

INTERNATIONAL LEADERSHIP OF TEXAS
CAMPUS FIREARM POLICY

Purpose

International Leadership of Texas (ILTEXAS) recognizes the need and the importance of providing increased security for its students, staff, parents and visitors. ILTEXAS also recognizes that response from emergency first responders, including law enforcement personnel, may vary and could take significant time in an emergency situation. Therefore, the Board of Directors of ILTEXAS adopts the following written regulations, written authorization, and Board policy to address concerns about effective and timely response to emergency situations at schools and campus security, including: invasion of a school by an armed outsider; a hostage situation; actions of a student or other person who is armed and poses a direct threat of physical harm to themselves or others; and other similar circumstances.

Authorization

The Board is charged with responsibility for management and operation of the School pursuant to Texas Education Code § 12.121, and the Board must ensure the protection of the health, safety and welfare of enrolled students pursuant to Texas Education Code § 12.115(a)(3) or face revocation, non-renewal or other sanctions and administrative penalties from the Texas Education Agency. Additionally, pursuant to its authority under Texas Penal Code § 46.03(a)(1)(A), the Board may, from time to time, authorize specific ILTEXAS employees or contracted and licensed security services (hereinafter “Authorized Personnel”) to possess certain firearms on school property, at school-sponsored or school-related events.

Any Authorized Personnel shall be approved by a separate action of the Board. The Board shall issue written authorization to each such Authorized Personnel. The Board, the Board President or Superintendent may also rescind such authorization to any Authorized Personnel at any time and for any reason.

Concealed Handgun Licensees

Only a ILTEXAS employee or other Authorized Personnel who satisfies all eligibility requirements to carry a concealed handgun listed in Texas Government Code § 411.172 (attached as Exhibit 1 to this Policy) and who maintains a current license, issued by the State of Texas and in accordance with Texas law, to carry a concealed handgun (“CHL”), are eligible to be authorized by the Board to possess a firearm on ILTEXAS property. Any Authorized Personnel who are contracted security services shall also be in good standing and maintain any additional licensing requirements of the State to act as private security carrying a handgun.

Additionally, prior to receiving written authorization by the Board to possess a firearm on ILTEXAS property, any Authorized Personnel must undergo a psychological test, drug and alcohol test, and a full nation-wide criminal history background information check. A copy of these test results and background checks will be maintained in a confidential file either by ILTEXAS or the contracted security service. Such documents shall not be released except with the employee's written permission, by court order, or as otherwise required by law. The Superintendent and/or designee may perform periodic reviews of such files to ensure compliance with all applicable rules and regulations related to possession of a firearm on ILTEXAS property.

Simply holding a CHL is not in itself approval or authorization to possess a firearm on ILTEXAS property. A person holding a CHL that **is not** specifically authorized and approved by the Board to possess a firearm on ILTEXAS property commits an offense.

Any revocation or suspension of the Authorized Personnel's CHL (or other applicable state license for contracted security service) will result in the automatic revocation of the authorization to possess a firearm on ILTEXAS property.

Any arrest or indictment of Authorized Personnel must be immediately reported to the Superintendent and will also automatically revoke the authorization to possess a firearm on ILTEXAS property. Authorized Personnel under this policy shall sign acknowledgment of the conditions contained herein.

Training

Authorized Personnel shall, prior to receiving written authorization by the Board, must submit to ILTEXAS proof of completing instruction in the following areas:

- A minimum of four hours in the area of general concealed carry, to include safely drawing from a holster, re-holstering, etc.;
- A minimum of one hour in the area of types of carry to suit the individual and the environment in which the authorized Personnel will be working; and
- A minimum of one hour in target discrimination.

Each Authorized Personnel who is given written authorization by the Board to possess a firearm on ILTEXAS property must thereafter annually attend a state-approved training class on gun safety, and present proof of completing such training to ILTEXAS

Additionally, each Authorized Personnel shall be provided additional training in crisis intervention, management of hostage situations, and other topics as the Board or designee may determine necessary and appropriate.

Storage of Firearms and Ammunition

Each campus shall designate a room to safely secure any firearm and all ammunition not on the person of the properly authorized carrier. The room shall contain a non-movable lock box to secure the firearm and ammunition.

No firearms or ammunition will remain on campus after the end of the school day.

Firearms and ammunition are not permitted on school buses during field trips or other school-related activities not taking place on ILTEXAS property.

Permitted Ammunition

Only frangible ammunition, *i.e.*, ammunition designed to have reduced ricochet hazard, shall be permitted in firearms authorized to be on ILTEXAS property.

EXHIBIT 1

Texas Government Code § 411.172

Sec. 411.172. ELIGIBILITY. (a) A person is eligible for a license to carry a concealed handgun if the person:

(1) is a legal resident of this state for the six-month period preceding the date of application under this subchapter or is otherwise eligible for a license under Section 411.173(a);

(2) is at least 21 years of age;

(3) has not been convicted of a felony;

(4) is not charged with the commission of a Class A or Class B misdemeanor or equivalent offense, or of an offense under Section 42.01, Penal Code, or equivalent offense, or of a felony under an information or indictment;

(5) is not a fugitive from justice for a felony or a Class A or Class B misdemeanor or equivalent offense;

(6) is not a chemically dependent person;

(7) is not incapable of exercising sound judgment with respect to the proper use and storage of a handgun;

(8) has not, in the five years preceding the date of application, been convicted of a Class A or Class B misdemeanor or equivalent offense or of an offense under Section 42.01, Penal Code, or equivalent offense;

(9) is fully qualified under applicable federal and state law to purchase a handgun;

(10) has not been finally determined to be delinquent in making a child support payment administered or collected by the attorney general;

(11) has not been finally determined to be delinquent in the payment of a tax or other money collected by the comptroller, the tax collector of a political subdivision of the state, or any agency or subdivision of the state;

(12) is not currently restricted under a court protective order or subject to a restraining order affecting the spousal relationship, other than a restraining order solely affecting property interests;

(13) has not, in the 10 years preceding the date of application, been adjudicated as having engaged in delinquent conduct violating a penal law of the grade of felony; and

(14) has not made any material misrepresentation, or failed to disclose any material fact, in an application submitted pursuant to Section 411.174.

(b) For the purposes of this section, an offense under the laws of this state, another state, or the United States is:

(1) except as provided by Subsection (b-1), a felony if the offense, at the time the offense is committed:

(A) is designated by a law of this state as a felony;

(B) contains all the elements of an offense designated by a law of this state as a felony; or

(C) is punishable by confinement for one year or more in a penitentiary; and

(2) a Class A misdemeanor if the offense is not a felony and confinement in a

jail other than a state jail felony facility is affixed as a possible punishment.

(b-1) An offense is not considered a felony for purposes of Subsection (b) if, at the time of a person's application for a license to carry a concealed handgun, the offense:

- (1) is not designated by a law of this state as a felony; and
- (2) does not contain all the elements of any offense designated by a law of this

state as a felony.

(c) An individual who has been convicted two times within the 10-year period preceding the date on which the person applies for a license of an offense of the grade of Class B misdemeanor or greater that involves the use of alcohol or a controlled substance as a statutory element of the offense is a chemically dependent person for purposes of this section and is not qualified to receive a license under this subchapter. This subsection does not preclude the disqualification of an individual for being a chemically dependent person if other evidence exists to show that the person is a chemically dependent person.

(d) For purposes of Subsection (a)(7), a person is incapable of exercising sound judgment with respect to the proper use and storage of a handgun if the person:

(1) has been diagnosed by a licensed physician as suffering from a psychiatric disorder or condition that causes or is likely to cause substantial impairment in judgment, mood, perception, impulse control, or intellectual ability;

(2) suffers from a psychiatric disorder or condition described by Subdivision

(1) that:

(A) is in remission but is reasonably likely to redevelop at a future

time; or

(B) requires continuous medical treatment to avoid redevelopment;

(3) has been diagnosed by a licensed physician, determined by a review board or similar authority, or declared by a court to be incompetent to manage the person's own affairs; or

(4) has entered in a criminal proceeding a plea of not guilty by reason of insanity.

(e) The following constitutes evidence that a person has a psychiatric disorder or condition described by Subsection (d)(1):

(1) involuntary psychiatric hospitalization;

(2) psychiatric hospitalization;

(3) inpatient or residential substance abuse treatment in the preceding five-year period;

(4) diagnosis in the preceding five-year period by a licensed physician that the person is dependent on alcohol, a controlled substance, or a similar substance; or

(5) diagnosis at any time by a licensed physician that the person suffers or has suffered from a psychiatric disorder or condition consisting of or relating to:

(A) schizophrenia or delusional disorder;

(B) bipolar disorder;

(C) chronic dementia, whether caused by illness, brain defect, or brain injury;

(D) dissociative identity disorder;

(E) intermittent explosive disorder; or

(F) antisocial personality disorder.

(f) Notwithstanding Subsection (d), a person who has previously been diagnosed as

suffering from a psychiatric disorder or condition described by Subsection (d) or listed in Subsection (e) is not because of that disorder or condition incapable of exercising sound judgment with respect to the proper use and storage of a handgun if the person provides the department with a certificate from a licensed physician whose primary practice is in the field of psychiatry stating that the psychiatric disorder or condition is in remission and is not reasonably likely to develop at a future time.

(g) Notwithstanding Subsection (a)(2), a person who is at least 18 years of age but not yet 21 years of age is eligible for a license to carry a concealed handgun if the person:

(1) is a member or veteran of the United States armed forces, including a member or veteran of the reserves or national guard;

(2) was discharged under honorable conditions, if discharged from the United States armed forces, reserves, or national guard; and

(3) meets the other eligibility requirements of Subsection (a) except for the minimum age required by federal law to purchase a handgun.

(h) The issuance of a license to carry a concealed handgun to a person eligible under Subsection (g) does not affect the person's ability to purchase a handgun or ammunition under federal law.

Added by Acts 1997, 75th Leg., ch. 165, Sec. 10.01(a), eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 62, Sec. 9.03(a), 9.04(a), eff. Sept. 1, 1999; Acts 2003, 78th Leg., ch. 255, Sec. 1, eff. Sept. 1, 2003.

Amended by Acts 2005, 79th Leg., Ch. 486, Sec. 1, eff. September 1, 2005; Acts 2009, 81st Leg., R.S., Ch. 1146, Sec. 11.03, eff. September 1, 2009.