

# Questions and Answers about TSU's Policy Governing Firearms on University Property

## Background

### 1. Why has Tennessee State University adopted a firearms safety policy?

TSU adopted its [Campus Firearms Safety Policy](#) (CFS Policy) in response to a recently enacted state law [Public Chapter 1061](#), which generally allows full-time employees to carry a concealed handgun on certain TSU property if they have a valid handgun carry permit.

### 2. Is TSU's policy consistent with state law?

Yes. The policy informs employees about how TSU applies [Public Chapter 1061](#) and other firearm laws. Because multiple laws apply, the CFS Policy clarifies when an employee may and must not legally carry or possess a firearm on University property.

## Eligibility to Carry

### 3. Who is eligible to carry a handgun on TSU property?

Under Public Chapter 1061, only full-time TSU employees with valid handgun carry permits may carry only handguns and only on certain TSU property, if:

- They are not enrolled as students ([refer to FAQ question 6](#)); and
- They notify the Tennessee State University Police Department (TSUPD) ([refer to FAQ question 7](#)).

NOTE: These employees are called "eligible employees" in these questions and answers.

Full-time employees are those scheduled to work 37.5 hours in a workweek and include full-time temporary employees.

### 4. Who may NOT carry a handgun on TSU property?

The following individuals are not permitted to carry handguns on TSU property, unless expressly permitted by Tennessee law:

- Part-time TSU employees (those scheduled to work less than 37.5 hours in a workweek).

- TSU students
- TSU volunteers
- Visitors to TSU property
- Lessees of TSU property
- Employees of contractors working on TSU property

Tennessee law prohibits the individuals listed above from carrying a handgun on TSU property, but allows individuals with handgun carry permits to transport and store a firearm or firearm ammunition in their private motor vehicle while on or utilizing a parking area as long as:

- the firearm or ammunition is kept from ordinary observation if the individual is in the motor vehicle; or
- the firearm or ammunition is kept from ordinary observation and locked within the trunk, glove box, or interior of the individual's motor vehicle or a container securely affixed to such motor vehicle if he/she is not in the motor vehicle.

**5. What types of weapons may eligible employees carry?**

Only handguns.

**6. I am a full-time employee with a valid handgun-carry permit. May I carry a handgun . . .**

- **on the TSU Avon Williams Campus or TSU Agriculture Extension locations?**

Yes, with respect to the Avon Williams campus, as long as you meet the other conditions and requirements of the CFS Policy. You may carry a handgun on property housing TSU's Agriculture Extension offices if TSU owns, operates, or controls the property on which Extension office is located.

- **on TSU property, if I am enrolled as a student only in an online course/degree/certificate program offered through TSU.**

No. [Public Chapter 1061](#) does not distinguish between categories of students, for purposes of prohibiting full-time employees from carrying a handgun on campus if they are also enrolled as a student at the university.

- **in a non-credit course offered through TSU's Non-Credit Program.**

No.

## Registration with Law Enforcement

7. **Which law enforcement agency should eligible employees contact to indicate their intent to carry a handgun on TSU property?**

Prior to carrying a handgun on TSU property, eligible employees must provide [written notification to the TSUPD](#).

8. **Are eligible employees required to complete firearm training offered by TSUPD or a law enforcement agency?**

No, but TSU encourages employees to complete such training.

9. **Are eligible employees required to notify law enforcement of changes in their employment, student, or permit holder status?**

Yes.

## Manner of Carrying

10. **Do handguns have to be concealed when carried on TSU property?**

Yes. Eligible employees shall not carry a handgun openly or in any other manner in which the handgun is visible to ordinary observation by a reasonable person.

11. **What if someone gets a glimpse of my handgun?**

Eligible employees who have otherwise complied with the CFS Policy generally will not be found to have violated the policy if they inadvertently allow another person to see their handgun (e.g., an employee's coat opens in the act of raising their arm to ask a question and a handgun is seen). The purposeful showing of a handgun to another person on campus constitutes a violation of this policy, may constitute workplace intimidation, and may subject the employee to disciplinary action.

**12. I keep my handgun in my purse. When I leave my office, am I allowed to leave my handgun in my purse in a locked desk drawer?**

No. You are required to keep it with you at all times, unless you are entering a location on University property where carrying it is prohibited. In that case, you should secure the handgun in your motor vehicle and store it in compliance with the CFS Policy.

## **Times and Locations**

**13. May eligible employees carry a handgun . . .**

- **on all TSU campuses, institutes and other TSU properties across the state?**

Yes, if, prior to carrying the handgun, the employee provides the required written notification to TSUPD.

- **on TSU property when they are *not* working for the University?**

Yes, if the eligible employee meets all of the other requirements of the CFS Policy.

Example: An eligible TSU employee may carry a handgun on the TSU Main campus on a football game day if: (1) prior to carrying the handgun, the employee provides the required written notification to the TSU Police Department; and (2) the eligible employee does not carry the handgun into Hale Stadium, which is a prohibited location outlined in the law.

- **on property that is *not* owned, controlled or used by TSU *when they are working for TSU?***

No, if the eligible employee is acting within the course and scope of TSU employment, unless the employee is transporting and storing the handgun in the employee's privately-owned motor vehicle in a parking area or on public roadways. The policy defines "parking area" as property provided by a business entity, public or private employer, or the owner, manager or legal possessor of the property for the purpose of permitting invitees, customers, clients or employees to park privately owned motor vehicles.

Example: A TSU employee, while acting within the course and scope of TSU employment, attends a conference in Clarksville, Tennessee, hosted by Austin Peay State University. The TSU employee shall not carry a handgun during the conference because Tennessee law prohibits a TSU employee from carrying a

handgun on property owned by APSU, but the employee may store a handgun in the employee's privately-owned motor vehicle in a parking area.

- **in a TSU vehicle?**

Yes, if the eligible employee meets all of the other requirements of the CFS Policy. However, eligible employees should keep in mind that they are not allowed to leave a handgun in a TSU (State) vehicle. As a result, eligible employees who are using a TSU vehicle to travel to a location at which firearms are prohibited (e.g., a K-12 school) should not carry a handgun with them in the vehicle unless they have a plan to store the firearm outside the TSU vehicle (e.g., with law enforcement).

- **in a TSU classroom?**

Yes, if the eligible employee is not enrolled as a student and meets all of the other requirements of the CFS Policy.

- **in a TSU laboratory?**

Yes. However, TSU discourages eligible employees from carrying a handgun in laboratories in which the negligent discharge of a firearm would create the risk of serious physical injury or illness because of the nature of the materials present in the facility (e.g., pathogenic materials, high-pressure/cryogenic/flammable gases) or in which the presence of strong magnets requires the prohibition of metallic objects in such facilities. Eligible employees who use the exception in Public Chapter 1061 to carry a handgun should also be mindful that they are not immune from personal liability with respect to use or carrying of the handgun.

- **in a TSU office that is located on property that TSU is leasing from another entity?**

Yes, unless the property owner has prohibited the carrying of firearms on the property.

- **at a TSU meeting held on property that TSU is renting from a private property owner (e.g., hotel conference room)?**

Yes, unless the private property owner has prohibited the carrying of firearms on the property.

Example: A TSU employee, while acting within the course and scope of TSU employment, attends a TSU-organized meeting being held in a hotel conference room in Murfreesboro, Tennessee. The employee shall not carry a handgun if the hotel has posted a notice prohibiting firearms on its property.

- 14. If there is an auditorium or gymnasium within a TSU facility (e.g., university center; student recreation center), may an eligible employee carry a handgun in other parts of the facility when a TSU-sponsored event is taking place in the auditorium or gymnasium?**

Yes, if the employee meets all of the other requirements of the CFS Policy.

- 15. May a full-time faculty member carry a handgun while they are teaching a course?**

Yes, if the faculty member meets all of the other requirements of the CFS Policy. Faculty members must also be mindful of the requirement that they conceal the handgun at all times while on TSU property, and how the display, even an inadvertent display, of a concealed gun may raise student concerns regarding intimidation.

- 16. Are student intramural and club sport games “University-sponsored events”?**

Yes, which means that employees shall not carry handguns at those events.

- 17. What if I’m unsure whether I can carry a handgun at a certain time or location?**

Eligible employees should seek clarification by:

- Referring to the CFS Policy;
- Referring to the maps provided by TSUPD; or
- Contacting the TSUPD or University Counsel.

By issuing the CFS Policy, TSU is using its best efforts to inform employees about where they can carry handguns. However, because Tennessee’s criminal law generally prohibits possessing and carrying firearms on TSU property, employees should direct

questions not answered by TSU publications or personnel to a personal attorney because it is each employee's responsibility to know and comply with the law.

## **Exemption Regarding Disciplinary Meetings**

**18. Employees are prohibited from carrying a handgun in a meeting about a disciplinary matter. What meetings does that cover? Which employees are covered?**

TSU expects employees to refrain from carrying a handgun to a meeting at which the employee knows or reasonably should know that an employee or student disciplinary matter will be discussed. The prohibition applies to all employees present during the meeting, including employees who are initiating the discussion (e.g., supervisors) and employees for whom discipline is being discussed.

**19. If an eligible employee is asked to attend a disciplinary meeting, what should the employee do with his/her handgun?**

If the employee knows or reasonably should know that discipline of an employee (including him/herself) will be discussed, then the employee should:

- Take the handgun to his/her motor vehicle and store it in compliance with the CFS Policy.

**20. If an eligible employee is asked to attend a meeting and an unanticipated disciplinary matter arises during the meeting, what should the employee do with his/her handgun?**

The employee may ask to be excused from the meeting to store the handgun in his/her private vehicle. The eligible employee is not required to announce the reason that they need to be excused from the meeting.

## Interactions with Other Employees

**21. May a supervisor tell or ask eligible employees not to bring a handgun into the office?**

No, unless a supervisor merely is advising all of the employees in their unit on situations in which the CFS Policy prohibits the carrying of handguns (e.g., in a disciplinary meeting).

**22. May a supervisor request a list of employees who have notified law enforcement that they intend to carry a handgun?**

No. The identity of employees who have notified law enforcement that they intend to carry a handgun is confidential under Tennessee law.

**23. May an employee disclose to another employee that he/she is carrying a handgun?**

Employees should use good judgment and discretion in sharing or publicizing such information, keeping in mind their obligation to conceal the weapon. Also, employees should be mindful that threatening or seeking to intimidate another employee in connection with the carrying of a handgun on TSU property may warrant disciplinary action and may be a crime.

**24. May an employee ask another employee if they are carrying a handgun?**

Supervisors shall not ask employees they supervise (i.e., in their line of supervision) whether they carry a handgun.

TSU policy does not prohibit employees from asking other employees if they are carrying a handgun. However, TSU policy does not require an employee to answer the question unless they are asked by a law enforcement officer. No adverse employment action shall be taken against any employee because that employee carries a handgun or who chooses not to disclose to another TSU administrative employee whether they are carrying a handgun.

**25. What should I do if another TSU employee tells me that they are carrying a handgun?**

It does not violate TSU policy for one employee to tell another employee that they are carrying a handgun. However, see response to question no. 23 regarding threatening or



intimidating behavior. In addition, you may contact the TSUPD if you are concerned that the employee is violating TSU's CFS Policy. TSUPD will review whether that the employee is eligible to carry a handgun on TSU property, and if not, take appropriate action.

**26. What should I do if I am concerned that someone is violating TSU's policy on firearms?**

Please contact the TSUPD. The TSUPD will review whether the employee is eligible to carry a handgun on TSU property, and if not, take appropriate action. Emergencies should be reported to law enforcement by calling 911.

**27. May individual faculty or staff members post signage that prohibits handguns in their offices or classrooms?**

No.