

## Questions and Answers About UT Safety Policy SA0875 – Firearms

This questions-and-answers document is intended to provide guidance to employees to help employees comply with the state of Tennessee’s relevant firearms laws and UT policy. Employees who choose to carry a firearm do so at their own risk and are fully responsible for any consequences that arise from carrying a firearm. In the event of a conflict between state law and UT policy or this question-and-answer document, state law prevails.

### Background

1. **Why has the University of Tennessee adopted a firearms policy?** UT adopted SA0875 - Firearms in response to state law Tennessee Code Annotated § 39-17-1309, which generally allows full-time employees to carry a concealed handgun on certain University property if they have a valid handgun carry permit or if they are otherwise allowed to carry a concealed firearm.
2. **Is UT’s policy consistent with state law? Yes.** The policy informs employees about how UT applies Tennessee Code Annotated § 39-17-1309 and other firearm laws. Because multiple laws apply, UT policy clarifies when and where 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 UT property?** Under Tennessee Code Annotated § 39-17-1309, only full-time UT employees with valid handgun carry permits may carry only handguns and only on certain UT property, assuming:
  - They are not enrolled as students ([refer to question 6](#)); and
  - They notify the law enforcement agency with jurisdiction over the UT property on which they will be carrying a handgun ([refer to question 7](#)).

For purposes of this questions-and-answers document, employees who meet the criteria above are referred to as “eligible employees.”

Full-time employees are those who qualify as full-time employees under HR0105.

4. **Who may not carry a handgun on UT property?** The following individuals are not permitted to carry handguns on UT property, unless expressly permitted by Tennessee law:
  - Part-time UT employees (see HR0105).
  - UT students
  - UT volunteers
  - Visitors to UT property
  - Lessees of UT property
  - Licensees of UT Property
  - Employees of contractors working on UT property

Tennessee law prohibits the individuals listed above from carrying a handgun on UT property but allows individuals with handgun carry permits, or who are

authorized to carry a handgun without a permit (under Tennessee Code Annotated § 39-17-1307), 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 the individual 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 and also enrolled as a student. . . .**
  - **At any UT campus or institute. May I carry a handgun on campus?** No. Tennessee Code Annotated § 39-17-1309(e)(11)(E)(ii) clearly states that full-time employees who are also enrolled as a student do not qualify as "employees" for handgun carry purposes.
  - **at an institution that is not part of the UT System (for example, a TN community college). May I carry a handgun on UT property?** No. Tennessee Code Annotated § 39-17-1309(e)(11)(E)(ii) states that individuals who are full-time employees at a public higher education institution do not qualify as "employees" under the statute if the employee is also a student at a public higher education institution.
  - **in an online course/degree/certificate program offered through UT or another public higher education institution. May I carry a handgun on UT property?** No.

## Notification to Law Enforcement

7. **Which law enforcement agency should eligible employees contact to indicate their intent to carry a handgun on UT property?** Prior to carrying a handgun on UT property, eligible employees must provide written notification to the law enforcement agency or agencies with jurisdiction over the UT property on which they will be carrying a handgun (e.g., a UT campus law enforcement unit, a county sheriff's office, or a municipal law enforcement department). The contact information is listed in SA0875.
8. **Are eligible employees required to complete firearm training offered by a law enforcement agency?** No, but UT 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, if required by the law enforcement agency to which the employee provided notification.

## Manner of Carrying

10. **Do handguns have to be concealed when carried on UT 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 SA0875 - Firearms 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). Purposely showing another person one's handgun violates the policy.

**I keep my handgun in a bag, such as a purse, backpack, etc.. When I leave my office, am I allowed to leave my handgun in my bag 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 must secure the handgun in your motor vehicle and store it in compliance with SA0875 - Firearms.

## Times and Locations

### 12. May eligible employees carry a handgun. . . .

- **on all UT campuses, institutes and other UT properties across the state, including UT property at which the employee is not primarily employed (e.g., another UT campus)?** Yes, if, prior to carrying the handgun, the employee provides written notification to the law enforcement agency or agencies with jurisdiction over the UT property on which the employee will be carrying a handgun. The employee must provide written notification to the law enforcement agency or agencies in compliance with each applicable law enforcement agency's policies and procedures concerning notification of the intent to carry a handgun on UT property.

Example: An eligible employee whose primary job duties are on the UT Martin campus and who has a valid handgun carry permit may carry a handgun on the UT Knoxville campus if the employee notifies the UT Police Department in Knoxville.

- **on UT property when they are *not* working for the University?** Yes, if the employee meets all of the other requirements of the policy.

Example: An eligible UT employee may carry a handgun on the UT Knoxville campus on a football game day if: (1) prior to carrying the handgun, the employee provides written notification to the UT Knoxville Police Department; (2) they are not under the influence of alcohol or any controlled substance or controlled substance analogue; and (3) they do not carry the handgun into Neyland Stadium, which is a prohibited location outlined in the law.

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

It depends. If the employee is on property where state law and the property owner allow, the employee may carry a firearm.

In all other cases, no. Example: A UT employee, while acting within the course and scope of UT employment, attends a conference in Clarksville, Tennessee, hosted by Austin Peay State University. The UT employee shall not carry a handgun during the conference because Tennessee law prohibits a UT employee from carrying a handgun on property owned by APSU because the UT employee is not an employee of APSU, but the UT employee may store a handgun in the employee's privately-owned motor vehicle in a parking area, provided that the employee is otherwise in compliance with applicable state

laws.

- **on property that is *not* owned, controlled or used by UT when they are *not* working for the University?** SA0875 - Firearms does not apply to employees when they are not working for UT and are not on UT property. In that situation, employees who are handgun carry permit holders have the same rights and restrictions Tennessee law provides handgun carry permit holders.
  - **in a UT vehicle?** Yes, if the eligible employee meets all of the other requirements of the policy. However, eligible employees need to keep in mind that they are not allowed to leave a handgun in a UT vehicle. As a result, eligible employees who are using a UT 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 UT vehicle (e.g., with law enforcement).
  - **in a UT classroom?** Yes, if the eligible employee is not enrolled as a student and meets all of the other requirements of the policy.
  - **in a UT laboratory?** Yes. However, UT 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 Tennessee Code Annotated § 39-17-1309 to carry a handgun must also be mindful that they are not immune from personal civil liability or criminal charges with respect to use or carrying of the handgun.
  - **in a UT office that is located on property that UT is leasing from another entity?** Yes, unless the property owner has prohibited the carrying of firearms on the property.
  - **at a UT meeting held on property that UT is renting from a private property owner (e.g., hotel conference room)?** Yes, generally, unless (1) the private property owner has prohibited the carrying of firearms on the property; or (2) the meeting is about disciplinary or tenure issues  
Example: A UT employee, while acting within the course and scope of UT employment, attends a UT-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.
13. **If there is an auditorium or gymnasium within a UT facility (e.g., university center; student recreation center), may an eligible employee carry a handgun in other parts of the facility when a UT-sponsored event is taking place in the auditorium or gymnasium?** Yes, if the employee meets all of the other requirements of SA0875 - Firearms of the policy. Employees may never carry a firearm in any part of an arena or stadium. Employees may not carry a firearm in an auditorium if a UT-sponsored event is taking place.

14. **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 policy.
15. **Are student intramural and club sport games “University-sponsored events”?** Yes, which means that employees shall not carry handguns at those events.
16. **What if I’m unsure whether I can carry a handgun at a certain time or location?** Eligible employees may seek clarification by:
- Referring to [SA0875 - Firearms](#);
  - Referring to the maps provided by UT’s law enforcement agencies; or
  - Contacting the law enforcement agency with jurisdiction over the UT property and/or event in question.
- By issuing [SA0875 - Firearms](#), UT is using its best efforts to inform employees about where they may carry handguns. However, because Tennessee’s criminal law generally prohibits possessing and carrying firearms on UT property, employees should direct questions not answered by UT 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

17. **Employees are prohibited from carrying a handgun in a meeting about a disciplinary matter. What meetings does that cover? Which employees are covered?** UT expects employees to refrain from carrying a handgun to a meeting during which the employee knows or reasonably should know that the topic of the meeting relates to: an employee disciplinary issue; a tenure issue; or a student disciplinary matter. 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.
18. **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 either:
- Take the handgun to his/her motor vehicle and store it in compliance with the policy; or
  - Contact the appropriate law enforcement agency so that the handgun may be safely stored during the disciplinary meeting.
19. **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 or contact the appropriate law enforcement agency so that the handgun may be safely stored during the disciplinary meeting.

## Interactions with Other Employees

20. **May a supervisor tell or ask eligible employees not to bring a handgun into the office?** No, unless a supervisor merely is advising their employees on situations in which [SA0875 - Firearms](#) prohibits the carrying of handguns (e.g., in a disciplinary meeting).
21. **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.
22. **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 responsibilities for concealing the weapon. Also, employees should be mindful that threatening another employee may be a violation of UT's Code of Conduct for employees and may be a crime.
23. **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.  
  
UT policy does not prohibit employees from asking other employees if they are carrying a handgun. However, UT 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 UT administrative employee whether they are carrying a handgun, provided that the employee complies with state law and Firearms policy.
24. **What should I do if another UT employee tells me that they are carrying a handgun?** It does not violate UT policy for one employee to tell another employee that they are carrying a handgun. However, you may contact a law enforcement agency with jurisdiction over UT property if you are concerned that the employee is violating the UT's policy on firearms. The law enforcement agency will review whether that the employee is eligible to carry a handgun on UT property, and if not, take appropriate action.
25. **What should I do if I am concerned that someone is violating UT's policy on firearms?** Please contact a law enforcement agency with jurisdiction over the property. The law enforcement agency will review whether the employee is eligible to carry a handgun on UT property, and if not, take appropriate action. Emergencies should be reported to law enforcement by calling 911.
26. **May individual faculty or staff members post signage that prohibits handguns in their offices or classrooms?** No.

## Other Questions

27. **How are handgun carry permits obtained?** The Tennessee Department of Safety and Homeland Security administers the handgun carry permit program. Visit [tn.gov/safety/article/handgunmain](https://tn.gov/safety/article/handgunmain) for more information.

28. **Who is eligible to obtain a handgun carry permit?** The Tennessee Department of Safety and Homeland Security administers the handgun carry permit program. Visit [tn.gov/safety/article/hgqualifications](https://tn.gov/safety/article/hgqualifications) for more information about who is eligible to obtain a handgun carry permit.