



Angelo State University Operating Policy and Procedure

OP XX.XX Concealed Carry of Handguns on Campus

DATE: Effective August 01, 2016

PURPOSE: The purpose of this Operating Policy/Procedure (OP) is to establish guidelines and procedures for the implementation of the state statute authorizing the concealed carry of handguns on the premises of Angelo State University. These rules and regulations were established by the president of Angelo State University in consultation with faculty, staff, and students and reviewed by the Texas Tech University System Board of Regents (BOR).

REVIEW: This policy will be reviewed annually in March by the office of the PVPAA in consultation with a committee established by this policy. Any suggested changes will be forwarded to the president for approval and submission to the Board of Regents.

POLICY/PROCEDURE:

1. General Provisions:

- a. Subject to rules adopted by the university, individuals holding a valid Texas Concealed Handgun License (CHL) or the new state designation for the same, License To Carry (LTC), will be allowed to carry their handgun, concealed on their person on the campus of Angelo State University and on premises leased by Angelo State University as lessee.
- b. With few exceptions, permit holders must be a Texas resident, 21 years of age, not have a criminal record of a felony conviction or conviction of certain classes of misdemeanors, and meet other requirements listed in the statute (V.T.C.A., Texas Government Code § 411.172). Further, permit holders will have completed education and proficiency requirements and pass a background check performed by the Texas Department of Public Safety. Additional information can be found on the Department's website at <http://www.txdps.state.tx.us/rsd/chl/index.htm>.
- c. Pursuant to Texas Penal Code Sections 46.035 and 30.07, the open display of a handgun in plain view of another person on Angelo State University property is never allowed except by an authorized individual, such as a peace officer, while in the actual discharge of their duty.

- d. It is the responsibility of the permit holder to know, understand, and follow those laws while on the campus of Angelo State University. Holders of such permits are bound by state law and may face criminal or civil penalties for violation of those statutes.
- e. These rules and regulations for ASU contain no provisions intended to generally prohibit or have the effect of generally prohibiting license holders from carrying concealed handguns on their person on the campus. V.T.C.A., Government Code § 411.209, prohibits such and creates a potential civil liability for any state agency which, by signage, overstates its prohibitions.
- f. Permit holders will not be required to register or declare their status to University officials. Holding of a valid CHL or LTC permit shall not prejudice an individual in any manner on the campus of Angelo State University. However, as allowed by state statute, permit holders may be required, for cause, to show proof of permit if requested by any duly sworn peace officer including Angelo State University Police.

2. Specific Exclusions to Concealed Carry of a Handgun

- a. As provided for in state statute, the University president is the only person with the authority to declare a specific premise or venue as “off limits” for concealed carry. Therefore, without the express written consent of the president, no faculty member, staff member, student or student group may exclude a specific premise or venue as “off limits.”
- b. Texas statutes identify seven categories of venues where concealed carry is prohibited. For Angelo State University, facilities that fall under those categories include the following:
 - (1) The Junell Center-Stephens Arena, when sporting events are being conducted.
 - (2) LeGrand Stadium at 1st Community Credit Union Field, when sporting events are being conducted.
 - (3) Mayer Field, when sporting events are being conducted.
 - (4) Foster Field at 1st Community Credit Union Stadium, when sporting events are being conducted.
 - (5) The ASU Soccer Field, when sporting events are being conducted.
 - (6) Premises where any NCAA sanctioned competition is being held.
 - (7) Premises where any UIL sanctioned competition is being held.
 - (8) Premises where any Board of Regents meeting is being held.
 - (9) Premises where any other official governmental meeting is being held.

- (10) Premises where polling is being conducted for local, state or federal elections.
 - (11) The University Counseling Center.
 - (12) The University Health Clinic operated by Shannon Hospital.
- c. In addition to the above venues, input from faculty, staff, and students has resulted in the following premises, venues or events being declared as off limits to concealed carry:
- (1) Any laboratory, room or storage area where chemical(s) with a National Fire Protection Association (NFPA) label that lists a particular chemical(s) as a 3 or higher in any category of flammability, instability, or health hazard or is listed as radioactive in the special hazard category.¹
 - (2) Any laboratory for which federal law, licensing agreements or a contractual research agreement precluded the presence of firearms.
 - (3) Any university event where alcohol is being served by an organization under Texas Alcoholic Beverage Commission rules and regulations.
 - (4) University commencement ceremonies.
 - (5) Any premises in which a program, activity or camp is conducted for minors.
- d. Per Texas Penal Code Sections 46.035 and 30.07, the open display of a handgun in plain view of another person on Angelo State University property is never allowed except by an authorized individual, such as a peace officer, while in the actual discharge of their duty.
- e. Other specific premises or venues may be declared “off limits” by the university president. Adoption of exclusion for a premise or venue must be reasonably justified. That justification must rest on something other than assumptions or bias regarding handgun license holders. Justification will be based on some higher standard. The requestor must provide evidence that a concealed handgun on that particular premise or venue creates some special danger. Requests for exclusion must be provided in writing to the Office of the President at least one month prior to the date of the event.
- f. To assist in the process of approving exclusions, a standing committee entitled the Campus Carry Committee will be established. The committee

¹ The university president, after review of specific uses of individual laboratories may, on a limited basis, exempt some laboratories for which the president has determined that the risks of the presence of a handgun is de minimis in comparison to significant logistical challenges presented by declaring such laboratory as an exclusionary zone.

will be charged with investigating requests for exclusions and making a recommendation to the president concerning the request. This committee will be chaired by the provost and vice president for academic affairs and will consist of the presidents of Faculty Senate, Staff Senate, and Student Government Association, a faculty member appointed by the PVPAA, the vice president of student affairs and enrollment management, the director of human resources, the university general counsel, and the chief of police for Angelo State University.

3. Handguns in University Housing

- a. Angelo State University requires that students living in university residential facilities who possess a valid CHL or LTC and who possess a handgun in that facility must secure, at the permit holder's expense, the firearm in such a manner that it is not readily available to anyone except the permit holder.
- b. The method by which it is secured must provide some sort of locking mechanism that cannot be breached without excessive force. Examples include approved gun safes, cable locking mechanisms, or other devices which could reasonably be construed to prevent access to the firearm by anyone other than the owner.
- c. Students who are assigned to dorm rooms where a firearm is stored and are concerned about their wellbeing may request a transfer to another room. Please refer to the university housing contract for specific provisions concerning possession of firearms in university housing.

4. Notification of Permit Holders of Premises Designated as Off Limits

- a. At any campus location that is off limits to concealed carry, notice will be given by signage meeting the requirements of V.T.C.A., Penal Code § 30.06. In order to provide the effective notice required by the campus carry legislation, signs will be conspicuously posted and visible to the public, will be displayed in English and Spanish, and be printed in block letters of one inch or more on a contrasting background. The content of the sign will contain verbiage prescribed by law.
- b. A premise or venue that is "off limits" at all times will have 30.06 signs permanently affixed in conspicuous locations and at intervals prescribed by law.
- c. Events or venues that are "off limits" due to exclusion by statute (i.e. sporting events, school competitions, government meetings) will be so designated by portable 30.06 signs placed in conspicuous locations and at intervals prescribed by law.

- d. Event planners will need to take into account the need for such signage and notify ASU Special Events Facilities/Services office, Room 200, Houston Harte University Center at least two weeks prior to the event.
- e. Angelo State University will widely distribute these rules and regulations and offer educational information regarding these rules and safety procedures to the students, staff and faculty through the University's website, student and employee handbooks and other publications.

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