

NORTHEAST TEXAS COMMUNITY COLLEGE CONCEALED CARRY POLICY**Statutory Basis for Local Policy**

Pursuant to Texas Government Code, Section 411.2031(c), and except as provided by certain exceptions under the subsections of the law, Northeast Texas Community College may not adopt any rule, regulation, or other provision prohibiting license holders from carrying handguns on the campus of the institution. Under Section 411.2031(d) of the Government Code, the College may establish rules, regulations, or other provisions concerning the storage of handguns in dormitories or other residential facilities that are owned or leased and operated by the institution and located on the campus of the institution. Pursuant to Section 411.2031(d-1), after consulting with students, staff and faculty of the College, the College President shall establish reasonable rules, regulations or other provisions regarding the carrying of concealed handguns by license holders on the campus of the institution or on premises located on the campus of the institution. The President may not establish provisions that generally prohibit or have the effect of generally prohibiting license holders from carrying concealed handguns on the campus of the institution.

Scope of Policy

The following policy pertains to handguns and license holders on College premises and at College related activities. This policy applies to all students, employees, affiliates of the College and visitors of the College while on the campus.

Definitions

Definitions of terms used in or applicable to this policy are set forth below.

"Campus" means all land and buildings owned or leased by the College.

"Concealed handgun" is a handgun not openly discernable to the ordinary observation of a reasonable person.

General Safety Requirements

License holders who carry a handgun on campus must carry it concealed and on or about their person at all times or secure their handgun in a locked, privately-owned, or leased motor vehicle. The only exception to this policy is for license holders who reside in college-provided housing. Those license holders may store their handgun in a gun safe that meets the requirements set forth in this policy.

A license holder who carries a handgun on campus must carry it in a holster that completely covers the trigger and entire trigger guard area. The holster must have sufficient tension or grip on the handgun to retain it in the holster even when subjected to unexpected jostling.

At all times, the responsibility of maintaining ownership and control of a concealed handgun rests with the license holder. Persons are responsible for knowing where their handguns are at all times, where or when concealed handguns are not permitted, and which areas on the College campus are exclusion zones.

The Texas Penal Code, Section 46.035(a-1)(1), provides that a license holder commits an offense if the license holder carries a partially or wholly visible handgun, regardless of whether the handgun is holstered, on or about the license holder's person and intentionally or knowingly displays the handgun in plain view of another person on the premises of an institution of higher education.

Storage

The College will not provide storage for handguns on the College campus. When not in the direct possession of the license holder, handguns must be concealed and locked in the owner's private automobile or safely and securely stored by other means consistent with law and College

policy.

- **Presence of School Children.** Texas Penal Code § 46.03(a)(1) generally prohibits the carry of firearms on the physical premises of any pre-K-12 schools and on any grounds or in any buildings where any pre-K-12 school-sponsored activity is being conducted. Accordingly, where any such activity is occurring on the College campus, the carrying of firearms is prohibited. Tex. Penal Code 46.035(a-3). Because of the unique challenges of notification regarding this exclusionary zone, the College may place notice of such events occurring on campus immediately adjacent to the entrance to the particular building in use. If the presence of schoolchildren participating in a single event is so widely distributed across campus as to make the task of posting notices an impracticality then the campus may be declared a temporary exclusion zone, at the discretion of the President. In such a case, notification will be posted at all public entrances to the campus.

Exclusion Zones

The essential core facilities of the College, including classrooms, multi-person administrative offices, multi-

Employees who violate this policy may be subject to discipline, up to and including termination of employment under College policy and procedure; criminal penalties may be applicable.

Students who violate this policy may be subject to discipline, up to and including suspension or expulsion; criminal penalties may also be applicable.