

Weapons Prohibition Policy

General Policy

This policy applies to all Wiley College students, faculty, staff members, contractors and visitors.

The college seeks to provide a safe, secure environment in which to pursue its educational mission. Consequently, all members of the Wiley community, including faculty, staff, students, contractors and visitors are prohibited from possessing firearms, explosives, other dangerous weapons and replicas of dangerous weapons (as described in this policy) while on Wiley property, in buildings where a Wiley-sponsored activity is held or within or on Wiley's vehicles. This prohibition against weapons possession is in effect to the fullest extent allowed under Texas laws, including laws pertaining to weapons generally (Texas Penal Code § 46.03) and to concealed handgun licenses (Texas Penal Code § 46.035). The only exceptions to this weapons prohibition are those authorized in writing by the Wiley College Police Department (WCPD) chief of police and those exceptions below, which include exceptions mandated by law.

Any Wiley student, faculty member, staff member or contractor violating this policy is subject to disciplinary action, up to and including expulsion, dismissal or termination of employment. When appropriate, anyone violating this policy may also be subject to prohibition from the campus and/or criminal prosecution.

Wiley College expects all members of the campus community to help safeguard the community by reporting promptly to WPD any weapons discovered to be present on campus. Persons should report any concerns about violations of this policy to the chief of police, associate vice president for human resources, dean of undergraduates, dean of graduate and postdoctoral studies, Office of Student Judicial Programs or a supervisor. Any person concerned about an imminent threat of violence on college property or at a college-sponsored event should report the concern immediately to WPD at 903-923-1686 or 911.

Definitions

As used in this policy, the term "weapon" encompasses any object or substance designed to inflict a wound, incapacitate or cause injury, and includes, but is not limited to, the following:

- firearms, including, without limitation, rifles, shotguns, handguns, BB or pellet guns, compressed-air guns, stun guns, paintball or airsoft guns;
- ammunition, including materials for making ammunition;
- explosive material, including bombs, grenades, rockets and fireworks;
- chemical weapons (other than small chemical dispensers sold commercially for personal protection, such as pepper spray);
- daggers, swords, spears, knives with blades longer than 5½ inches, switchblades, butterfly knives and other bladed weapons (including those intended for ceremonial or decorative uses);
- slingshots, bows and arrows, clubs, blackjacks, nightsticks, hunting or martial arts weapons;
- weapons prohibited by Texas Penal Code Chapter 46 (which includes a variety of firearms, handguns, zip guns, clubs, knives, fake bombs, explosive weapons and components of explosives that are possessed with the intent to create an explosive weapon);
- other dangerous weapons, especially those intended for warfare, combat or hunting; and
- replicas or other objects that are made to look like actual weapons and could reasonably be mistaken by community members or police officers as actual weapons (including toy, fake or facsimile weapons).

Any questions about whether an item may constitute a “weapon” addressed by this policy should be directed to WPD.

The term “possession” includes, but is not limited to, having the weapon on one’s person or storing the weapon in workplaces, residential facilities, lockers, desks, briefcases, any type of carrying bags or containers or in vehicles on college property.

Exceptions to the Policy

The only exceptions to this prohibition on possession or storage of weapons at Wiley are the following:

- State law (Texas Labor Code § 52.061) permits employees (including Wiley employees) who hold concealed handgun licenses and lawfully possess a firearm or ammunition, to store or transport the firearm or ammunition in a locked, privately owned vehicle in a parking lot, garage or other parking area that the employer provides to the employee. This permission extends only to employees

and not to visitors or contractors; it pertains only to locked, privately owned vehicles in Wiley parking facilities and does not extend to Wiley owned vehicles.

- In addition, state law (Texas Government Code § 411.2032) permits persons who hold concealed handgun licenses (including enrolled Wiley students) to store or transport firearms or ammunition in a locked, privately owned or leased vehicle located in Wiley parking lots or on campus streets or driveways.
- Exceptions permitted in writing by Wiley's chief of police.
- Commissioned law enforcement officers in the performance of their official duties, to the extent they are legally permitted to possess weapons in the City of Marshall and on college campus.
- Approved college experiments or projects, if written permission has first been obtained from Wiley's chief of police.

Implementation

Persons licensed by the state to carry concealed handguns may not bring such weapons into any area not permitted by law, such as Wiley buildings or residences owned by Wiley and they should instead store their weapons in a secure manner that does not violate state law or this policy.

The WPD does not provide storage of non-WPD firearms.

College classes, clubs and other sponsored activities that will be using items included in the definition of "weapons" (such as classes using martial arts weapons or theatrical productions using fake guns) must, prior to any use, obtain written permission from Wiley's chief of police to use weapons as part of the activity. It is important that WPD be notified in advance of any weapons (including replicas or facsimiles) that are being used on the campus, even in college sponsored activities, in order to avoid misunderstandings with police officers and to permit WPD to respond appropriately to any reports regarding the weapons. Any weapons permitted as part of college-sanctioned events must be stored in the location designated in the written permission obtained from the chief of police. For example, the chief of police may sometimes require that non-firearm weapons be stored in the police department's evidence room. Weapons storage is not permitted in Wiley's residential facilities unless written permission is obtained from the chief of police.