

UNIVERSITY of HOUSTON
MANUAL OF ADMINISTRATIVE POLICIES AND PROCEDURES

SECTION: Public Safety
AREA: General Police Services

Number: 07.01.05

SUBJECT: Campus Carry Draft Policy

I. PURPOSE AND SCOPE

The purpose of this document is to inform faculty, staff, students, and visitors of the rules regarding the carrying of concealed handguns on campus by those individuals licensed to carry a handgun and to address the health, safety, and welfare of the campus community. On June 13, 2015, Governor Greg Abbott signed into law [Texas Senate Bill No. 11 \(S.B. 11\)](#), popularly known as the “campus carry” law. S.B. 11 amends [Texas Government Code §411.2031](#) to allow carrying of handguns by license holders on the campuses of certain institutions of higher education, including the University of Houston. Only a licensed person may carry weapons designated under Subchapter H of Chapter 411 of the Government Code; any other weapons are expressly prohibited. Individuals who do not possess a valid license to carry a handgun currently are and will continue to be prohibited from carrying handguns on campus. [S.B. 11](#) goes into effect on August 1, 2016.

II. POLICY

This policy is designed to be compliant with [S.B. 11](#) and to address the health, safety, and welfare of the campus community. The policy was written after ample consideration of input from campus constituencies regarding a number of factors, including the nature of the student population, specific safety considerations, and the uniqueness of the campus environment.

This policy applies to all students, faculty, staff, and visitors of the University, except for law enforcement officers commissioned by the Texas Commission on Law Enforcement.

III. DEFINITIONS

- A. Handgun: Any firearm that is designed, made, or adapted to be fired with one hand.
- B. Open Carry: Visible possession of a handgun in public.
- C. Concealed Handgun: A handgun, the presence of which is not openly discernible to the ordinary observation of a reasonable person.
- D. Exclusion Zone: An area of campus, building, or room in which the possession of handguns is prohibited as provided in Campus Carry Appendix 1. Each area restriction requires that notice be given to license holders as specified under [Texas Penal Code §30.06](#).
- E. Secure Storage Area: An area designated by the University for storage of handguns belonging to the faculty, staff, students, and visitors of the University community. It must be operated by armed UHDPS personnel and accessible to handgun owners twenty-four hours a day, seven days a week.

- F. License to Carry a Handgun: A License to Carry a Handgun (LTC) issued by the Texas Department of Public Safety (TXDPS), under [Texas Government Code Chapter 411](#), Subchapter H. Also includes valid Concealed Handgun Licenses issued by the TXDPS, as well as licenses from other states, the validity of which is recognized by the State of Texas.
- G. Disciplinary Action: Sanctions by the University, up to and including removal, probation, suspension, dismissal, and termination.
- H. Retention Holster: A holster with at least one retention feature or device.
- I. Grievance: Pursuant to University policies and procedures, a formal expression of disagreement or dissatisfaction with employee-related, residential, academic, or instructional matters.
- J. Significant Risk: A high probability of harm, not just a slightly increased, speculative, or remote risk.
- K. Substantial harm: A serious injury or death to a person or persons, or destruction of valuable property.

IV. SUPPORTING POLICY INFORMATION

The primary responsibility for enforcement of this policy lies with UHDPS. Disputes, concerns, or reports of policy violation should be communicated immediately to UHDPS, which will enforce both Texas law and UH policy as appropriate.

V. PROCEDURES

Failure to comply with any of the following procedures may result in Disciplinary Action.

A holder of an LTC may carry a concealed handgun on or about their person on the University of Houston campus and in buildings, including UH Sugar Land, except in Exclusion Zones. Handguns must be carried in a retention holster that covers the trigger. It is the responsibility of the holder of the LTC to conceal any handgun so that it is not partially or wholly visible to another person. Persons who do not hold a valid LTC are prohibited from carrying a concealed weapon on campus or in buildings. When not carried on or about a person, handguns must be in a Secure Storage Area, locked compartment of a locked vehicle, or a gun safe meeting requirements set out in Appendix 2, unless otherwise specified below.

- A. Faculty and Staff: Faculty and staff may not store handguns overnight on University property, unless stored in Secure Storage Area. Temporary storage in a locked cabinet, drawer, or gun safe meeting requirements set out in Appendix 2 is permitted. Moreover, if an employee uses a University leased or owned vehicle, temporary storage in a locked compartment of the vehicle that limits access by others is permissible. Unless an employee is required to carry a firearm as part of the employee's specific job duties, any possession or use of a firearm by the employee is not considered to be within the scope of employment with the University. As such, any employee who chooses to use a firearm is acting in the employee's individual capacity and not as an agent of the University.
- B. Alcohol: Possessing a weapon on campus while intoxicated is prohibited.

- C. Off-Campus Travel: University-led groups travelling off campus may exclude handguns to fulfill legal or contractual obligations or to allow a group to travel in a gun-restricted area.
- D. Open Carry: The carrying of an unconcealed handgun on campus is restricted to authorized members of the UHDPS, other law enforcement officers, and other persons who may be designated by appropriate law enforcement authorities.
- E. Intentional Reveal: Intentionally revealing a handgun on campus is prohibited. Any such incident will be grounds for Disciplinary Action.
- F. Inquiry of LTC or Carrying Status by University Employees: Employees of the University, with the exception of members of UHDPS, shall not inquire as to whether any person is carrying a concealed weapon or possesses an LTC.
- G. Verbal Reference to Firearms or Other Weapons: The declaration of handgun possession or CHL status may be considered a threat under some circumstances. See MAPP 02.08.01 for more information about responses to threats.
- H. Weapon Discharge: The discharge of a weapon intentionally or unintentionally anywhere on campus by any person may be grounds for Disciplinary Action.
- I. Other Weapons: All other weapons are strictly prohibited for students, faculty, staff, and visitors, including long guns, knives with blades longer than 5.5 inches, brass knuckles, clubs, and explosives. Their possession on campus is grounds for immediate Disciplinary Action.
- J. Storage Facilities: Secure Storage Areas will be maintained at the campus police station and at other locations that may be established by the University.
- K. Establishment of Exclusion Zones: The University Safety and Security Committee will review applications to establish, modify or eliminate gun exclusion zones based on an application by a University unit. The application must contain the exact zone to be excluded, a rationale for the exclusion based on the exclusion zone criteria, and a plan for where required signs are to be placed. If an exclusion is sought based on the "assigned employee office" criteria in section L.11. of this policy, the application must include a complete description of the "significant risk of substantial harm due to a negligent discharge" in accordance with the definitions and the alternate location where meetings may take place that are not subject to an exclusion. The committee may modify the proposal on the basis of feasibility of implementation. A sample exclusion zone application is included in Appendix 3. The Safety and Security Committee will suggest amendments to the list of exclusion zones, including recommendations to add or remove areas from the exclusion list. These recommendations will be taken to the Vice President for Administration and Finance, who will determine whether a building or area should be added to or removed from an exclusion zone. These exclusions will be maintained separately in the Campus Carry Appendix 1. Expedited review of an existing zone may be requested with a written justification.
- L. Criteria for Establishment of Exclusion Zones: In order to establish the proper exclusion zones, the University consulted with its students, staff, and faculty regarding the nature of the student population, as well as the specific safety considerations and uniqueness of the campus environment, including but not limited to, mental health counseling, health-related clinical facilities, grievances, and disciplinary hearings (Title IX, etc.), sporting and interscholastic events, places of religious worship, day care facilities and schools, campus programs for minors, university housing, and polling places. The University also analyzed

statutes under Texas and Federal law to determine, by analogy, which areas on campus would be proper exclusion zones. Accordingly, criteria for establishment of an exclusion zone may include, but is not limited to, the following:

1. Campus areas used for day care and school activities, including areas frequently used by minor children.
2. Health care facilities similar to hospitals used for patient care, counseling and mental health services.
3. Areas used for sporting or interscholastic events.
4. Established places of religious worship.
5. Polling places.
6. Laboratory areas where dangerous materials and equipment or research animals are present.
7. University housing other than Calhoun Lofts.
8. Spaces used for discussions of grievances or disciplinary hearings or meetings. (These exclusions may be permanent or temporary based on usage of the spaces.)
9. Areas containing critical university infrastructure.
10. Areas where contractual or licensing obligations require the exclusion of firearms.
11. An assigned employee office for which the employee has demonstrated that the carrying of a concealed handgun by a license holder in the office presents a significant risk of substantial harm due to a negligent discharge of the handgun, and the president or designee has approved the employee's request that the office be designated as an area where licensed concealed carry of a handgun is not permitted.

M. Reporting Violations of this Policy: Any violations of this policy should be reported to UHDPS. UHDPS shall maintain a list of all handgun-related incidents and provide an annual report to the President.

N. Reporting to Texas Legislature: In even numbered years by September 1, the University will submit a copy of its policy along with the justification used for development of the policy.

VI. REVIEW AND RESPONSIBILITY

Responsible Party: Assistant Vice President for Public Safety and Security

Review: Every three years on or before August 1

VII. APPROVAL

Senior Vice President for Administration and Finance

President

Date of President's Approval: _____

VIII. REFERENCES

- [Texas Penal Code § 46.03](#)
- [Texas Penal Code § 46.035](#)
- [Texas Government Code Chapter 411, Subchapter H](#)

REVISION LOG

Revision Number	Approved Date	Description of Changes
1	TBD	Initial edition

**Appendix 2
Gun Safe Criteria**

Appendix 2

Gun Safe Guidelines

A gun safe that is used by a license holder must:

1. (a) Be large enough to fully contain all firearms placed in it and provide for secure storage;
- (b) Have exterior walls constructed of a minimum 16-gauge steel;
- (c) Have a high-strength locking system consisting of a mechanical or electronic combination or biometric lock, and not a key lock; or in lieu of (b) and (c)
- (d) Be certified to/listed as meeting Underwriters Laboratories Residential Security Container rating standards by a Nationally Recognized Testing Laboratory (NRTL).
- (e) Be physically secured inside the license holder's residence in a manner that conforms to University of Houston Resident Life and Housing policy.

**Appendix 3
Exclusion Zone Application**

Appendix 3

University of Houston Handgun Exclusion Zone Form

Applicant: _____ Date: _____

Division: _____

Department: _____

Time frame from: _____ to: _____

Description of Exclusion Zone:

Policy basis for Exclusion zone:
(Refer to MAPP 0x.0x.0x Part V Subsection O: Criteria for Exclusion Zones)
Section:
Description:

Preliminary placement of signage to entrances:
(Note the final placement will be determined by DPS and plant ops).

Campus Safety Committee Recommendation:

Approve: _____ Disapprove: _____ Date: _____

Comments: