

## CAMPUS CARRY POLICY

### I. PURPOSE

This regulation describes the conditions under which all staff, faculty, students and visitors to the College can carry a concealed handgun on the Wharton, Richmond and Bay City Campuses of Wharton County Junior College. All staff, faculty, students and visitors to the Sugar Land Campus must comply with the policy published by the University of Houston System.

Legal Reference Texas Government Code, §411.2031 of the Texas Government Code

### II. POLICY

Wharton County Junior College will establish and publish procedures and rules for those individuals who carry a concealed handgun on to the Wharton, Richmond and Bay City Campuses. All procedures and rules will be in compliance with State of Texas Law.

- A. Wharton County Junior College will designate specific locations as “Exclusion Zones” and follow appropriate procedures to notify all individuals of such zones.
- B. This regulation will be approved/ratified by the Board of Trustees on an annual basis.

(POLICY APPROVAL: 05-16-17)

### III. DEFINITIONS

- A. Handgun: Any firearm that is designated, made, or adapted to be fired with one hand.
- B. Concealed Handgun: A handgun, the presence of which is not openly discernable to the ordinary observation of a reasonable person.
- C. Reveal: The act of intentionally displaying a handgun, in whole or part, in plain view of another person in a public place. Texas Penal Code §46.035.
- D. Exclusion Zone: An area of campus, building, or room in which the possession of handguns is prohibited as provided in the list of exclusions indicated in this regulation. Each area restriction requires that notice be given to license holders as specified under Texas Penal Code §30.06.
- E. Secure Storage Area: An area designated by the College for storage of handguns by students in the college dormitories and accessible to handgun owners twenty-four hours a day, while college is in session.

- 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 TXDPS, as well as licenses from other states, the validity of which is recognized by the State of Texas.
- G. Retention Holster: A holster with at least one retention feature or device.
- H. Disciplinary Action: Sanctions by the College, up to and including removal, probation, suspension, dismissal, and termination. See College Regulations 592, 886, and 887.

#### IV. PROCEDURES

An individual who possesses a valid LTC may carry a concealed handgun on or about their person on WCJC campuses (noted earlier) 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 individual who has a valid 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 or a private vehicle unless otherwise specified below.

- A. Faculty and Staff: Faculty and staff may not store handguns overnight on College property. Unless an employee is required to carry a handgun as part of the employee's specific job duties, any possession or use of a handgun by the employee is not considered to be within the scope of employment with the College. As such, any employee who chooses to use a handgun is acting in the employee's individual capacity and not as an agent of the College.
- B. Alcohol: Possessing a weapon on campus while intoxicated is prohibited. Texas Penal Code 46.035(d).
- C. Off-Campus Travel: College-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 law enforcement officers, and other persons who may be designated by appropriate law enforcement authorities. Texas Penal Code 46.035(a).
- E. Intentional Reveal: Intentionally revealing a handgun on campus is prohibited. Texas Penal Code 46.035(a-1). Any such incident will be grounds for Disciplinary Action.
- F. Inquiry of LTC or Carrying Status by College Employees: Employees of the College may not inquire as to whether any person is carrying a concealed handgun or possesses an LTC.

- G. Verbal Reference to Handguns or Other Weapons: The declaration of handgun possession or LTC status may be considered a threat under some circumstances. Threats of this nature will be referred to law enforcement.
- H. Weapon Discharge: The discharge of a weapon intentionally or unintentionally anywhere on campus by any person may be grounds for action by law enforcement.
- I. Other Weapons: All other weapons are strictly prohibited for students, faculty, staff, and visitors; possession of these items on campus is grounds for immediate action by law enforcement. See College Regulation 324 and Texas Penal Code 46.05.
- J. Storage in Private Vehicles: Handguns and/or ammunition may be stored or transported in a locked, privately owned or leased vehicle by a person who holds a LTC and lawfully possesses the handgun and/or ammunition. Texas Government Code 411.2032(b).
- K. Establishment of Exclusion Zones: The College Safety and Security Advisory Committee will review applications to establish, modify or eliminate handgun Exclusion Zones based on an application by a College 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 noting the location and placement of required signage. The committee may modify the proposal on the basis of feasibility of implementation. An Exclusion Zone application is available from the Office of Campus Safety and Security. Completed applications will be reviewed by The Safety and Security Committee who will either recommend the application to the President, modify the application and return to the applicant or return to the applicant with denial of the application. Recommendations that the committee approves will be taken to the President, who will determine if the Exclusion Zone request should be approved. The President will determine whether a building or area should be designated as an Exclusion Zone.
- L. Criteria for Establishment of Exclusion Zones:
1. Existing state and federal laws prohibiting weapons in certain areas, including but not limited to:
    - a. Campus areas used for day care and school activities, including areas frequently used by minor children. Texas Penal Code §46.03(a) (1).
    - b. Health care facilities similar to hospitals used for patient care, counseling and mental health services. Texas Penal Code §46.035(b) (4).
    - c. Areas used for sporting or interscholastic events, unless the person is a participant in the event and the handgun is used in the event. Texas Penal Code §46.035(b) (2).
    - d. Established places of religious worship. Texas Penal Code §46.035(b)(6).

- e. Polling places. Texas Penal Code §46.03(a)(2).
  - f. The room or rooms where a properly posted open meeting, subject to the Open Meetings Act, is taking place, so long as notice is provided in accordance with the law. Texas Penal Code 46.035(c), (i).
  - g. College owned, rented or leased vehicles used to transport students. Texas Penal Code 46.03(a)(1)(B).
- 2. Laboratory areas where dangerous materials and equipment or research animals are present.
  - 3. Spaces used for discussion of grievances or disciplinary hearings. (These exclusions may be permanent or temporary based on usage of the spaces.)
  - 4. Areas containing critical College infrastructure.
  - 5. Areas where contractual or licensing obligations require the exclusion of handguns.
- M. Violations of this Policy:  
Any violations of this policy should be reported to law enforcement and to the Office of Campus Safety and Security. Violations of the policy by WCJC employees or students will result in Disciplinary Action by the College.
- N. Reporting to the Texas Legislature: On or before September 1 of each even-numbered year, the College will submit a copy of its policy along with the justification used for development of the policy.

**Exclusion Zones**

Building/Location	Function	Reason for Exemption	Permanent Exclusion	Temporary Exclusion (Also describe when exclusion will be in effect.)
Sugar Land Campus - Office 123	Academic Advising and Counseling	Campus area used for patient care, <b>counseling</b> , and mental health services	Yes	
Richmond Campus - Office 118	Academic Advising and Counseling	Campus area used for patient care, <b>counseling</b> , and mental health services	Yes	
Wharton Campus Office - PSC 3014	Academic Advising and Counseling	Campus area used for patient care, <b>counseling</b> , and mental health services	Yes	
Sugar Land Campus-Testing Center-Room 129	Contractual and Non Contractual Testing	Campus area <b>where contractual or licensing obligations require the exclusion of firearms.</b> WCJC has such an agreement with Pearson testing.	Yes	
Richmond Campus-Testing Center-TC 124	Contractual and Non Contractual Testing	Campus area <b>where contractual or licensing obligations require the exclusion of firearms.</b> WCJC has such an agreement with Pearson testing.	Yes	

Wharton Campus-Testing Center-L202	Contractual and Non Contractual Testing	Campus area <b>where contractual or licensing obligations require the exclusion of firearms.</b> WCJC has such an agreement with Pearson testing.	Yes	
Wharton High School Baseball Stadium	Serves as the home field for the WCJC Baseball team	Field is owned by Wharton ISD and is a gun free zone by state law	Yes	
Wharton County Junior College Gym	Serves at the home court for WCJC volleyball team and is also used by area high schools for athletic events.	Area used for sporting and/or interscholastic events. Exempt by Texas Penal Code §46.035(b)(2).	No	Exclusion will be in effect only when a WCJC volleyball team match is being played or when an area high school has an officially sanctioned game or match.
Sugar Land Campus	Serves as a meeting room for disciplinary hearings	Campus area <b>used for discussions of grievances or disciplinary hearings or meetings.</b>	No	Temporary location to be used in compliance with regulations. Appropriate signage and notification in compliance with Texas Penal Code Section 30.06 will be required.
Richmond Campus	Serves as a meeting room for disciplinary hearings	Campus area <b>used for discussions of grievances or disciplinary hearings or meetings.</b>	No	Temporary location to be used in compliance with regulations. Appropriate signage and notification in compliance with Texas Penal Code Section 30.06 will be required.
Wharton Campus	Serves as a meeting room for disciplinary hearings	Campus area <b>used for discussions of grievances or disciplinary hearings or meetings.</b>	No	Temporary location to be used in compliance with regulations. Appropriate signage and notification in compliance with Texas Penal Code Section 30.06 will be required.
Wharton Campus	Serves as a meeting room for a Board meeting	Campus area used for a meeting conducted under the Texas Open Meetings Act.	No	Temporary location to be used in compliance with regulations. Appropriate signage and notification in compliance with Texas Penal Code Section 30.06 will be required.