



**GALVESTON COLLEGE**  
**REPORT OF THE ADVISORY COMMITTEE ON CAMPUS CARRY**  
**TO THE PRESIDENT OF THE COLLEGE**  
**November 29, 2016**

Concealed Carry Campus Regulations

**1) Introduction:**

On June 13, 2015, Governor Greg Abbott signed into law Texas Senate Bill No. 11 (S.B. 11) or what is commonly referred to as the “Campus Carry” law. S.B. 11 amended Texas Government Code 411.2031 to allow individuals who are licensed to carry a handgun by the State of Texas to carry a concealed handgun on the campus of certain institutions of higher education, including Galveston College. Any weapons which were previously listed as prohibited are still prohibited on the property of institutions of higher education. Individuals who do not possess a valid License to Carry (formally known as Concealed Handgun Permit) are still prohibited from carrying handguns on campus. S.B. 11 goes into effect for two (2) year institutions (colleges) August 1, 2017.

Galveston College is committed to developing, maintaining, and implementing Concealed Carry regulations that meet the requirements of Texas Law under Texas Government Code 411.2031 (Carrying of Handguns by License Holder on Public Institutions of Higher Education) and Texas Penal Code 46.035.

A committee of administrators, faculty, staff and students was formed to provide input into the Concealed Carry Policy of Galveston College. The committee followed the guidelines outlined in Subchapter H, Chapter 411 of the Government Code (Conceal Carry on institutions of higher education) as a foundation for the development and maintenance of these rules to maintain the rights and privileges of all who utilize college resources.

**2) Rules/Regulations:**

This document establishes the rules, regulations and provisions pertaining to the carry of concealed handguns by license holders on the campus of Galveston College as well as any properties owned, leased, or controlled by Galveston College, including any campuses established in the future.

- a) In accordance with Government Code Section 411.0231 and Texas Penal Code 46.035, Galveston College recognizes the right of individuals licensed to carry concealed handguns to do so on campus property, and in buildings whether owned or leased by Galveston College, unless otherwise prohibited by Galveston College policy.
- b) Texas Law mandates that individuals who are 21 years of age or older, and who currently possess a handgun license from the State of Texas or an approved reciprocating state, may legally carry a concealed handgun on or about their person.
- c) This policy applies to all Faculty, Staff, Students and Visitors of the College, except for Galveston College police officers, and all subjects described within this document who may be exempt. It is the responsibility of Galveston College police to enforce this policy.

### 3) Definitions:

- a) **Handgun** – Any firearm that is designed, manufactured, made to be fired with one hand.
- b) **Open Carry** – Visible possession of a handgun in public.
- c) **Concealed Handgun** – A handgun that is not openly discernible to the ordinary observation of a reasonable person.
- d) **Reveal** – To display a handgun, in whole or part, in plain view of another person in a public place. Texas Penal Code 46.035.
- e) **Gun Free Zone (GFZ)** – An area of the Campus in which the possession of handguns are prohibited. Each restricted area requires that notice be given to license holders as specified under Texas Penal Code 30.06.
- f) **License to Carry (LTC)** – A license to carry a Handgun (LTC) issued by the Texas Department of Public Safety (TXDPS), under Texas Government Code 411, Subchapter H. Includes a valid conceal carry license issued by TXDPS. (Formally known as Concealed Handgun Permit)
- g) **Disciplinary Action** – Sanctions by the College, up to and including removal, probation, suspension, expulsion, dismissal or termination.
- h) **Temporary Storage** – Storage period not to exceed 24 consecutive hours and one 24 hour period in a 7 day week.
- i) **Private Office** – An office space provided by the college to be used by a single (one person) Faculty or Staff member only.
- j) **Shared Office** – Office space used by more than one person. This would include office space that may have only one occupant, but is designed or intended to be used by more than one person.
- k) **Campus Police** – Any Police Department either operated by Galveston College or contracted by Galveston College providing services in the capacity defined by The State of Texas.
- l) **Laboratory** - A classroom or facility where experiments or assignments can be worked on using any hazardous or non-hazardous chemicals, materials or equipment such as magnets, oxygen tanks and the like are used.
- m) **Governmental Meeting** – A “Open Meeting” with deliberation between a quorum of a governmental body, or between a quorum of a governmental body and another person, during which public business or public policy over which the governmental body has supervision or control is discussed or considered or during which the governmental body takes formal action; or that is conducted by the governmental body for which the governmental body is responsible. Defined under chapter 551 of the Texas Government Code 551. (Example” Board of Regent Meetings)

n) **Short Term** – A period of no more than 24 hours.

#### **4) Procedures:**

Failure to comply with any of the following procedures may result in either disciplinary action, criminal prosecution, or both.

An LTC holder may carry a concealed handgun on or about their person while on college property, or in any buildings or properties owned, leased, rented, or otherwise controlled by Galveston College, except in areas identified as Gun Free Zones (GFZ). Handguns must be carried in a manner that would prevent accidental discharges. It is the responsibility of the LTC holder to conceal the handgun. (Any person who does not have a valid LTC is prohibited from carrying a handgun on any portion of the college, its properties, whether concealed or not with the exception of leaving it in your vehicle). When not carried on or about their person, a handgun must be secured in a vehicle or, if an employee, in a manner specified below.

Employees of the college who are LTC holders are permitted to store a handgun in their office so long as the handgun is secured in a gun safe approved by the Galveston College Police/Security Department. Employees may submit a request to the President to have their office designated a GFZ, but these requests will be reviewed and approved on a case-by-case basis. Offices located in any area determined to be vital infrastructure to the operation of the college community are considered GFZ's.

Unless required as part of their employment duties as a Galveston College police officer, the carrying of a firearm by a Galveston College employee is considered to be beyond the scope of an employee's duties. Therefore, any employee who concealed carries or uses a firearm is acting on the employee's own accord and not as an agent or representative of the college.

#### **The following circumstances are prohibited or illegal:**

- a) The possession of a weapon on campus while intoxicated.
- b) Off-campus travel by college led/sponsored individuals or groups traveling to areas that may exclude handguns to fulfill legal or contractual obligations or to allow a group/individual to travel to an area or place where a gun would be restricted, such as a prison, hospital, polling place, child care facility, etc.
- c) Open Carry of a handgun on the Galveston College campus is prohibited. Authorized members of the Galveston College Police, other law enforcement officers, and other persons designated appropriate by law enforcement authorities are exempt.
- d) Recklessly revealing a handgun on campus is prohibited and subject to disciplinary action and criminal prosecution.
- e) With the exception of authorized Galveston College Police personnel, no College employee should inquire whether or not a person is carrying a concealed weapon or whether the person possesses an LTC.
- f) Any person unless they have been threatened, who openly states that they possess a handgun and/or a license to carry may be charged with terroristic threat, assault by threat, or other charges deemed appropriate by law enforcement.
- g) Any person who accidentally discharges a weapon on campus is subject to disciplinary action, criminal prosecution, or both. In situations where a weapon is intentional discharged, the case will be investigated and judged on its merits. If the discharge of a weapon is found not to be justified then the person discharging the weapon is subject to disciplinary action, criminal prosecution, or both.

h) Any weapons prohibited prior to S.B. 11 under Sections 46.00 through 46.05 of the Texas Penal Code are still prohibited. This includes, but is not limited to, long guns, shotguns, knives with a blade longer than 5.5”, brass knuckles, clubs, explosives, etc.

## **5) Gun Free Zones:**

These Regulations clarify areas of the Galveston College Campus, and properties owned, leased or rented by Galveston College, which were identified as locations deemed Gun Free Zones (GFZ), therefore prohibiting Concealed Carrying of a handgun at these locations. Any further mention of properties owned, leased or rented by Galveston College in this regulation will be referred to as campus unless otherwise stated.

There are two types of GFZ's. One is permanent, and the second is temporary. The permanent GFZ is one that meets the requirements of a GFZ daily. A temporary GFZ is a building, room, or area used for a short period, which meets the requirements of a GFZ on a short-term basis. The requirements are dictated by law and policy.

If an individual or group requests an area be declared a permanent GFZ, a written request must be completed and submitted to the Head of Campus Security and Vice President of Administration for review. The request will be reviewed by the Head of Campus Security and Vice President of Administration before forwarding to the College President for consideration. If approved, the request will be forwarded to the Boards of Regents for final approval.

There are two types of permanent GFZ's. One includes areas mandated by current state and federal law.

The second are those deemed gun-free by Galveston College. These areas include, but are not limited to:

- a) Healthcare facilities such as hospitals or nursing facilities licensed under Chapter 242 of the Health and Safety Code used for patient care, counseling and mental health services. Texas Penal Code 46.035(b) (4)
- b) Areas where sporting or interscholastic events are taking place. Texas Penal Code 46.035(b) (2)
- c) Established places of religious worship. Texas Penal Code 46.035(b) (6)
- d) Polling places. Texas Penal Code 46.03(a) (2).
- e) Any room or rooms used by a Government entity for open meetings as defined under Chapter 551 of the Texas Government Code 551 and notice was given as required by that Chapter 46.035.
- f) Campus daycares and areas frequently used by minor children.
- g) Laboratory areas where dangerous materials and equipment are present.
- h) College owned vehicles used to transport students, including those rented or leased. (Excludes Campus Police vehicles.)
- i) Areas used for grievances or disciplinary hearings. These may be permanent or temporary GFZ's.
- j) Areas containing critical college infrastructure, such as:
  - College IT Department
  - Human Resources
  - Central Plant (located at the east end of the Northern Building)
- k) Any area where contractual or licensing obligations require the exclusion of firearms.

## **Designated Gun Free Zones:**

### *Hermes Fitness Center*

First Floor Lobby  
H-100 Gymnasium  
H-101 Ground Floor Stairs  
H-102 Men's Locker Room  
H-102A Men's Locker Room Storage  
H-103 Women's Locker Room  
H-103A Women's Locker Room Storage  
H-104 Office  
H-104A Office Storage  
H-106 Fitness Center  
Hermes Second Floor Vending  
Hermes Second Floor Stairs  
H-200 Aerobics  
H-201 Office  
H-202 Office  
H-202A Storage

### *Fine Arts Building*

FA-313 Kiln

### *Northen Building*

N-100 Physical Plant  
N-116 – Culinary Arts  
N-222 – EMT Lab

### *Regents Building*

R-117 – Testing Center  
R-378 – Chemistry Lab  
R-378 – Chemistry Lab Storage/Preparation  
R-375 – Biology Lab  
R-373A – Biology Storage/Preparation

### **Charlie Thomas Family Applied Technology Center**

ATC 215 – HVAC Shop  
ATC 213 – Electrical Electronics Shop  
ATC 214 – Welding Shop

Lassie League Fields (Softball Field)

Bernard Davis Fields (Baseball Field)

## **6) Temporary Gun Free Zones**

- a) Areas used for discussions of grievance or disciplinary hearings.
- b) Any area where minor children may be present on a short term basis.
- c) Open Board meetings conducted by a quorum of the Galveston College Board of Regents.

## **7) Signage for Gun Free Zones:**

All areas deemed GFZ's must have written notice placed at the entrance and must be clearly visible giving notice that the premise is a designated GFZ. Written notice must be given as to where LTC licensees may not carry. Notice given on a card, document or sign must contain the language exactly as specified in Section 30.06 of the Texas Penal Code. It reads as follows: Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun.

If signage is posted to declare an area or room a GFZ, the sign must meet the minimum requirements:

- Must include the above-listed language in both English and Spanish
- Constructed in contrasting colors with 1" block lettering
- Be displayed in a conspicuous manner clearly visible to the public

## **8) Policy Review:**

The Conceal Carry Rules/Regulations should be considered an adaptable document that must be reviewed by a committee bi-annually in every even-numbered year. This document shall be reviewed for its content on the following:

- a) Review current GFZ's on campus
- b) The addition or removal of GFZ's on campus
- c) Any changes to Subchapter H, Chapter 411 of the Government Code pertaining to Conceal Carry.
- d) Changes to this document must be presented to the Board of Regents for approval in accordance with the timelines provided in the Texas Government Code, Section 411.2031.
- e) The College President shall submit a report to the Texas Legislature by September 1st, of each even-numbered year describing Galveston College's rules, regulations, or other provisions and justifications on carrying of concealed handguns on campus.

Texas Government Code Section 411.2031

Texas Government Code Section 422.207

Texas Government Code 551.001

Texas Penal Code Section 46.00

## 9) License Holder Responsibilities:

It is the responsibility of the individual to understand the rules and regulations for Galveston College and the State of Texas pertaining to Conceal Carry on campuses of institutions of higher education. This includes, but is not limited to the following:

- a) Having and maintaining an LTC
- b) Proper security, safety and concealment of the handgun
- c) Maintain current knowledge of rules, regulations and laws pertaining to concealed carry
- d) Location of permanent GFZ's

Galveston College will make available copies of the institution's rules, regulations and Texas State Law as they pertain to conceal carry on an institution of higher education and Galveston College.

### Appendix 1 (Permanent Gun free Zones)

- a) Facilities in which interscholastic and collegiate sporting events are taking place. Note: Some college rules do not specifically address interscholastic (including UIL) sporting events, but state law prohibits carrying a concealed handgun on the premises in which an interscholastic event is taking place. See Tex. Penal Code 46.035(b)(2). Effective notice pursuant to Tex. Penal Code § 30.06(b) is not required for this prohibition. Includes Official Athletic Events whether college or public school (K-12) Interscholastic events held in the Hermes Building, Lassie League Fields, and Bernard Davis Field.
- b) Culinary Arts, Physical Plant (due to the presence of natural gas lines).
- c) The secure areas of Galveston Community College Police/Security Department where access is granted to campus police personnel only.
- d) Scientific laboratories in which: the presence of strong magnets requires the prohibition of metallic objects, including firearms, in such facilities; or the negligent discharge of a firearm will create the risk of serious physical injury or illness because of the nature of the materials present in the facility (ex. pathogenic materials, high-pressure/cryogenic/flammable gases).
- e) Campus preschool, elementary, and secondary school facilities in which the concealed carry of handguns is prohibited by state law.
- f) Campus Recreation / Hermes Fitness Center.
- g) Campus premises in which camps/programs for minors are occurring.\*\*
- h) Employees who are license holders are permitted to store a handgun in their office space so long as the handgun is secured in a locked drawer or compartment. Assigned employee offices for which the employee has demonstrated that the carrying of a concealed handgun by a license holder in the office presents a significant risk of substantial harm due to a negligent discharge of the handgun with the President's approval of the employee's request, may have the designated as an area where licensed concealed carry of a handgun is not permitted. Any area determined to be vital infrastructure to the operation of the college community may be designated a GFZ.
- i) Open Board meetings conducted by a quorum of The Galveston College Board of Regents.

\*\* Can be permanent or temporary

## **Appendix 2 – (Temporary Gun Free Zones)**

- a) Both student and employee discipline and grievance proceedings are held on the campus of Galveston College. Since these type of proceedings are not regularly held, it would adversely impact the individual rights of those who carry concealed handguns on campus if they were prohibited from doing so due to the possibility of proceedings being held in their area. The following procedure will establish guidelines for the Student and Employee hearings.
  - 1) The Director of Human Resources or the Vice President of Student Services may designate a room to be used for the proceeding that will be a GFZ.
  - 2) Prior to the proceeding, the student or employee will be notified of the proceedings location and that it has been designated a GFZ.
  - 3) All participants of the proceeding will be notified of the location and that the area will be a GFZ (Campus Police are exempt).
  - 4) Proper signage will be placed at the entrance to the room for the time period it is in use for the proceedings and once the participants have entered the room, they should be given a document giving notice the room is a GFZ during the proceedings.
  - 5) Once the proceeding has ended, the signage will be removed from the location.
  
- b) Any governmental meeting taking place on the campus of Galveston College will automatically be deemed a GFZ.

\*\* Can be permanent or temporary



**Appendix 3**

**Application for Gun Free Zone**

Applicant Name: \_\_\_\_\_ Title: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Cell: \_\_\_\_\_

Department: \_\_\_\_\_

Building/area requested as Gun Free Zone: \_\_\_\_\_

Request for: (Circle One)

Temporary GFZ

Permanent GFZ

Reason:

- 1) Minors Present: Y or N      If Yes How Often:    Daily    Weekly    Monthly
- 2) Area of Critical college infrastructure: Y or N
- 3) Counseling Area: Y or N
- 4) Used for Grievances/disciplinary proceedings: Y or N
- 5) Health care facilities similar to hospital: Y or N
- 6) Sporting Venue: Y or N
- 7) Polling place: Y or N
- 8) Laboratory where dangerous materials and equipment are present: Y or N

Does the requested area meet requirements listed in Gun Free Zones or Appendix 1? Y or N. If so list all that your request meets: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_