

Firearms, Explosives and Ammunition

Original Implementation: Unpublished

Last Revision: April 25, 2017

Firearms, ammunition, explosive devices, or illegal knives may not be brought on to the campus of Stephen F. Austin State University or any property which is owned, leased, or operated by the university, or a passenger vehicle which is owned, leased, or operated by the university, without the written permission of the president unless otherwise specified by this policy. Requests for permission must be submitted in writing to the chief of university police, or designee, at least fifteen (15) business days prior to the date the requestor seeks to bring such an item on campus. The chief will forward the request to the vice president for university affairs with a recommendation for approval or rejection, with a copy provided to the director of environmental health, safety & risk management. The vice president for university affairs will review the request with the president, who will make the final decision. The president will notify the requestor, the chief of university police and the director of environmental health, safety & risk management of his/her final decision.

Notwithstanding the foregoing, effective August 1, 2016, a concealed handgun license holder may carry a concealed handgun in accordance with Texas Government Code Section 411.2031 and other applicable law, subject to the reasonable rules and regulations in Appendix 1. A concealed handgun license holder is responsible for knowing areas where carrying a concealed handgun is prohibited where notice is not required to be posted. A concealed handgun license holder is not required to disclose whether that person has a license or is currently carrying a concealed handgun to anyone except a magistrate or peace officer.

Cross Reference: Tex. Gov't Code § 411.2031; Tex. Penal Code §§ 46.03-.035

Responsible for Implementation: Vice President for University Affairs, Vice President for Finance and Administration

Contact for Revision: Chief of University Police; Director of Environmental Health, Safety, and Risk Management

Forms: Request for Use of Prohibited Materials

Board Committee Assignment: Building and Grounds

Appendix 1

LOCATION/ ACTIVITY	POLICY	CROSS REFERENCE	UNIQUE ENVIRONMENT/SAFETY CONSIDERATIONS/OTHER COMMENTS
1. General Policies			
1.1 Campus Storage – General	No on-campus storage for handguns will be provided; License holders may store handguns at the University Police Department (UPD) in accordance with UPD policies and procedures.	Tex. Gov't Code § 411.2031(d)	An institution of higher education may establish rules, regulations or other provisions concerning storage of handguns in dormitories or other residential facilities owned or leased and located on the campus of the institution.
1.2 Campus Storage – Residential Facilities	License holders residing in campus housing may carry a concealed handgun into campus housing and may store his/her handgun in campus housing except during extended periods of absence, such as spring break and the periods between the fall and spring semesters. When storing a handgun in campus housing, he/she must store the handgun in his/her residential room, in a secured area or occupant-provided locked and secure container. Handguns may not be stored in designated campus housing during summer camps. Handguns may never be stored in campus housing by non-resident persons or any person other than the residential room occupant. Residents may not store a handgun for any other resident or person.	Tex. Gov't Code § 411.2031(d)	An institution of higher education may establish rules, regulations or other provisions concerning storage of handguns in dormitories or other residential facilities owned or leased and located on the campus of the institution.
1.3 Campus Storage – Full-time Residential Staff	License holders who are employed as full-time residential staff in campus housing may store his/her handgun in his/her residence at all times in a secured area or resident-provided locked, secure container.	Tex. Gov't Code § 411.2031(d)	An institution of higher education may establish rules, regulations or other provisions concerning storage of handguns in dormitories or other residential facilities owned or leased and located on the campus of the institution.

2. Particular Locations/Activities as Gun-Free Zones

<p>2.1 Early Childhood Research Center, including fenced grounds, and surrounding premises such as walkways, driveways, and parking lots when used for school-sponsored or day care-sponsored activities</p>	<p>Concealed carry prohibited.</p>	<p>Tex. Penal Code § 46.03(a)(1); Tex. Educ. Code § 37.125; 40 Tex. Admin. Code § 746.3707</p>	<p>The Charter School serves kindergarten through 5th grade children and is unique to most universities. It is located within the Early Childhood Research Center (ECRC) Building with adjacent grounds. The Early Childhood Lab is a licensed day care center, serving infants, toddlers, and pre-K children, and is also located within the ECRC Building with adjacent grounds. The significant excludable use of the building together with the inability to segregate the excludable space renders it impracticable to parcel the building into carry and non-carry zones.</p>
<p>2.2 The Human Services building (other than the Telecommunications area), Student Health Clinic, and 3rd floor of the Rusk Building.</p>	<p>Concealed carry prohibited.</p>	<p>Tex. Gov't Code §§ 411.172, 2031(d-1); Tex. Penal Code § 46.035(b)(4)</p>	<p>The Human Services building contains numerous physical and mental health clinics, labs, and offices for testing and treatment of children and adults from the campus and community, located in various rooms on each floor of the building. These include the Little Jacks, pre-school classroom for children with communication difficulties (1st Floor), Human Neuroscience Laboratory (1st Floor), Rehabilitative Services Career Planning Laboratory (1st Floor), Stanley Speech and Hearing Clinic (2nd Floor), Voice and Speech Science Laboratory (2nd Floor), Cole Audiology Laboratory (2nd Floor), Counseling Clinic (2nd Floor), School Psychology Assessment Center (2nd Floor), Basic Skills Clinic, includes client populations with Autism (2nd Floor), Office of Rehabilitative Services (2nd Floor), Office of Disability Services, includes testing accommodations (3rd Floor), and Office of Assistance and</p>

			<p>Rehabilitative Services (DARS)(3rd Floor). The building and uses are unique in the campus. Many of the services address issues related to the physical-psychological-emotional status of clientele representing populations across the developmental lifespan. Safety considerations are also paramount for the clientele and providers. The 3rd floor of the Rusk Building includes Counseling Services. The Student Health Clinic and Counseling Services on the 3rd Floor of the Rusk Building provide outpatient medical care and mental health counseling services, respectively, to campus students. The significant excludable use of the Human Services building, the Student Health Clinic, and the 3rd floor of the Rusk Building, together with the inability to effectively segregate the excludable space (other than the Telecommunications area of the Human Services building) renders it impracticable to parcel the building into carry and non-carry zones.</p>
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<p>2.3 The 3rd Floor of the Rusk Building and Conference Room 301 in the Human Services building.</p>	<p>Concealed carry prohibited.</p>	<p>Tex. Gov't Code § 411.2031 (d-1); Tex. Penal Code § 46.03(a)(3)</p>	<p>The Texas Penal Code prohibits firearms “on the premises of any government court or office utilized by the court.” Formal disciplinary hearings and grievance actions are adjudicatory activities and may be highly emotional and contentious events as unique environments justifying special safety considerations for participants. Counseling Services (see also 2.2) and the Office of Student Rights and Responsibilities engages in such activities and comprise substantial usage and space on the 3rd floor of the Rusk Building. The significant excludable use of the 3rd floor together with the inability to effectively segregate the excludable space renders it impracticable to parcel the floor into carry and non-carry zones. Conference Room 301 in the Human Services Building is a location used for both student and employee disciplinary and grievance hearings.</p>
<p>2.4 A location where a high school, collegiate, or professional sporting event is taking place as prohibited under section 46.035(b)(2) of the Texas Penal Code, or where a sports club or intramural athletic competition is taking place.</p>	<p>Concealed carry prohibited.</p>	<p>Tex. Penal Code § 46.035(b)(2)</p>	<p>Under the Texas Penal Code, a person commits an offense by carrying a handgun on the premises when a high school, collegiate, professional sporting or interscholastic event is taking place. Intramural and club sporting events are events of a similar nature and possess the same safety considerations as those provided for in the Penal Code.</p>

<p>2.5 Nonpublic, secure portions of the University Police Department</p>	<p>Concealed carry prohibited.</p>	<p>Tex. Gov't Code § 411.207(b)</p>	<p>A peace officer who is acting in the lawful discharge of the officer's official duties may temporarily disarm a license holder when a license holder enters a nonpublic, secure portion of a law enforcement facility.</p>
<p>2.6 Occasional, reasonable, temporary restrictions by the president for up to five (5) days, renewable in the president's discretion.</p>	<p>Concealed carry prohibited.</p>	<p>Tex. Gov't Code § 411.2031(d-1); Tex. Att'y Gen. Op. No. KP-0051(2015)</p>	<p>Specific, occasional occurrences or events will arise from time to time in the campus environment requiring safety considerations. The temporary prohibition of concealed carry by the president in such circumstances is both prudent and necessary and will not violate the letter or spirit of the law. Other temporary restrictions include locations where concealed carry is otherwise prohibited by law (e.g. court hearings, polling locations).</p>