

## **Firearms, Explosives and Ammunition**

**Original Implementation:** Unpublished

**Last Revision:** July 27, 2021

Explosive devices and 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 finance and administration with a recommendation for approval or rejection, with a copy provided to the director of environmental health, safety & risk management. The vice president for finance and administration 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.

A person who may lawfully carry a handgun under Texas law may carry a handgun in the parking lots, parking garages, sidewalks or walkways, and other grounds where a university-sponsored activity is not taking place, unless otherwise indicated by proper notice.

A person licensed in Texas to carry a handgun 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 license holder is responsible for knowing areas where carrying a handgun is prohibited where notice is not required to be posted. A license holder is not required to disclose whether that person has a license or is currently carrying a handgun to anyone except a magistrate or peace officer.

**Cross Reference:** Tex. Gov't Code § 411.2031; Tex. Penal Code §§ 30.05-.06, 46.02-03

**Responsible for Implementation:** 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 REFERE NCE	UNIQUE ENVIRONMENT/SAFETY CONSIDERATIONS/OTHE
<b>1. General Policies</b>			
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
1.2 Campus Storage – Residentia l 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.

<p>1.3 Campus Storage – Full-time Residential Staff</p>	<p>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.</p>	<p>Tex. Gov't Code § 411.2031(d )</p>	<p>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.</p>
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**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 § 46.03(a)(1); Tex. Educ. § 37.125</p>	<p>The Charter School serves Kindergarten through 5th grade children and is unique to most universities. It is located within Early Childhood Research Center (ECRC) Building with adjacent grounds. The Early Childhood Lab licensed day care center, serving infants, toddlers, and pre-K and is also located within the Building with adjacent grounds. significant excludable use of the building together with the inability segregate the excludable space renders it impracticable to parcel building into carry and non-zones.</p>
<p>2.2 The Human Services building (other than the Telecommunicati area), Student Health Clinic, 3<sup>rd</sup> floor of Rusk Building.</p>	<p>Concealed carry prohibited.</p>	<p>Tex. Gov't §§ 411.172, 2031(d-1); Tex. Penal Code § 46.03 (a)(11)</p>	<p>The Human Services building numerous physical and mental clinics, labs, and offices for testing and treatment of children and from the campus and community, located in various rooms on each floor of the building. These the Little Jacks, pre-school for children with communication difficulties (1<sup>st</sup> Floor), Human Neuroscience Laboratory (1<sup>st</sup> Rehabilitative Services Career Planning Laboratory (1<sup>st</sup> Floor), Stanley Speech and Hearing Clinic (2<sup>nd</sup> Floor), Voice and Speech Laboratory (2<sup>nd</sup> Floor), Cole Laboratory (2<sup>nd</sup> Floor), Clinic (2<sup>nd</sup> Floor), School Assessment Center (2<sup>nd</sup> Floor), Skills Clinic, includes client populations with Autism (2<sup>nd</sup> Office of Rehabilitative Services Floor), Office of Disability includes testing accommodations Floor), and Office of Assistance</p>

		<p>Rehabilitative Services (DARS)(3<sup>rd</sup> 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 3<sup>rd</sup> floor of the Rusk Building includes Counseling Services. The Student Health Clinic and Counseling Services on the 3<sup>rd</sup> 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 3<sup>rd</sup> 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 3<sup>rd</sup> Floor of the Rusk Building and Conference Room 301 in the Human Services building.</p>	<p>Concealed carry prohibited.</p>	<p>Tex. Gov't § 411.2031 (d-1); Tex. Penal § 46.03(a)(3)</p>	<p>The Texas Penal Code firearms “on the premises of any government court or office utilized the court.” Formal hearings and grievance actions are adjudicatory activities and may be highly emotional and events as unique environments Justifying special safety considerations for participants. Counseling Services (see also 2.2) the Office of Student Rights Responsibilities engages in such activities and comprise substantial usage and space on the 3<sup>rd</sup> floor the Rusk Building. The excludable use of the 3<sup>rd</sup> together with the inability to effectively segregate the space renders it impracticable parcel the floor into carry and carry zones. Conference Room 301 the Human Services Building is a location used for both student and employee disciplinary and hearings.</p>
<p>2.4 A location where a high school, collegiate, or professional sporting event is taking place as prohibited under section 46.03 (a)(8) 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 § 46.03 (a)(8)</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 § 411.2031(d)- Tex. Att'y Gen. Op. No. KP-0051(2015)</p>	<p>Specific, occasional occurrences or events will arise from time to time the campus environment requiring safety considerations. The prohibition of concealed carry by president in such circumstances is both prudent and necessary and not violate the letter or spirit of law. Other temporary include locations where concealed carry is otherwise prohibited by (e.g. court hearings, polling locations).</p>