# THE UNIVERSITY OF TEXAS AT TYLER

**Office of the President**

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## Concealed Handgun Policy , Effective August 1, 2016

### Guiding Principles

1. Follow the law.
2. Focus on safety.
3. Strive for a campus environment in which students, staff, and faculty can focus on their studies, research, and work with minimal distraction.

### Concealed Carry Allowed

As provided by law, handgun license holders may carry concealed weapons on The University of Texas at Tyler campuses, except for the few excluded areas and certain necessary restrictions as indicated below. This policy, in sections below, futher indicates what training, education and notices are reasonable and prudent to make this policy successful.

### Exclusion Zones

Handgun license holders are responsible for following all properly posted exclusion zones. The University of Texas at Tyler excludes concealed handguns in the following areas.

1. Exclusions Required by Other Entities. Areas for which state or federal law, licensing requirements, or contracts require exclusion exclusively at the discretion of the state or federal government, or in which handguns are prohibited by an accrediting authority. Examples of facilities in this category include child care facilities, vivaria, and animal care areas.

   Therefore, the University excludes concealed handguns in the following locations:
   - Innovation Academy, Tyler
   - Innovation Academy, Longview
   - Innovation Academy, Palestine

2. Patient Care Areas. Section 46.035(b)(4) of the Penal Code excludes hospitals licensed under Chapter 241. By analogy and extension, patient care areas will be excluded, including hospitals, clinics, and mental health treatment areas. A “patient care area” is restricted to patient care areas for which a formal record of treatment is maintained.

Examples include:

- University Center Student Counseling Center
- Herrington Patriot Center (HPC) Athletic Training Area
- Biology, Education, and Psychology Building (BEP) – Handguns should be excluded in 2nd floor rooms where patient counseling sessions are conducted.
- University Health Clinic

3. Premises in or on which a Ticketed Sporting Event is Taking Place. Section 46.035(b)(2) of the Penal Code prohibits concealed handguns at high school, collegiate, and professional sporting events. By analogy and extension, any ticketed sporting event is excluded on U. T. Tyler campuses, whether an intercollegiate event or not.

   The following would be exclusion zones during high school, collegiate, and professional sporting events:

   - Louise Herrington Patriot Center
   - Citizens 1st Bank-Perkins Soccer Complex
   - Irwin Field
   - Suddenlink Field
   - Summers Tennis Center

   The Athletic Department will be responsible for the placement and removal of the exclusion signs for these sporting events.

4. Areas Where Discharge of a Handgun Might Cause Widespread Harm. Laboratories and instructional areas in BEP, HPR, RBS, and ARC with extremely dangerous chemicals, biologic agents, explosive agents, or equipment that is incompatible with metallic objects such as magnetic resonance imaging machines are excluded areas. Refer to Appendix A for a list of building names and room numbers.

5. Formal Hearing Areas. Section 46.03(a)(3) of the Penal Code excludes "any government court or offices utilized by the court." Any facility used as a hearing room that operates similar to a court, i.e., where an individual or panel is designated under institutional policy to adjudicate the rights or privileges of a student or an employee of the institution may be excluded.

   Examples include:

   - University Center 3rd floor Conference Room – Excluded when used for student judicial hearings.
   - Human Resources Conference Room – Excluded when used for hearings.

6. Areas in which Sponsored Activities Are Conducted for Persons Under 18 Years of Age Who are Not Enrolled at the Institution. Section 46.03(a)(1) of the Penal Code prohibits the carrying of handguns on "any grounds or building on which an activity sponsored by a school … is being conducted."

**Review of Exclusion Zones**
Future proposals and recommendations for exclusion zones will be reviewed by the Research Council, Environmental Health & Safety, and the Space Committee. Each person proposing an exclusion zone is responsible for providing the justification for the exclusion zone based on a provision of this policy. Exclusion zone recommendations should be presented to the President by the end of each academic year. Event Management will maintain signs available for temporary exclusion zones.

**Training**
Additional training will be provided by the university for those interested in more in-depth information about campus carry and related issues. Responsibility for campus carry training rests with Campus Police and the Emergency Management Coordinator.

**Residential Facilities**
Senate Bill 11 provides that, "An institution of higher education … may establish rules, regulations, or other provisions concerning the storage of handguns in dormitories or other residential facilities that are owned or leased and operated by the institution and located on the campus of the institution."

Student Housing will develop storage policies for on campus residents and roommate selection clauses for students who do not wish to room with licensees. The residential housing application will be revised to provide an opportunity for residents to self-select a non-license holder as a roommate. For example, applicants could be asked to indicate on the residential application form, "I voluntarily disclose that I am not licensed to carry a concealed handgun, and I request a roommate who has made this same voluntary disclosure."

Patriot Village and Ornelas Hall may be designated for students under 21.

**Requirement for Holster**
A license holder who carries a handgun on campus must carry it in a holster or other secure weapon case that completely covers the trigger and the entire trigger guard area. The holster must have sufficient tension or grip on the handgun to retain it in the holster even when subjected to unexpected jostling.

**Inclusion in Syllabi**
The following statement should be included in all syllabi:

- "We respect the right and privacy of students 21 and over who are duly licensed to carry concealed weapons in this class. License holders are expected to behave responsibly and keep a handgun secure and concealed. More information is available at http://www.uttyler.edu/about/campus-carry/index.php."

**Enforcement**
If a person is believed to have improperly displayed a handgun or carried a handgun into a location where concealed carry is not permitted, the campus police should be contacted. The

licensing statute, Chapter 411, Government Code, effectively requires that the handgun be "concealed," meaning that the gun's presence is "not openly discernable to the ordinary observation of a reasonable person." Similarly, Section 46.035, Penal Code, on unlawful carry by a licensed holder, prohibits intentional display of the handgun in plain view of another person in a public place as well as possession, whether or not concealed, in specific areas.

The HOP and MOPP will be modified to provide for disciplinary action for violating the UT Tyler Campus Carry Policy and may include the following language:

- "License holders bear the responsibility for safeguarding their handguns at all times, and must take all necessary precautions to ensure their handguns are secured in a manner that is most likely to prevent theft, loss, damage or misuse. Failure to secure a handgun or control a backpack or purse with a handgun at all times on the UT Tyler campus would be considered a failure to use reasonable care. License holders affiliated with UT Tyler who fail to use reasonable care in securing their handguns or act negligently are subject to disciplinary action, up to and including suspension, termination or non-renewal of appointment, or dismissal."

APPENDIX A
LIST OF EXCLUSION AREAS BY BUILDING
(updated 3/15/16)

Administration Building - ADM 113, 114 (during hearings as defined in the policy)

Fine Art Complex - ARC 167

Biology, Education, and Psychology Building – BEP 118, 121, 122, 124, 126, 131, 138
BEP 218, 220B, 220G, 229 suites, 231 suites, 232, 248 suites

HPC Athletic Training Area - HPC 1045, 1045A, 1047, 1260

Hudnall-Pirtle-Roosth Building - HPR 140, 141, 145, 148, 153

Innovation Academy, Tyler

Innovation Academy, Longview

Innovation Academy, Palestine

Ratliff Building South - RBS 1034, 3015

University Center - UC 3150, 3152, 3154, 3155, 3156, 3170, 3171, 3172, 3173, 3174, 3175, 3176, 3177, 3178, 3322 (3322 is only excluded during hearings as defined in the policy)

University Health Clinic

Louise Herrington Patriot Center (during collegiate sporting events or school-sponsored events as defined in the policy)

Citizens 1st Bank-Perkins Soccer Complex (during collegiate sporting events as defined in the policy)

Irwin Field (during collegiate sporting events as defined in the policy)

Suddenlink Field (during collegiate sporting events as defined in the policy)

Summers Tennis Center (during collegiate sporting events as defined in the policy)

Cowan Center (during school-sponsored events as defined in the policy)