official” means the University official designated by the Chancellor and President to review a decision to temporarily restrict the carrying of concealed handguns on the campus property.

19. “Store” means to take steps that a reasonable person would take to prevent the unauthorized 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.

20. “Students” means a person taking courses at TWU, a person who is not currently enrolled in courses but who has a continuing academic relationship with TWU, or a person who has been admitted or readmitted to TWU.

21. “University Affiliates” means any individual associated with TWU in a capacity other than as a Student or Employee who has access to TWU resources through a contractual arrangement or other association. This includes the following individuals:

    a. Contractors and Vendors: an individual, business, or governmental entity that has a fully executed contract to provide goods or services to TWU. This includes employees of contractors or vendors and independent contractors.

    b. Employee of a Governmental Agency: an individual employed by a federal or Texas state agency.

    c. Employee of a TWU-Affiliated Institution: an individual who works for organizations that are tightly aligned with the University.

    d. Pre-Employment Individual: an individual who will be hired by the University and the hiring department has sponsored their access to TWU resources.

    e. Other University Affiliate: any individual who does not fit into any other category and needs access to TWU resources

22. “Work area” means the place or places an individual performs assigned duties as an employee of Texas Woman’s University.

POLICY

I. Carrying of Firearms by Employees

Employee Carrying of Firearms. Employees who lawfully hold a License to Carry may carry a concealed handgun into their work areas, unless prohibited under this

policy, but are not authorized to use the weapon in the course and scope of performing their duties. Employees are prohibited from carrying all other firearms into their work areas. Employees whose possession, storage, or use of a handgun results in personal injury or property damage are personally liable for the injury or damage, and are not entitled to immunity under section 411.208 of the Government Code or any other immunity the individual otherwise may be entitled to as a University employee.

II. Intoxication

Intoxication. Carrying a firearm on campus property while intoxicated is prohibited.

III. Carrying of Firearms by License Holders

Section 1 Right to Carry a Concealed Handgun

1.1 A license holder may carry a concealed handgun while on campus property, on public driveways, streets, sidewalks or walkways, parking lots, parking garages and other parking areas of the University, and in University passenger transportation vehicles, unless prohibited by state or federal law, or by this policy. The open carrying of a handgun on a TWU campus is prohibited.

1.2 License holders are responsible for knowing areas where carrying a concealed handgun is prohibited where notice is not required to be posted.

Section 2 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, while on campus property, or on the public driveways, streets, sidewalks or walkways, parking lots, parking garages or other parking areas that are not owned by the University (e.g. public sidewalks, etc.)

Section 3 Requirement to Display License

3.1 License holders must display their License to Carry when directed by a law enforcement officer in accordance with section 411.205 of the Texas Government Code.

3.2 Otherwise, individuals are not required to disclose whether they are a license holder in order to participate in any program or service offered by the University, except as required by law.

IV. Locations and Activities where Concealed Handguns are Prohibited

A license holder is prohibited from carrying a concealed handgun onto campus property 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.

Section 1 Concealed handguns are prohibited:

1.1 At a location where a high school, collegiate, or professional sporting event or interscholastic event is taking place as prohibited under section 46.03 of the Texas Penal Code, or where a sports club or intramural athletic competition is taking place.

1.2 At a location where University and high school graduations are held.

1.3 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.

1.4 At a location where campus property is used during a Texas Woman's University System Board of Regents Meeting.

1.5 In a nonpublic, secure portion of the Texas Woman's University Police Department used to conduct official business as prohibited under section 411.207(b) of the Texas Government Code.

1.6 In a location where substances designated as "immediately dangerous to life and health" are present, access is restricted to individuals who perform research or related duties, and a sealed and filtered environment is essential.

1.7 In a laboratory where biological hazards, as defined by this policy, are present.

1.8 In an area where equipment that is incompatible with metallic objects is present, (such as, but not limited to, magnetic resonance imaging ("MRI") and nuclear magnetic resonance ("NMR") machines).

1.9 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 campus property.

1.10 At a location where special student services are provided.

1.11 At a location where large-scale events occur on campus property.

1.12 At locations providing Counseling and Health Services.

1.13 At locations providing Childcare for Minor Children.

1.14 At locations primarily used for National Collegiate Athletic Association events, University Interscholastic League events, Professional Sports events, or Minor Children Sports Camps.

1.15 At locations used for minor children's clubs, organizations, or academic camps.

1.16 At locations where disciplinary hearings are held.

1.17 At locations where laboratory work is done.

1.18 At locations with Miscellaneous, Special, or Unique Uses.

V. Obligation to Provide Notice Where Concealed Handguns are Prohibited

Section 1 Notice. 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.

1.1 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.

DE CONFORMIDAD CON EL ARTÍCULO 30.06 DEL CÓDIGO PENAL DE TEXAS (SOBRE EL INGRESO ILÍCITO DE UN INDIVIDUO CON LICENCIA DE PORTACIÓN DE ARMAS CORTAS OCULTAS) UNA PERSONA CON LICENCIA, SEGÚN LO ESTABLECIDO EN LA SECCIÓN H, CAPÍTULO 411 DEL CÓDIGO GUBERNAMENTAL DE TEXAS (SOBRE LA LEY DE EXPEDICIÓN DE LICENCIA DE ARMAS CORTAS), TIENE PROHIBIDO INGRESAR EN ESTA PROPIEDAD CON ARMAS CORTAS OCULTAS."

1.2 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.

1.3 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 property.

1.4 Contracts for use of the campus property shall include pertinent provisions of this policy.

VI. Prohibition of Weapons and Firearms

Section 1 <u>Weapons and Firearms</u>

1.1 Except as authorized by this policy, the use or possession of firearms, fireworks, or any other illegal or lethal weapon anywhere on the TWU campuses is prohibited by law.

1.2 Weapons prohibited include, but are not limited to; any club, explosive weapon, firearm, firearm silencer, handgun, illegal knife, knuckles, machine gun, short-barrel firearm, armor-piercing ammunition, ammunition, hoax bomb, chemical dispensing devise (other than a small chemical dispenser sold

commercially for personal protection), blow gun, stun gun, bow, arrow, sword, sling shot, racetrack, or zip gun. Pursuant to state law, these weapons are prohibited on the TWU campuses.

1.3 Additional items prohibited include toy look-alike guns, paintball guns, pellet and BB guns, and decorative firearms (operable or inoperable). Pursuant to state law, these weapons are prohibited on the TWU campuses.

1.4 The unlawful use or possession of a firearm constitutes a third-degree felony.

VII. Campus Housing

A concealed handgun may be carried or stored in a private residential room as set out in this policy. All other firearms are prohibited in campus housing.

Section 1 Weapons and Firearms

1.1 The use or possession of firearms, fireworks, or any other illegal or lethal weapon anywhere in TWU Housing or within the immediate vicinity, on the TWU campuses is prohibited by law.

1.2 Under state law, weapons prohibited in TWU housing or the immediate vicinity currently include, but are not limited to; any club, explosive weapon, firearm, firearm silencer, handgun, illegal knife, knuckles, machine gun, short-barrel firearm, armor-piercing ammunition, ammunition, hoax bomb, chemical dispensing devise (other than a small chemical dispenser sold commercially for personal protection), blow gun, stun gun, bow, arrow, sword, sling shot, racetrack, or zip gun.

1.3 Additional items prohibited in TWU Housing include toy look-alike guns, paintball guns, pellet and BB guns, and decorative firearms (operable or inoperable). Pursuant to state law, these weapons are prohibited on the TWU campuses.

1.4 The unlawful use or possession of a firearm constitutes a third-degree felony. Notwithstanding the above, individuals licensed by the State of Texas to carry a concealed handgun may, in accordance with state law, be in possession of a handgun in University owned or managed housing.

1.5 A licensed holder in University owned or managed housing must have their handgun on or about their person or safely secured or stored to prevent tampering or theft. The handgun must be stored in a combination or electronic locking steel safe when the handgun is not on or about their person.

1.6 The gun owner is responsible for reviewing and complying with all applicable University policies and procedures regarding such use and possession. Failure to comply with University regulations, may subject the student to disciplinary action, including contract termination from University Housing, TWU probation, or suspension.

VIII. Temporarily Prohibiting Concealed Handguns on Campus Property

Section 1 Temporary Prohibitions by Chancellor and President. The Chancellor and President ("Chancellor") or their designee may prohibit the carrying of concealed handguns everywhere on campus for up to seven (7) days in order to promote safety on campus property:

1.1 When the Activity has a history for violence; or

1.2 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.

Section 2 Temporary Prohibitions by the Chief of Police. The University Chief of Police may prohibit the carrying of concealed handguns on campus property:

2.1. 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

2.2. Upon receipt of credible information of imminent injury to human life or destruction to University property.

Section 3 <u>Review of Decision to Temporarily Restrict Carrying of Concealed Handguns</u>

3.1. A license holder may request review of the decision to temporarily prohibit the carrying of a concealed handgun.

3.2. 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.

3.3. 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.

3.4. The decision of the Reviewing Official is final.

IX. Sanctions for Policy Violations

Sanctions. 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.

X. Report to Legislature

Reporting to the Texas Legislature. The University 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 every even-numbered year. The report will be submitted to the Chancellor and the Vice President of Finance and Administration prior to submission to the Legislature.

XI. Amending Policy Regarding Carrying of Concealed Handguns by License Holders

The Chancellor may amend this policy regarding carrying of concealed handguns by license holders as necessary for campus safety, to include permanently designating new or additional locations where the carrying of concealed handguns on campus property 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 property.

Section 1 Amendment Requests. A request to amend this policy to permanently prohibit the carrying of a concealed handgun by a license holder must be submitted, in writing, to the Chief of Police.

1.1 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 license holders are prohibited from carrying a concealed handgun.

1.2 The request and proposed amendment must be reviewed by the University's Campus Carry Committee.

Section 2 Board of Regents. 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 ninety (90) days of the Chancellor's approval, and will not take effect until reviewed and approved by the Board.

XII. University Regulations and Procedures – Weapons and Firearms Policy

Adoption of Regulations and Procedures. TWU is committed to providing a safe environment for students, faculty, staff, and guests. TWU shall adopt University Regulations and Procedures concerning weapons and firearms consistent with state and federal law.

REVIEW

This policy will remain in effect and published until it is reviewed, updated, or archived. This policy is to be reviewed once every two years. Interim review may be required as a result of updates to federal and state law or regulations, or internal processes or procedures.

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

TWU Weapons and Firearms on Campus Website

Adopted: May 20, 2016

Revised: November 09, 2018; November 13, 2020; November 11, 2022; November 8, 2024