

SUBJECT: Concealed Carry and Weapons on Campus

- A. Prohibition of Weapons: Except as authorized pursuant to this policy, the use, possession, display or storage of any weapons, simulated weapons, explosives or fireworks on the campus and all Midland College sites is prohibited. Individuals who observe a weapon being displayed are required to report the incident immediately to the Midland College Police so it can be documented and properly investigated. Midland College Police can be contacted at 685-4734. Midland College Police will refer potential violations of this policy to the Office of Human Resources or the Student Conduct professional as applicable.
- B. Exceptions:
1. Licensed peace officers may carry authorized weapons on the campus.
  2. Pursuant to Subchapter H, Chapter 411 of the Texas Government Code, individuals licensed by the state to carry a handgun (License Holder) may carry a concealed handgun in approved areas on all College sites beginning August 1, 2017. The following restrictions will apply:
    - a. This exception applies only to handguns; therefore, rifles and other weapons are prohibited on all College sites with the exception of weapons permitted under Section B.1.
    - b. Midland College will not provide storage for handguns on any College sites.
    - c. License Holders who reside in College housing areas which are not exclusion zones must safely secure or store their firearms to prevent tampering or theft as required by the College Police Department.
  3. Exclusion zones are set forth in Section K: Prohibited Areas and Times (page 4). Subchapter H, Chapter 411 of the Texas Government Code gives the presidents of public colleges the ability to designate gun-free zones on their campuses. The College has identified exclusion zones based on applicable laws and regulations, the general constituency of the campus population in those areas, safety considerations and any unique and material characteristics of those areas. The Texas Government Code 411.2031(d-1) and the Texas Penal Code 30.06 require notice to be given regarding areas where license holders may not carry concealed guns. Signage will be provided for these areas, using the required wording and format.
- C. Training and Awareness

1. In order to improve general campus safety regarding weapons on campus, the College will:
  - a. Provide educational materials for students, faculty and staff regarding active shooter situations.
  - b. Post in a number of prominent locations a concise compilation of campus-carry information and FAQs.
  - c. Promote awareness of available mental health assistance through websites and other types of publicity.

D. Violations and Penalties

1. Reports of faculty or staff violating this policy will be investigated by the Office of Human Resources and individuals will be subject to discipline under the College's Human Resources policies and procedures which may include disciplinary actions up to and including termination of employment for employees.
2. Reports of students violating this policy will be investigated by appropriate college personnel and individuals will be subject to discipline under the Student Rights, Responsibilities and Due Process Policy which may include disciplinary actions up to and including expulsion.
3. Suspected violations of law will be reported to the Midland College Police Department or other law enforcement agencies and may result in criminal penalties. A License Holder is bound by state and federal law and may face criminal or civil penalties for violation of those statutes.
4. Violations include, but are not limited to:
  - a. Carrying any weapon on College sites unless specifically permitted by state or federal law or this policy.
  - b. In compliance with Texas Penal Code 46.035(a-1), a License Holder may not carry a partially or wholly visible handgun on College sites. Handguns must be carried on or about the person. Handguns must be in holsters that completely cover the trigger guard area and that can withstand any movement from jostling, falling, etc.
  - c. Causing an intentional, inadvertent or accidental discharge of a firearm that is not justified in the use of force or deadly force.
  - d. Using, or threatening to use, a weapon in a threatening or hostile manner.
  - e. Taking action which a prudent person would not take in regard to the care or use of the firearm.

5. Penalties: A person who fails to comply with the rules and the regulations prescribed by the College may be subject to College discipline and may also be in violation of the Texas Penal Code. Alleged violations of the Texas Penal Code will be investigated by the Midland College Police Department. Investigations of

policy violations and criminal violations may run concurrently or separately. The lack of any finding of criminal activity does not preclude the College from finding a violation of policy. Persons in violation of any lawful order to remove a weapon or to leave any College site are subject to arrest by the Midland College Police Department.

- E. Reporting: Not later than September 1st of each even-numbered year, the College shall submit a report to the legislature and appropriate committees that describes all provisions regarding the carrying of concealed handguns on all College sites. The report will contain the rationale for the College's current provisions.

- F. Definitions

Handgun: Any firearm that is designed, made or adapted to be fired with one hand.

License Holder: An individual in possession of a current license issued or recognized by the State of Texas to carry a concealed handgun.

Summer Camp: A College sanctioned program with specific objectives designated for high school students or younger and which utilizes facilities that may include housing, dining, classroom, and meeting and recreation space.

College Sites: All land and buildings owned or leased by Midland College.

Weapon: Any object or substance designed to inflict a wound, cause injury, or incapacitate, including without limitation to firearms, BB guns, air guns, pellet guns, zip guns, switchblade knives, knives with a blade over five and one-half inches and other illegal knives or clubs prohibited by statute. Chemicals such as mace, tear gas, or oleoresin capsicum, but excluding normally available over-the-counter self-defense repellants. Possession of chemical repellants labeled for police use only or for law enforcement use only are restricted to law enforcement.

- G. Relevant Federal and State Statutes:

- a. Texas Government Code Chapter 411 4
- b. Texas Penal Code Chapter 46

- H. Who Should Know?

All members of the Midland College community, including students, staff, faculty, visitors, contractors, prospective students, and the parent of students and prospective students.

- I. Dates Approved or Amended  
April, 2017
  
- J. Contact Information  
All questions regarding this policy should be directed to the Executive Vice President.
  
- K. Prohibited Areas and Times  
Areas on Midland College Sites where carrying a concealed handgun is prohibited include the following exclusion zones:
  - a. Locations providing counseling services, which includes the Student Resource Counselor, Room 130 SSC and the ADAC office, Room 175 AHS.
  - b. Locations providing childcare for minor children, which includes the child care center located in the Helen L. Greathouse Child Care Center and Manor Park.
  - c. Locations providing education for K-12, which includes Early College High School at Midland College, located in the east wing of the Allison Fine Arts Building; WRTTC, the Advanced Technology Center (7 a.m. to 5 p.m.) and the Cogdell Training Center (7 a.m. to 5 p.m.).
  - d. Locations primarily used for NJCAA, UIL or other ticketed sporting and performance events, which includes the Al G. Langford Chaparral Center, Christensen Stadium and the Midland College softball field.
  - e. College housing in rooms that are shared by two or more persons.
  - f. Locations used for camps and programs for minors, which includes College housing when used for summer camps.
  - g. Chapel.
  - h. Lab storages that contain volatile chemicals.
  - i. On a case-by-case basis, any location, or specific time period the College President determines creates a unique situation that poses a threat to the safety of the campus community.