

 <b>Wharton County Junior College</b>		<b>ADMINISTRATIVE PROCEDURE MANUAL</b>	
WCJC Title: <b>Site Management: Weapons</b>		Section C: <b>Business and Support Services</b>	Page(s): 7
<b>BASED ON BOARD OF TRUSTEES POLICY</b>			
Policy Title: Campus Carry and Weapons on Campus		Policy Number: CHF	
Subtitle: None		Date Adopted: 08/01/2020	

**Purpose**

Protects the college community from possible injury due to the unnecessary presence of weapons on campus property and 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.

**Procedure**

An individual who possesses a valid License to Carry (LTC) may carry a concealed handgun on or about their person on WCJC campuses 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 in accordance with 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 in accordance with Texas Penal Code 46.035(a).
- E. *Intentional Reveal:* Intentionally revealing a handgun on campus is prohibited in accordance with 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 in accordance with 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 in accordance with 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 in accordance with Texas Penal Code §46.03(a) (1).
  - b. Health care facilities similar to hospitals used for patient care, counseling and mental health services in accordance with 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 in accordance with Texas Penal Code §46.035(b) (2).
  - d. Established places of religious worship in accordance with Texas Penal Code §46.035(b)(6).
  - e. Polling places in accordance with 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 in accordance with Texas Penal Code 46.035(c), (i).
  - g. College owned, rented or leased vehicles used to transport students in accordance with 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:* Any violations should be reported to law enforcement and to the Office of Campus Safety and Security. Violations by WCJC employees or students will result in Disciplinary Action by the College.
1. All persons found to be in violation are subject to disciplinary action. Such action will be consistent in type, severity, and duration with college practice in dealing with all policy violations.
  2. If the violator is a student, responsibility for determining disciplinary action resides with the Dean of Student Success.
  3. If the violator is a visitor to campus, responsibility for determining the college's action in the matter resides with the Vice President of Administrative Services.
  4. If the violator is an employee of the college, responsibility for determining disciplinary action resides with the President.
  5. Written notice of this regulation is available to students in the Student Handbook, employees in the Employee Handbook and is included on the facilities reservation form for those seeking to use college facilities.
- 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 126	Academic Advising and Counseling	Campus area used for patient care, <b>counseling</b> , and mental health services	Yes	
Wharton Campus Office - PSC 313 and 312	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 and 131	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 County Junior College Gym	Serves as 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.

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