



BY: CHIEF SARAH ROSE, DIRECTOR OF CAMPUS POLICE AND EMERGENCY
PREPAREDNESS

OBJECTIVES

- Explain
 - the handgun carry law and policy
 - conditions regarding concealed weapons carry
 - the registration process
- Review
 - confidentiality of registrants
 - who can and cannot carry weapons

OBJECTIVES

- Review
 - where and when weapons can and cannot be carried on campus
 - exceptions to prohibition of carrying weapons
 - the right to search for illegal weapons
 - limitations of liability

WHAT YOU NEED TO KNOW

- Concealed handgun carry for faculty and staff of Tennessee State colleges was passed on May 2, 2016 and went into effect on July 1, 2016
- General prohibition relative to carrying weapons on school or institution property (TCA 39-17-1309) still stands, however; there are now some exceptions.
- The permit to carry law pertains to any handgun used for **personal** protection. Permit to carry does not pertain to long guns or any other weapons.
- Handguns carried on campus **MUST** be concealed at all times.

YOU MAY CARRY A WEAPON WITH A VALID PERMIT IF YOU ARE....

- A full time employee – which includes all faculty, executive, administrative, professional, and support staff employed on a **full time basis**.
- Full time employee who is a student but enrolled **only** in **on-line classes** and **does not attend class at a campus site**.

YOU **MAY NOT** CARRY A WEAPON IF YOU ARE.....

- A full time employee who is also enrolled as a student attending classes on a campus site.
- Regular Part time and temporary part time employees (with exception of law enforcement in the course of their duties)
- Adjunct faculty working less than full time
- Students
- Independent contractors (food services, bookstore, etc.)
- Employees of another institution working on or visiting the campus (Co-hort faculty)

HOW DO I REGISTER TO CARRY A CONCEALED WEAPON ON CAMPUS?

- Access the campus safety web site at: <http://ws.edu/student-services/campus-safety/carry-permit/>
- From the website you may print and read:
 - TBR and campus policy, “Firearms and Other Weapons Policy”
 - Firearms Laws 39-17-1309, 39-17-1351, 39-17-1359
 - Firearms carry registration instructions
 - Firearms carry registration from

HOW DO I REGISTER TO CARRY CONCEALED ON CAMPUS?

- Print and complete:
 - Firearms registration form.
 - Attach a copy of your valid carry permit and driver's license.
 - Be sure to sign both the registration form and the, "Summary of Campus Concealed Carry Rights and Responsibilities" form.
 - Place in a sealed envelope and return the registration forms to Chief Sarah Rose, on the Morristown campus or to the officers at any of our campus locations.
 - Hard copy registration packets are available at each campus police office.

HOW DO I REGISTER TO CARRY CONCEALED ON CAMPUS?

- Once your registration information is received, I will issue a campus carry registration card.
- The campus carry registration card and your handgun carry permit that is issued by the state, must be carried with you any time you carry your weapon on campus.
- You must not carry your weapon until you receive the campus registration card.
- Campus police will try to get your card to you within 3-5 business days. However, because of work load it could be longer.

REGISTERING WITH LOCAL POLICE AND SHERIFF'S DEPARTMENTS

- The law says that you must also register with local police agencies within the jurisdiction of the campus you intend to carry on. Campus police will do that for you at all jurisdictional agencies. We will share a registration listing with local agencies to meet this requirement for you.

ONCE REGISTERED TO CARRY

- The law and policy provides:
 - *When on the premises of the TBR institution where employed, employees who are registered to carry a handgun on the premises under T.C.A. § 39-17-1309(e)(9) and this policy must have the handgun either:*
 - *On or about their person, which means that the gun must be carried concealed on the person or it must be carried concealed in a handbag, briefcase or other carrying case that remains **within an arm's reach of the person at all times**; or*
 - ***Secured in their personal motor vehicle** in accordance with T.C.A. § 39-17-1313*
- Employees may **NOT** store their weapons in a locked drawer or gun safe in their offices. They must **CARRY** the weapon or secure it in their personal motor vehicle under the “guns in trunks” law.

CONFIDENTIALITY

- Registered employees names and other identifying information is confidential and not open for public inspection.
- Registration information may be shared only with campus and local law enforcement agencies/officers.
- Information as to who on a campus or in a division is carrying concealed cannot be shared with supervisors.

CONFIDENTIALITY

- According to the law: Employees who elect to carry a handgun under T.C.A. § 39-17-1309(e)(9) **shall not** disclose the fact that they are carrying a handgun **with the intent to intimidate or threaten** other employees, students or third parties.
- The right to confidentiality belongs to the employee who registers to carry the handgun and that employee **may** tell others that he or she is carrying without violating the **policy**.

WHERE YOU MAY **NOT** CARRY A WEAPON ON CAMPUS

- Stadiums, gymnasiums, auditoriums, when school-sponsored events are in progress, such as ball games; pep rallies; convocations; graduations; concerts; plays and other entertainment, etc.
- **Formal** meetings regarding employee or student disciplinary matters
- **Formal** meetings regarding tenure issues.
- A hospital, or an **office where medical or mental health services** are the primary services provides, such as a clinic, student health center or a mental health counseling center.

WHERE YOU MAY **NOT** CARRY A WEAPON ON CAMPUS

- In any motor vehicle that is **owned, operated, or controlled by a TBR institution** provided to an employee for use during the course of employment. (Exception for presidents and chancellors)
- Any other TBR institution at which you **are not employed.**
- Public K-12 school buildings, buses, recreation and athletic areas, and any other property owned and operated by the Department of Education.
- At any private institution which prohibits possession of firearms

WHEN YOU MAY **NOT** CARRY A WEAPON ON CAMPUS

- While under the influence of alcohol or any controlled substance
- While consuming liquor, wine, beer, or other alcoholic beverages within the confines of an establishment open to the public where beverages are served for consumption on the premises.

EXCEPTIONS TO THE PROHIBITION ON WEAPONS

- A person **may possess or carry** a firearm or other weapon used **solely for instructional** or school-sanctioned ceremonial purposes on institution property. Please request approval in writing from the appropriate supervising Vice President. Campus police must be notified by the Vice President that it has been approved prior to any weapon functioning or non-function being brought on campus.
- Any non-student adult may possess a firearm on campus, if the firearm is contained within a **private vehicle** operated by the adult and is not handled by the adult, or by any other person, while the vehicle is on institution property with a valid permit.

EXCEPTIONS TO THE PROHIBITION ON WEAPONS

- Person(s) employed in the Army, Air Force, Navy, Coast Guard or Marine service of the United States or any member of the Tennessee National Guard, when in the discharge of their official duties and acting under orders requiring them to carry arms or weapons, may possess the weapons required by the orders.
- Civil officers of the United States in the discharge of their official duties may possess required weapons.

EXCEPTIONS TO THE PROHIBITION ON WEAPONS

- Officers and soldiers of the militia and National Guard, when called into actual service, may possess required weapons.
- Peace Officer Standards and Training (POST) certified, active duty law enforcement officers, whether on or off duty, may possess and carry their service firearm on institution property.

RIGHT TO SEARCH FOR WEAPONS

- Searches may be conducted by campus and local law enforcement officers and may take place on any TBR institution property for illegally possessed weapons in any area on the institution's premises, including but not limited to lockers, furniture, containers, drawers, equipment or other facilities, lunch boxes, brief cases, personal bags, personal toolboxes or tool kits, parking lots, TBR vehicles and other vehicles on the institutions premises.

DISCIPLINARY SANCTIONS

- Violation of this policy and/or the applicable laws regarding possession of firearms or other weapons on TBR institution property shall result in disciplinary action, up to and including immediate termination of employment.

LIMITATIONS OF LIABILITY

- Unless carrying a handgun is a requirement of the employee's job description, the carrying of a handgun as allowed by TCA 39-17-1309 (e) (9) is a **personal choice for personal protection** of the employee and **not a requirement of the employing institution.** Consequently, an employee who carries a handgun on property owned, operated or controlled by the TBR institution where the employee is employed:
 - Is **NOT** acting in the course of, or scope of, their employment when carrying or using the handgun
 - Is **NOT** entitled to workers' compensation benefits under TCA 9-8-307 (a)(1)(k) for injuries arising from the carrying or use of a handgun; or
 - Is **NOT** immune from **personal liability** with respect to use or carrying of handgun under TCA 9-8-307 (h)

LIMITATIONS OF LIABILITY

- A TBR institution is absolutely immune from claims for monetary damages arising solely from or related to an employee's use of, or failure to use, a handgun by an employee of that institution who has elected to carry a handgun under TCA 39-17-1309 (e) (9)

CAN I USE MY WEAPON DURING AN ACTIVE SHOOTER SITUATION

- Your personal weapon is for your personal protection.
- It is not intended for use during any tactical situation.
- Use during such situations will be a personal decision. Understand that you are legally liable for the use or misuse of the weapon you carry.
- If there is a active shooter situation and you fail or choose not to use your weapon you will not be liable for any injury or death that occurs because you did not act but had a weapon. This law and your permit to carry is for personal protection only.
- Be cognizant that having your weapon visible or in your hand during the approach of law enforcement or special operations units could result in your injury or death.

EDUCATION AND TRAINING

- Education on the permit to carry law and policy will be provided by campus police and made available on our web page.
- Firearms training or qualification with your weapon will not be offered as that could place the institution in a situation of liability with regard to personal weapon use.

WHAT IF I FEEL THREATENED BY SOMEONE WHO IS REGISTERED TO CARRY A HANDGUN?

- Report your concerns immediately to your immediate supervisor, appropriate vice president, and/or campus police.

WHAT IF SOMEONE ACCIDENTALLY SEES MY CONCEALED WEAPON WHAT ARE THE RAMIFICATIONS?

- This is why it is important for you to be sure you always have your hand gun carry permit and the WSCC registration card with you at all times.
- If a complaint is received you will likely be approached and asked to produce both cards.
- You will likely be counseled on better concealment of your weapon but there would be no law or policy violation as intent likely would not be present.

HOW MANY HAVE REGISTERED TO CARRY
CAMPUS WIDE?

To date:

39

**Per Legal Counsel; this number cannot be
broken down per campus, building, or division.**

QUESTIONS

