

UNIVERSITY of HOUSTON-VICTORIA

SUBJECT: Campus Carry 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-Victoria. 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](#).

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- 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 UHV police 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 UHV police. Disputes, concerns, or reports of policy violation should be communicated immediately to UHV police, which will enforce both Texas law and UHV 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-Victoria campus and in buildings, 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, if any have been designated, locked compartment of a locked vehicle, or a gun safe meeting requirements set out in Appendix 2, unless otherwise specified below.

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All students, staff, and faculty are responsible for being aware of which buildings are owned or leased by UHV, and which buildings are owned or leased by a separate entity. All students, faculty, and staff are responsible for abiding by the rules and regulations associated with those separate entities' facilities which UHV students and faculty share or make regular use of. In Victoria, the Student Center/Bookstore, Sports Center (gym) and Library are owned or leased by Victoria College and are therefore subject to their rules which currently do not allow the carrying of handguns. UHV classes held at locations outside of Victoria are subject to the rules of the campus where the classes are held.

- A. Faculty and Staff: Faculty and staff may not store handguns overnight on University property, unless stored in Secure Storage Area, if any have been designated. 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 UHV police, 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 UHV police, should 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 LTC status may be considered a threat under some circumstances.
- 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 have not been designated and will not be provided by the university. Handguns may be stored in privately owned or leased vehicles if the vehicle is under the sole control of the driver and the handgun is in a locked compartment.
- K. Establishment of Exclusion Zones: The Campus Safety 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. The committee may modify the proposal on the basis of feasibility of implementation. The Campus Safety 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 submitted to the UHV President who will determine whether a building or area should be added to or removed from an exclusion zone. The UHV President will make the final decision on the establishment of any exclusion zones. 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, areas meeting the 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. Polling places.
 5. Laboratory areas where dangerous materials and equipment or research animals are present.

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6. University housing other than 2605 Houston Hwy, Victoria, TX (Jaguar Court).
 7. Spaces used for discussions of grievances or disciplinary hearings or meetings. (These exclusions may be permanent or temporary based on usage of the spaces.)
 8. Areas containing critical university infrastructure.
 9. Areas where contractual or licensing obligations require the exclusion of firearms.
- M. Permanent Signage: A sign displaying the notice to license holders specified under Penal Code 30.06 must be permanently affixed to all points of entry to a gun-free area. It must be prominently and conspicuously displayed in a clearly visible location, contain block letters at least one inch in height, and use contrasting colors.

These signs may only be used at locations approved by the University President. No other person or entity may affix or use this sign or similar signage without authorization from the President. To do so is a violation of this policy.

N. Mobile/Temporary/Other Signage Request Process

Circumstances or events may arise when concealed carry of handguns may pose a significant risk of substantial harm for persons in that area of campus or new events may arise that involve the type of excluded areas previously described in this policy. Upon justification of circumstances that conform to the type of excluded areas previously described in this policy and/or create a significant risk of substantial harm in a University event or area, UHV faculty, staff, or students may make a request to the Campus Safety Committee for a specific, well-defined area to be gun-free for a specified period of time. An example of such a circumstance is when pre-K through 12 students visit the campus for a structured educational event; signage could be requested for the location and duration of the event.

1. Mobile/temporary requests to the Campus Safety Committee must be made in writing at least one week prior to the event. The requested areas must be ones in which a clear and persuasive justification is made that weapons would pose a significant risk of substantial harm in that specific area or that conform to the type of excluded areas previously described in this policy.
2. The Campus Safety Committee will make a recommendation to the UHV President regarding the request. The President has final approval of all

requests for mobile/temporary signage. The Campus Safety Committee must respond to the request in writing within 48 business hours.

3. It is the responsibility of the requesting party to make arrangements for securing and posting mobile/temporary signage. The requesting party must follow the UHV Police Department procedure authorized herein.
4. Notification must be made of the gun-free zone on the UHV Campus Carry website at least 24 hours prior to the event.

O. Mobile/Temporary Signage

The mobile/temporary sign described and authorized herein will be affixed to a stable, mobile stand or sign holder.

Procedures for storage and disbursement of mobile/temporary signage approved by the President will be developed by the UHV Police and disseminated widely, including on the UHV website. The mobile/temporary signage policy will cover all UHV buildings.

- P. Reporting Violations of this Policy: Any violations of this policy should be reported to UHV Police. UHV Police shall maintain a list of all handgun-related incidents and provide an annual report to the President.
- Q. 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.
- R. Student, Faculty, and Staff Handbooks: The following language regarding SB 11 may be included in syllabi, the student, faculty, and staff handbooks:

Senate Bill 11 Provisions

All UHV constituents must be in compliance at all times with SB 11, "Concealed Campus Carry." Only individuals who hold a current and valid License to Carry (LTC) may carry a concealed handgun on or about the license holder's person where permitted on University property. A LTC holder must be 21 or older and must maintain the license in good standing. The handgun must be wholly concealed on or about the license holder's person. The license holder must not intentionally or knowingly reveal or display the handgun, even if the handgun is holstered.

The concealed carry gun holders who exercise their rights have the responsibility to be knowledgeable about the provisions of Senate Bill 11 as well as potential liabilities; and they must make their own

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provisions for appropriate risk transfer and the security of their weapon at all times. Any deviation from the SB 11 will be addressed by calling the UHV Police Department, who will ascertain the nature of the situation and next steps. All UHV constituents are encouraged to read SB 11 and to visit UHV's campus carry website.

All of us at UHV as a community are responsible for maintaining a safe and conducive learning environment for higher education to preserve the integrity and spirit of education at all of our UHV campus classes, functions, and activities.

VI. REVIEW AND RESPONSIBILITY

Responsible Party: Vice President for Administration and Finance

Review: Every three years on or before August 1

VII. APPROVAL

R. Vic Morgan
President

Date of President's Approval: July 11, 2016

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 1

Buildings, Areas, and Spaces Meeting the Criteria for Establishment of Exclusion Zones

Children's Events, Programs and Services

- Locations Used for Pre-K-12 Activities / Camps
- UHV buildings used for children's camps or specialty camps such as Robotics, Education, Physics and Math camps.
- UIL Events

Grievance and Disciplinary Hearings

- Offices of the Deans of UHV Schools, including Arts & Sciences, Business Administration, and Education, Health Professions, & Human Development
- Grievance and Disciplinary Hearing Rooms (temporary exclusion for rooms used for grievance and disciplinary hearings)

Health and Counseling Services

- UHV Counseling Center
- The School of Education, Health Professions, & Human Development's Counselor Education Program's Counseling Lab

Science Laboratories and Classrooms

- UHV Laboratory Classrooms
- Plant Lab

Residence Halls

- All UHV Dormitories other than Jaguar Court (2605 Houston Hwy., Victoria, TX)

Competitive Sporting Events

- UHV Soccer Field
- Public Baseball Fields and Golf Courses where UHV sporting events occur. Signage may not be displayed at all public venues. Mobile signage will be used when this is the case. The mobile signage will be displayed no earlier than one hour before the scheduled start time of the event and for no more than one hour after the event has concluded.

**Appendix 2
Gun Safe Criteria**

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) Be certified to/listed as meeting Underwriters Laboratories Residential Security Container rating standards by a Nationally Recognized Testing Laboratory (NRTL).
- (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)
- (d) Be physically secured inside the license holder's residence in a manner that conforms to University of Houston-Victoria Residence Life and Housing policy.