

**Tennessee Technological University
Policy No. 422**



Effective Date: July 1, 2016

Policy No:

Policy Name: Weapons on Tennessee Tech Property

Policy Subject: Possession of weapons on Tennessee Tech Property

I. Purpose

This policy describes the prohibition of the possession of weapons on Tennessee Tech Property and describes the limited exceptions to the prohibition.

II. Review

This policy will be reviewed every four years or whenever circumstances require review, whichever is earlier, by the University Police chief law enforcement officer with recommendations for revision presented to the Administrative Council and University Assembly.

III. Definitions

- A. Authorized Employee**—a Full-time employee who
 - 1. Is not enrolled as a student at Tennessee Tech, and
 - 2. Is in compliance with all the statutory provisions related to carrying a handgun as described in Tennessee Code Annotated Section 39-17-1351 et seq. and any other federal or state laws or regulatory requirements related to firearms.
- B. Enrolled**—Registered for a current or future academic offering at Tennessee Tech, whether or not the academic offering is offered for credit and regardless of whether the course is offered online.
- C. Full-time**—All benefitted Tennessee Tech employees who are employed on a continuing basis, expected to exceed one-year, and who have a regular work week of 37.5 hours or who are scheduled to carry a full teaching load or its equivalent (to include modified fiscal year employees).
- D. Operated**—Managed or used by Tennessee Tech and where weapons, to include handguns, are not otherwise prohibited.
- E. Controlled**—Under the direction of and regulated by Tennessee Tech and where weapons, to include handguns, are not otherwise prohibited.
- F. Tennessee Tech Property**—any property owned, operated, or controlled by Tennessee Tech.

IV. Prohibition Related to Weapons and Right to Search for Weapons

- A.** Unless otherwise allowed by law and as excepted in this policy, it is a Class E felony and a violation of this policy for any person to possess or carry, whether openly or concealed, with the intent to go armed, any firearm, explosive, explosive weapon, bowie knife, hawk bill knife, ice pick, dagger, slingshot, leaded cane, switchblade knife, blackjack, knuckles, or any other weapon of like kind, not used solely for instructional or school-sanctioned ceremonial purposes, in any Tennessee Tech building or bus, campus, grounds, recreation area, athletic

field, or any other property owned, operated, or while in use by Tennessee Tech or by its Board.

- B. Consistent with the applicable law, if University Police believe that a weapon is on Tennessee Tech Property in violation of this policy or law, University Police may search for that weapon in any area on Tennessee Tech Property, including but not limited to lockers, furniture, containers, drawers, cabinets, equipment, carrying cases, personal bags, personal toolboxes or toolkits, and vehicles in parking lots on Tennessee Tech Property.

V. Policy and Procedures Related to Authorized Employees and Concealed Handguns

- A. Subject to the exceptions described in this policy and in federal or state law, an Authorized Employee may carry a concealed handgun on Tennessee Tech Property.
- B. Prior to carrying a concealed handgun on Tennessee Tech Property, an Authorized Employee must provide notice in person of his/her intent to carry a concealed handgun on Tennessee Tech Property to Tennessee Tech's University Police chief law enforcement officer. The notice must be on [this form](#).
- C. An Authorized Employee is not permitted to carry a handgun openly or in any manner in which the handgun is visible to ordinary observation.
- D. This policy does not authorize an Authorized Employee to use a handgun in any official capacity, except as provided in Section VI.A.
- E. Authorization to carry a concealed handgun under this policy is not authorization to carry a concealed handgun on non-Tennessee Tech property, including but not limited to other campuses, federal facilities, businesses, or other public areas even when the Authorized Employee is visiting those properties for work-related activities.

F. Locations Where and Times at Which An Authorized Employee Is Never Permitted To A Carry A Concealed Handgun

- 1. Authorized Employees are *never* permitted to carry a concealed handgun at the following times and at the following locations:
 - a. In stadiums, gymnasiums, athletic fields, public parks, auditoriums or other building facilities, areas or property when Tennessee Tech-related events are in progress,
 - b. In employment-related meetings,
 - c. In meetings regarding disciplinary matters,
 - d. Wherever medical or mental health services are the primary services provided, including but not limited to the University Counseling Center and the University Health Center,
 - e. In any Tennessee Tech childcare facility or wherever childcare activities are occurring,
 - f. In federal facilities
 - g. In any location where a provision of state or federal law prohibits the carrying of a handgun on that property.
- 2. If an Authorized Employee who is carrying a concealed handgun must enter an area described in Section F(1)(a)-(f), the Authorized Employee may either secure the handgun

in his/her personal vehicle in the manner described in Tennessee Code Annotated Section 39-17-1313 or deliver the handgun to University Police for secure storage.

G. Liability

1. Unless carrying a handgun is a requirement of the Authorized Employee's job description or as provided in Section VI.A., carrying a concealed handgun pursuant to this policy and Tennessee Code Annotated Section 39-17-1309(e)(9) is a personal choice of the Authorized Employee and is not a requirement of Tennessee Tech.
2. An Authorized Employee who chooses to carry a concealed handgun on Tennessee Tech Property is
 - a. Not acting in the course or scope of his/her employment when carrying or using a handgun,
 - b. Not entitled to workers' compensation benefits under Tennessee Code Annotated Section 9-8-307(a)(1)(K) for injuries arising from the carrying or use of a handgun, and
 - c. Not immune from personal liability with respect to use or carrying of a handgun under Tennessee Code Annotated Section 9-8-307(h).

H. Confidentiality

1. An Authorized Employee's name and any other information that might identify the Authorized Employee are confidential and not open for public inspection.
2. The University Police shall not disclose any information related to the Authorized Employee except to
 - a. A Tennessee Tech administrative officer who is responsible for Tennessee Tech facility security, provided that the administrative officer is not the Authorized Employee's immediate supervisor or a supervisor responsible for the evaluation of the Authorized Employee, and
 - b. Another law enforcement agency and only for law enforcement purposes.

VI. Weapons Policy Related to School of Agriculture Employees and Their Household and Employees Engaged in Wildlife Biology or Ecology Research and Education

A. An employee of Tennessee Tech's School of Agriculture who receives prior written authorization from the President may, when in the discharge of his/her official duties, possess a weapon.

B. An employee of Tennessee Tech's School of Agriculture and any member of that employee's household, all of whom live in a residence owned, used, or operated by Tennessee Tech and who receive prior written authorization from the President may possess weapons on the residential property. This policy does not authorize a person covered by this section to use a weapon in any official capacity.

C. An employee who is engaged in wildlife biology or ecology research and education who receives prior written authorization from the President may possess weapons for the purpose of capture or collections of specimens. This policy does not authorize an employee covered by this section to use a weapon in any official capacity.

VII. Penalty for Violation of the Law or This Policy

A. Any employee who violates the law related to weapons on Tennessee Tech Property or this policy will be subject to discipline in accordance with the applicable procedures governing that employee and will be reported to the appropriate law enforcement authorities.

B. Any student who violates the law related to weapons on Tennessee Tech Property or this policy will be subject to discipline in accordance with the applicable due process procedures and will be reported to the appropriate law enforcement authorities.

C. Any visitor or guest who violates the law related to weapons on Tennessee Tech Property or this policy may be banned from Tennessee Tech Property by the University Police and will be reported to the appropriate law enforcement authorities.

VIII. Interpretation

The President or his/her designee has the final authority to interpret the terms of this policy.

IX. Citation of Authority

TCA § 39-7-1309(b) & (e)(9) & (11)

Approved:

TTU Policy 101, Section VII. A