

## **Section II.F. Weapons on Premises**

### **Procedures for the Concealed Carry of Handguns on Campus**

These procedures supplement and clarify Section II.F. of the Lone Star College System District Policy Manual last revised by the Board of Trustees on **April 6, 2017**, setting out the College's policies regarding weapons on campus within the section on community and governmental relations. The Policy Manual controls when a conflict arises between it and the procedures below. These procedures were last updated on **April 6, 2017**. The notice and comment period was open online to the public from **February 28, 2017** to **March 30, 2017**.

**1. Scope of Procedures.** These procedures are intended to implement state laws authorizing licensed individuals to carry concealed handguns on Lone Star College premises. The Chancellor has consulted with students, staff, faculty, and the community at large regarding the nature of the College's student population, specific safety considerations, and the College's unique environment. After reviewing feedback on proposed regulations, the Chancellor adopts these procedures, considering the regulations and processes herein to be reasonable. These procedures apply to all College students, employees, and/or visitors whenever they are on College premises or at events sponsored or affiliated with the College, except that they do not apply to commissioned peace officers as defined in the Texas Code of Criminal Procedures, Article 2.12.

**2. Effectiveness, Amendment, and Intent.** After review by the Board of Trustees, these procedures will take effect on August 1, 2017. If the Board of Trustees wholly or partially amends these procedures within 90 days of their adoption, the procedures as amended will take effect on August 1, 2017. The Chancellor may amend these procedures as necessary for campus safety or for any other legal reason. These procedures are not intended to generally prohibit or have the effect of generally prohibiting licensed individuals from carrying concealed handguns on Lone Star College premises.

### **3. Definitions.**

**(a) Handgun** means any firearm designed, made, or adapted to be fired with one hand.

**(b) Concealed Handgun** means a handgun not openly discernable to a reasonable person's ordinary observation.

**(c) License Holder** means an individual licensed to carry a handgun under Chapter 411 of the Texas Government Code.

**(d) Concealed Carry** refers to license holders carrying a concealed handgun on or about their person.

**(e) Exclusion Zone** means any part of the campus officially designated, either permanently or temporarily, as an area where concealed carry is prohibited.

**(f) Assigned Office** means an office assigned solely for the use of a specific employee and not generally open to the public.

**(g) Significant Risk** means a high probability of harm, not just a slightly increased, speculative, or remote risk.

**(h) Substantial Harm** means serious injury or death to a person or persons, or destruction of valuable property.

**(i) Hearing** means a meeting on College premises in which at least one individual associated with the College has an interest potentially adverse to either the College or another individual associated with the College. Hearings include, but are not limited to: student discipline and conduct hearings, academic appeal hearings, Human Resources grievance or termination hearings, faculty or staff evaluations or employment reviews, and financial aid hearings.

**(j) “On or about their person”** refers to license holders keeping a concealed handgun close enough that they can reach it without materially changing position.

**(k) “Patient care”** means care involving patients for whom a formal record of treatment is maintained as required by law.

**4. Open Carry Prohibited.** No one to whom these procedures apply may openly carry a handgun—holstered or not—on College premises, including any building, driveway, street, walkway, sidewalk, parking lot, parking garage, or other parking area.<sup>1</sup>

Anyone may report a visible handgun on College premises or at College events by contacting the Lone Star College Police Department at 281-290-5911 from any phone or 5911 from a Lone Star College phone. This number may also be used to report an emergency.

**5. Concealed Carry by License Holders.** Concealed carry is permitted except within exclusion zones. License holders choosing to carry a concealed handgun must carry it on or about their person at all times,<sup>2</sup> and the concealed handgun must be carried in a holster that

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<sup>1</sup> This is a restriction on open carry, not incidental display. If license holders accidentally displays their handgun (e.g. while reaching for a wallet), this is not considered a violation. However, if reported to the LSC Police Department, license holders will be asked to show their license and counseled to be more careful about concealment.

<sup>2</sup> A handgun may be carried in a backpack or handbag as long as it remains within the effective control of the license holder and can be reached with minimal movement. Effective control means the license holder would be able to reach the bag before anyone else could.

completely covers the trigger and trigger guard area<sup>3</sup> unless the concealed handgun is secured in a locked, privately owned motor vehicle.

Lone Star College will not provide any handgun storage facilities; if a concealed handgun is not on or about the license holder's person on Lone Star College, it must be secured in a locked, privately owned motor vehicle. Each license holder is responsible for the safe and secure storage of their own handgun(s).

License holders must display their license to carry a handgun when directed by a Lone Star College police officer. No one other than a Lone Star College police officer may inquire as to whether any person is carrying a concealed handgun or is a license holder.

No one may carry a handgun while intoxicated.

Intentionally revealing a handgun on Lone Star College premises is prohibited and is grounds for disciplinary action up to and including expulsion or employment termination. It may also be a crime subjecting the individual to prosecution by relevant authorities. Discipline will not be imposed if a license holder reveals a handgun under circumstances in which the license holder would have been justified in the use of deadly force under Chapter 9 of the Texas Penal Code.

Except for Lone Star College police officers, College employees who carries a handgun does so outside the scope of their employment and bears full responsibility for any consequences of their decision to carry a handgun, including but not limited to violations of state and/or federal laws and personal responsibility for any injury, death, or property damage caused by the intentional or unintentional discharge of their handgun. Such employees are not entitled to governmental immunity or any other immunity that may otherwise apply to police officers.

**6. Exclusion Zones.** Concealed carry is prohibited within exclusion zones. An exclusion zone is not valid unless effective notice is provided under Section 30.06 of the Texas Penal Code. This notice must be either communicated orally by someone with authority to act for Lone Star College or in writing via a card, document, or sign containing these identical words:

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 the words appear on a sign, the language must be posted in both English and Spanish, appearing in contrasting colors with block letters at least one inch in height, and the sign

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<sup>3</sup> The major cause of accidental discharge is carrying a handgun unholstered in a book bag, pocket, or purse. A negligent discharge of a handgun is a criminal offense between a Class A misdemeanor or up to a 2nd degree felony depending on damage and/or injury caused. It is the College's practice to always submit such discharges to the appropriate District Attorney's office for consultation and review.

must be displayed in a conspicuous manner clearly visible to anyone who would enter the exclusion zone.

The following areas are exclusion zones at Lone Star College:

- (a)** Premises designated for exclusive use by students in pre-Kindergarten through 12th grade, including but not limited to iSchool, on-site early college high schools, children’s libraries, and childcare centers.<sup>4</sup>
- (b)** On the day of an election or while early voting is in progress, any building or part of a building serving as a polling place.<sup>5</sup>
- (c)** During a hearing, the room or rooms where the hearing is taking place. In addition to the standard signage required for all exclusion zones, hearing participants must be notified in advance that they will be taking part in a hearing at which concealed carry will be prohibited.<sup>6</sup>
- (d)** Premises where any discharge of a handgun would present a significant risk of substantial harm, such as laboratories or classrooms with dangerous chemicals, explosive agents, and areas with equipment that is incompatible with metallic objects.<sup>7</sup>
- (e)** An assigned office, if the employee to whom the office is assigned provides effective notice. Any such employee must make reasonable accommodations to meet with other members of the College community in another location upon request and may

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<sup>4</sup> Premises where students in pre-Kindergarten through 12th grade intermingle with adult students—such as cafeterias, libraries, and general college classrooms and other areas where dual credit classes are taught—are **not** exclusion zones. Areas exclusively used by pre-Kindergarten through 12th grade programs on a temporary basis can be officially designated as temporary exclusion zones during such usage with effective notice and signage in place.

<sup>5</sup> Signage indicating these areas as gun-free zones will be placed at these locations prior to the opening of the polling place. If the polling location closes, yet the school hours extend afterwards, these signs will be removed until the polling place re-opens.

<sup>6</sup> The college President or designee is responsible for posting temporary signage designating the area used as an exclusion zone and providing advance notification to all participants. Upon completion of the hearing, the signage shall be removed. LSC locations will be provided and required to store the temporary signage to enact this recommendation. If a college receives approval to designate a room for exclusive use as a hearing room, that room could be designated a permanent exclusion zone with permanent signage.

<sup>7</sup> These areas will be predetermined, approved, and marked with permanent signage indicating these areas are exclusion zones. If a new area is built or an area is repurposed and is determined to meet requirements of this recommendation, the college President or designee will petition the Campus Carry Safety Advisory Committee for permanent signage.

not inquire or comment as to why the requester desires an alternate meeting location.<sup>8</sup>

- (f)** Premises serving as the venue of a ticketed sporting or performing arts event. In addition to posting signs, effective notice under Section 30.06, Texas Penal Code, should appear on the back of tickets or in another conspicuous place on the ticket.<sup>9</sup>
- (g)** Premises where patient care is provided as part of specialized training or otherwise.<sup>10</sup>
- (h)** Premises where clothes are regularly changed, such as a gym locker room.<sup>11</sup>
- (i)** Premises used as specialized classrooms housing programs requiring protective equipment/clothing or involving activities that make concealment problematic, including but not limited to auto repair or HVAC training classrooms.<sup>12</sup>
- (j)** Any other location officially designated temporarily or permanently as an exclusion zone.

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<sup>8</sup> Employees approved to make their offices exclusion zones will be provided proper signage for their office doors.

<sup>9</sup> A-frame sidewalk board style signs indicating the venue is an exclusion zone will be provided and stored at venues and available for venue director, or designee, to place prior the event. These signs must be removed after the event has concluded. A-frame outside signage should be in place before attendees arrive. If it is not possible to print information on the back of the ticket, notification of exclusion zone should be given when advertising the event. This notice is in addition to the A-frame sidewalk board style sign. If the venue is used as a general class space during the day, it cannot be designated as an exclusion zone during class time—only during the ticketed event. (Example: music, art, or theatre class in the venue during the day.)

<sup>10</sup> Lone Star College may have a limited number of these programs. Such exclusion zones should cover solely the areas within a building where patient care is taking place.

<sup>11</sup> These areas will be predetermined and marked with permanent signage indicating these areas are exclusion zones. Locker rooms are exclusion zones because persons change clothes in these rooms and remove their handguns. Lone Star College lockers are “open-cage” lockers whose contents can be seen from the outside. Lone Star College does not provide gun lockers. If license holders cannot keep a handgun on or about their person as required by state law, they would be required to either secure the handgun in a locked, privately owned motor vehicle or not bring it to campus. State law requires guns to be on or about the license holder’s person. Gym lockers are not designated as gun lockers, so storing a handgun in one would violate state law. If a new area is built or an area is repurposed and it is determined to meet the requirements of this recommendation, the college President or designee, will petition the Campus Carry Safety Advisory Committee for permanent signage.

<sup>12</sup> These areas will be predetermined and marked with permanent signage indicating these areas are exclusion zones. Generally, these areas are classrooms where students would be expected to engaged in physical activity such as crawling, climbing, and working under and around equipment. These classrooms also require students to wear protective clothing such as coveralls. If a new area is built or an area is repurposed and it is determined to meet the requirements of this recommendation, the college President or designee, will petition the Campus Carry Safety Advisory Committee for permanent signage.

College presidents shall ensure that a detailed, current list and/or map of all exclusion zones at their colleges and centers is available on the webpage for their college. They may also provide hard copies of such lists and/or maps at one or more information stations near their college's and centers' main entrances. Lone Star College's police commissioner shall ensure that a detailed, current list and/or map is available online for each of the College's System Offices.

The Campus Carry Safety Advisory Committee may officially designate additional locations as exclusion zones. Such designations may be temporary or permanent. To request official designation of a new exclusion zone, please submit Form II.F.1 (included in the appendix to these procedures) to [CampusCarry@LoneStar.edu](mailto:CampusCarry@LoneStar.edu) at least 30 business days before the designation is necessary.

**7. Campus Carry Safety Advisory Committee.** The Chancellor will appoint a standing Campus Carry Safety Advisory Committee to collaborate with the Office of the General Counsel in periodically reviewing these procedures and proposing changes as necessary. Members of this committee serve at the Chancellor's pleasure—i.e., the Chancellor may appoint new members to the committee and/or remove existing members from the committee at any time—but the committee shall always have at least five members.<sup>13</sup> The committee shall meet as often as necessary, and at least once per year.

The Campus Carry Safety Advisory Committee will also collaborate with appropriate parties to address any issues related to carrying of handguns on College premises or at College events, including but not limited to:

- changes to the College's use of space;
- changes to relevant state laws;
- proper signage and notifications for exclusion zones; and
- annual reviews of these procedures and relevant training materials. The committee shall recommend updates to these procedures and such training materials as necessary.

**8. Training.** Lone Star College will develop training materials regarding concealed carry at Lone Star College for specific groups, including but not limited to faculty, staff, new and returning students, Lone Star College police personnel, educational and corporate partners,

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<sup>13</sup> It is contemplated that the Police Commissioner, Chief of Police, and an attorney from the Office of the General Counsel will be standing members of this committee and that the committee will be efficiently small—between 5 and 7 members. Other members will reflect representation from faculty, staff, and possibly other groups at the Chancellor's discretion.

and visitors.<sup>14</sup> Where feasible, representatives from these various groups and any others should participate in developing these training materials in collaboration with the Office of the General Counsel and the Lone Star College Police Department.

Training materials regarding concealed carry laws and these procedures will utilize various methods of training as appropriate, which may include face-to-face training, online videos, emergency training activities, student orientation, training through Organization Development and My Workshops, Human Resources new employee onboarding, brochures, and so forth.

All Lone Star College faculty, staff, and students will receive annual training on relevant concealed carry laws and these procedures. All of the College's educational and corporate partners located on Lone Star College premises will receive annual information about relevant concealed carry laws and these procedures.

**9. Report to Legislature.** By September 1 of each even-numbered year, Lone Star College will submit a report to the Texas Legislature and to standing legislative committees with jurisdiction over campus carry. Each report will contain a copy of these procedures and will explain Lone Star College's reasons for establishing the specific provisions herein.

**Adoption Date: April 6, 2017**

**Effective Date: August 1, 2017**



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**Dr. Stephen C. Head**  
**Lone Star College**

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<sup>14</sup> Although license holders cannot be singled out for training, there will be notice given to all employees and students that information is available on the campus carry website on license holder responsibilities.

# **APPENDIX & FORMS**



## **Form II.F.1: Request for Designation of Exclusion Zone**

Any individual may use this form to request that space within the College be officially designated as an exclusion zone. This form should be submitted to the Campus Carry Safety Advisory Committee at [CampusCarry@LoneStar.edu](mailto:CampusCarry@LoneStar.edu) at least 30 business days before the designation is necessary.

\_\_\_\_\_  
Name of Requester Date

Type of designation requested:  Permanent  
 Temporary

Detailed description of space requested to be designated as an exclusion zone (attach additional sheets as necessary): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Reason(s) why space should be designated as an exclusion zone (attach additional sheets as necessary): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I understand that any statement I make on this Form II.F.1 which is false, misleading, or not made in good faith may be grounds for discipline.

\_\_\_\_\_  
Printed Name Signature Date

***For Office Use Only*** Date Received: \_\_\_\_\_

Receiving Employee: \_\_\_\_\_  
Printed Name Signature