

Memo to: All UH-Downtown/PS Holders  
From: Dr. Loren J. Blanchard, President  
Subject: Campus Carry Policy

UH-Downtown/PS 01.A.16  
Issue No. 4  
Effective Date: 11/30/2021  
Page 1 of 9

## 1. PURPOSE

This policy statement establishes University policies and procedures for implementing campus carry at the University of Houston-Downtown (UHD). These policies and procedures are compliant with campus carry legislation and address the safety and welfare of University staff, faculty, students, and visitors.

The “Campus Carry Law”, Texas [Senate Bill 11](#) (SB11)) was signed by Governor Abbott on June 13, 2015 and amends Section 411.2031 of the Texas Government Code to allow carrying of handguns by certain individuals on college campuses. Beginning August 1, 2016, any individual who holds a current and valid License to Carry (LTC) may carry a concealed handgun on or about the license holder's person where permitted on university property.

On September 1, 2021, Texas House Bill No. 1927 (HB 1927) went into effect. HB 1927 is titled the Firearm Carry Act of 2021, and is sometimes referred to as the “Permitless Carry” law or the “Constitutional Carry” law. HB 1927 amends Texas Penal Code 46.02 and 46.03 to allow persons to carry handguns without a license in permitted places and under certain circumstances.

Under both laws, while on University of Houston-Downtown campus, only a licensed person may carry weapons designated under Subchapter H of Chapter 411 of the Government Code; any other weapons are expressly prohibited.

## 2. DEFINITIONS

- 2.1 Campus: All land and buildings owned or leased by an institution of higher education or private or independent institution of higher education.
- 2.2 University property: Property located within the State of Texas that is owned, operated, leased, occupied, or controlled by the University. For purposes of this policy statement, this includes but is not limited to all buildings, structures, vehicles, sidewalks, parking lots, walkways, and attached parking structures owned or controlled by the University
- 2.3 Sporting event: An activity involving physical exertion and skill that is governed by a set of rules or customs and often undertaken competitively.

- 2.4 Gun-free areas: Areas designated as gun-free by the University President and reflective of the student population, safety considerations, and uniqueness of the campus environment.
- 2.5 “On or about” the license holder’s person: “About” the person means that a license holder may carry a handgun in a backpack or handbag, but the backpack or handbag must be close enough to the license holder that he or she can grasp it without materially changing position.
- 2.6 Retention holster: A holster with at least one retention feature or device.
- 2.7 Significant Risk: A high probability of harm, not just a slightly increased, speculative, or remote risk.
- 2.8 Substantial harm: A serious injury or death to a person or persons, or destruction of valuable property.
- 2.9 Disciplinary Action: Sanctions by the University, up to and including removal, probation, suspension, expulsion, dismissal, and termination.
- 2.10 Grievance: A written formal expression of disagreement or dissatisfaction with employee related, residential, academic, or instructional matters, which has been filed pursuant to University policies and procedures.
- 2.11 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 the TXDPS, as well as licenses from other states, the validity of which is recognized by the State of Texas.
- 2.12 Open Carry: Except as provided in this paragraph, all persons, including license holders, are prohibited from openly carrying a handgun on the University of Houston-Downtown campus, including on any public driveway, street, sidewalk or walkway, parking lot, parking garage or other parking area on campus. The carrying of an unconcealed handgun on campus is restricted to authorized members of the UHD Police Department, other law enforcement officers, and other persons who may be designated by appropriate law enforcement authorities.
- 2.13 Concealed Handgun: A handgun, the presence of which is not openly discernible to the ordinary observation of a reasonable person.

### 3. POLICY

#### 3.1 Campus Carry Provisions

The policies and procedures that follow, while following applicable state and federal law, also reflect the input of members of the University community, including staff, faculty, and students.

Individuals' rights to carry personal firearms on campus are defined by SB 11 and include:

- 3.1.1 Beginning August 1, 2016, any individual who holds a current and valid License to Carry (LTC) may carry a concealed handgun on or about the license holder's person where permitted on University property.
- 3.1.2 The handgun must be wholly concealed on or about the license holder's person. The license holder must not intentionally or knowingly reveal or display the handgun, even if the handgun is holstered. Accidental exposure of a handgun by a person holding a current and valid LTC is not a violation of the law.
- 3.1.3 Universities may establish areas on campus where handguns will not be permitted for reasons of campus safety, subject to the approval of the Board of Regents. "Effective notice" must be given prior to entrance into gun-free areas. Appropriate rules, regulations, and provisions related to carrying handguns based on the student population, safety considerations, and the uniqueness of the campus environment may be established.
- 3.1.4 Universities may not establish provisions that generally prohibit or have the effect of generally prohibiting the carrying of concealed handguns on campus by LTC holders.

## 3.2 Gun-Free Areas

It is a violation of this policy to restrict or deny access to or use of any campus area not specified in this section.

- 3.2.1 The following areas concerned with the performance of sporting events shall be gun-free in their entirety. These areas will have permanent signage at all entrance points denoting their gun-free status.

### A. Student Life Center

- 3.2.2 The College of Sciences and Technology has identified areas including laboratory and storage space that shall be gun-free in their entirety because of the use or storage of hazardous materials or equipment. These areas will

have permanent signage at all entrance points denoting their gun-free status. The [list of gun-free areas](#) will be maintained on the UHD website. Areas that house the use or storage of hazardous materials or equipment may be added to or deleted from this list with appropriate justification and approval of the President without revising this policy as long as the list of approved areas is maintained in the President's Office, posted online and appropriate signage is posted at all entrances to approved laboratory space.

3.2.3 The following health and mental health areas shall be gun-free in their entirety. These areas will have permanent signage at all entrance points denoting their gun-free status.

A. Student Health Center (S445)

B. Student Counseling Services (S445)

3.2.4 Child care facilities (inclusive of day care and drop-off child care areas) shall be gun-free in their entirety. These areas will have permanent signage at all entrance points denoting their gun-free status.

3.2.5 Areas of campus where school-aged children (K-12) are engaged in structured learning, enhancement, or other on-campus educational activities shall be gun-free at times where children are present, subject to the Provost approval process delineated in section 4.3 of this policy and denoted by mandatory temporary signage that designates the area as gun-free. The exception to the mobile signage includes the following provision:

3.2.5.1 At times when school-aged children (K-12) are present for summer educational activities beginning on the day after the last official day of the spring semester to the day prior to the first day of the fall semester, the One Main Building (inclusive of the One Main Building, the Academic Building, and the Girard Street Building, but excluding the parking garage) will be gun-free. Signage at all entrances when school-aged children are present will clearly delineate the status of area as gun-free and the inclusive dates that this status will be maintained.

3.2.6 The following types of activities may be held in a multi-purpose area that is posted as gun-free due to the potential for emotionally charged discussion or interactions with disgruntled individuals:

A. Areas where grievances are being heard and/or deliberated.

B. Areas in which deliberations and votes of a Rank and Tenure Committee

are taking place.

- C. Areas where student appeals, including formal grade appeals, are being heard.
- D. Areas where faculty, staff, and student disciplinary meetings or hearings are being heard.
- E. Areas where faculty or staff evaluations or employment reviews are being held.

3.2.6.1 Managers shall be consistent in their application of 3.2.6 to ensure equitable treatment of all meeting participants. For example, the manager must ensure that if one staff evaluation is held in a gun-free multipurpose room, then all staff evaluations are held there.

3.2.6.2 Employees or students may request the use of a gun-free multipurpose area for one of the activities outlined in 3.2.6

3.2.6.3 Multi-purpose rooms have been identified as qualifying for permanent signage due to their frequent use for the activities identified in section 3.2.6. These areas will have permanent signage at all entrance points denoting their gun-free status. The [list of gun-free areas](#) will be maintained on the UHD website. Multi-purpose rooms may be added to or deleted from this list with appropriate justification to and approval of the President without revising this policy as long as the list of approved multi-purpose rooms is maintained in the President's Office, posted online and appropriate signage is posted at all entrances to approved multi-purpose space.

### 3.3 Carrying a Handgun on Campus

LTC holders carrying a handgun on campus must carry their weapon in a retention holster that fully covers the trigger and trigger guard. The holster must be utilized whether the LTC holder is carrying *on* or *about* their person.

### 3.4 Rights of Employees

3.4.1 UHD employees who hold a current and valid LTC may exercise their right to concealed carry a handgun at work where permitted on University property.

3.4.1.1 A UHD employee who is stationed or officed in a permanently gun-free area must store their weapon outside of the gun-free area before

work.

3.4.1.2 UHD employees who are LTC holders are responsible for the safe storage of their own weapons at all times, including prior to entering a gun-free area.

3.4.2 Unless an employee is required by the President (either on an ongoing or on a case-by-case basis) to carry a firearm as part of the employee's specific job duties, any possession or use of a firearm by the employee is not considered to be within the course and scope of employment with the University.

### 3.5 Student, Faculty, and Staff Handbooks

The following language regarding SB 11 must be included in the student, faculty, and staff handbooks.

#### Senate Bill 11 Provisions

All UHD constituents must be in compliance at all times with SB 11, "Concealed Campus Carry." Only individuals who hold a current and valid License to Carry (LTC) and commissioned peace officers may carry a concealed handgun on or about the license holder's person where permitted on University property. A LTC holder must be 21 or older and must maintain the license in good standing. The handgun must be wholly concealed on or about the license holder's person. The license holder must not intentionally or knowingly reveal or display the handgun, even if the handgun is holstered.

The concealed carry gun holders who exercise their rights have the responsibility to be knowledgeable about the provisions of Senate Bill 11 as well as potential liabilities; and they must make their own provisions for appropriate risk transfer and the security of their weapon at all times. Any deviation from the SB 11 will be addressed by calling the UHD Police Department, who will ascertain the nature of the situation and next steps. All UHD constituents are encouraged to read [SB 11](#) and to visit [UHD's campus carry website](#).

All of us at UHD as a community are responsible for maintaining a safe and conducive learning environment for higher education to preserve the integrity and spirit of education at all of our UHD campus classes, functions, and activities.

### 3.6 Maintaining a Safe Educational and Work Environment

UHD seeks to provide a safe environment for learning and work. In pursuit of that goal, university administration finds violence and threats of violence unacceptable. The UHD campus will comply with the campus carry law, and LTC holders will be able to

exercise their rights to carry handguns on campus. However, the University will also enforce the rights of students, staff, faculty, and visitors to be free from violence and threats of violence.

### 3.7 Modifying Gun-Free Areas

Gun-free areas may be added to or deleted from this policy with appropriate justification to and approval of the President without revising this policy as long as the list of approved gun-free areas is maintained in the President's Office, posted online and appropriate signage is posted at all entrances to approved gun-free areas.

## 4. PROCEDURES

### 4.1 Dissemination of Policy Provisions

This policy will be readily available on the UHD website, including through the Campus Carry pages hosted on the UHD Police Department website.

### 4.2 Permanent Signage

4.2.1 A sign displaying [Penal Code 30.06](#) must be permanently affixed to all points of entry to a gun-free area. It must be prominently and conspicuously displayed in a clearly visible location, contain block letters at least one inch in height, and use contrasting colors.

4.2.2 These signs may only be used at locations approved by the University President and the Board of Regents. No other person or entity may affix or use this sign or similar signage. To do so is a violation of this policy.

### 4.3 Mobile/Temporary/Other Signage Request Process

Circumstances or events may arise when concealed carry of handguns may pose a significant risk of substantial harm for persons in that area of campus. Upon justification of circumstances that conform to the type of excluded areas previously described in this policy and/or create a significant risk of substantial harm in a University event or area, UHD faculty, staff, or students may make a request to the for a specific, well-defined area to be gun-free for a specified period of time.

4.3.1 Mobile/temporary requests to the Provost must be made in writing at least one week prior to the event. The requested areas must be ones in which a clear and persuasive justification is made that weapons would pose an significant risk of substantial harm in that specific area or that conform to the type of excluded areas previously described in this policy.

- 4.3.2 The Provost will make a recommendation to the President regarding the request. The President has final approval of all requests for mobile/temporary signage. The Provost must respond to the request in writing within 48 hours.
  - 4.3.3 It is the responsibility of the requesting party to make arrangements for securing and posting mobile/temporary signage. The requesting party must follow the UHD Police Department procedure authorized in section 4.4.2 of this policy.
  - 4.3.4 Notification must be made of the gun-free zone on the UHD Campus Carry website at least 24 hours prior to the event.
- 4.4 Mobile/Temporary Signage
- 4.4.1 The sign described in section 4.2 will be affixed to a stable, mobile stand.
  - 4.4.2 Procedures for storage and disbursement of mobile/temporary signage approved by the President will be developed by The UHD Police Department and disseminated widely, including on the UHD website. The mobile/temporary signage policy will cover all UHD buildings.
- 4.5 Campus Carry Safety Committee
- The Provost shall appoint a Campus Carry Safety Committee. The purpose of this committee is to advise the Provost on issues related to this policy, including but not limited to monitoring the need for changes to this policy or related procedures and issues related to signage. The composition of this committee shall be one representative from each college, an equal number of staff representatives, and one student.
- 4.6 Handgun Storage
- No handgun storage will be provided by the University on campus. LTC holders are responsible for the safe and secure storage of their own weapon.
- 4.7 Sanctions
- 4.7.1 Tampering, defacing, or unauthorized removal of 30.06 signage and unauthorized use of 30.06 signage will be grounds for disciplinary action.
  - 4.7.2 Failure to comply with any of the procedures described herein may result in disciplinary actions.

## **5. REVIEW PROCESS**



Responsible Party (Reviewer): Executive Director of Public Safety/Chief of Police

Review: Every two years on or before May 1<sup>st</sup>.

Signed original on file in the Office of Human Resources.

## **6. POLICY HISTORY**

Issue #1: 08/01/16 – Reaffirmed as Issue #2

Issue #2: 12/20/19

Issue #3: 04/16/21

## **7. REFERENCES**

[Texas Senate Bill 11](#)

[Texas House Bill 1927](#)

[Subchapter H of Chapter 411 of the Government Code](#)

[UHD Campus Carry website](#)

[A sign displaying Penal Code 30.06](#)

[UHD's Gun-Free Areas](#)