

Sec. 1. BOARD AUTHORITY

The Board of UT Tyler University Academy may

1. Employ or contract with security personnel;
2. Enter into a memorandum of understanding with a local law enforcement agency or a county or municipality that is the employing political subdivision of commissioned peace officers for the provision of school resource officers;
3. For the purposes of providing security personnel, contract with a security services contractor licensed under Chapter 1702, Occupations Code, for the provision of a commissioned security officer, as defined by Section 1702.002, Occupations Code, who has completed the Level II or III training course required by the Department of Public Safety; and
4. Commission peace officers to carry out Subchapter C, Chapter 37 of the Education Code.

Education Code 12.104(a-1), 37.081(a).

Sec. 2. ARMED SECURITY REQUIRED

The Board of UT Tyler University Academy shall recommend the appropriate number of armed security officers for each charter school campus. The Board must ensure that at least one armed security officer is present during regular school hours at each charter school campus. *Education Code 12.104(b)(3)(V), 37.0814(a).*

A security officer described above must be:

1. A school district peace officer;
2. A school resource officer;
3. A commissioned peace officer employed as security personnel under Education Code 37.081;
4. A reserve deputy sheriff appointed under Local Government Code 85.004 who is a peace officer as described by Article 2A.001, Code of Criminal Procedure;
5. A reserve police officer appointed under Education Code 37.0816 who is a peace officer as described by Article 2A.001, Code of Criminal Procedure; or
6. An honorably retired peace officer, as defined by Government Code 614.121 who has:
(a) kept their commission as a peace officer in active status; and (b) fulfilled all applicable requirements under Occupations Code 1701.351, 1701.3525, and 1701.357.

Education Code 37.0814(b).

Sec. 3. GOOD CAUSE EXCEPTION

a) *Good Cause Except for Inability to Comply*

If the Board of UT Tyler University Academy is unable to comply with Section 2, above, the Board may claim a good cause exception from the requirement to comply if the noncompliance is due to the availability of:

1. Funding; or
2. Personnel who qualify to serve as a security officer described by Section 2.

Education Code 37.0814(c).

b) *Alternative Standard*

If the Board of UT Tyler University Academy claims a good cause exception, the Board must develop an alternative standard with which the school is able to comply, which may include providing a person to act as a security officer who is:

1. A school marshal; or
2. A school employee or a person with whom the school contracts who:
 - i. Either
 - a) Has completed school safety training provided by a qualified handgun instructor certified in school safety under Section 411.1901, Government Code; or
 - b) Not later than the 90th day after the date on which the employee or person begins duties as a security officer, completes training deemed appropriate by the school, in consultation with the school's police department, or, if the school does not have a police department, a local law enforcement agency, in:
 - (1) Active shooter response, which must be provided by an instructor certified by the Advanced Law Enforcement Rapid Response Training Center at Texas State University--San Marcos;
 - (2) School safety and emergency management;
 - (3) Crisis intervention;
 - (4) Incident command;
 - (5) First aid administration;
 - (6) Mental health; and
 - (7) Qualifications relating to the carrying or use of a firearm; and
 - ii. Carries a handgun on school premises in accordance with written regulations or written authorization of the Board under Section 46.03(a)(1)(A), Penal Code.

Education Code 37.0814(d).

c) *Expiration and Renewal*

A good cause exception claimed by the Board of UT Tyler University Academy expires on the first anniversary of the date the exception is claimed. On the expiration of the exception, the Board must reevaluate whether the Board is able to comply with Section 2 of this policy and, if not, renew:

1. The claim for an exception; and
2. The alternative standard developed.

Education Code 37.0814(d-1).

d) *Documentation*

The Board of UT Tyler University Academy must develop and maintain documentation of the school's implementation of and compliance with the armed security officer requirement, including documentation related to a good cause exception, and shall, if requested by the Texas Education Agency (TEA), provide that documentation to the TEA in the manner prescribed by the Agency.

Education Code 37.0814(e).

Sec. 4. JURISDICTION

The jurisdiction of a peace officer, a school resource officer, or security personnel shall be recommended by the Board of Directors and may include all territory in the geographic boundaries of UT Tyler University Academy and all property outside the boundaries of UT Tyler University Academy that is owned, leased, or rented by or otherwise under the control of the School and the Board that employ or contract with, as applicable, the peace officer or security personnel or that enter into a memorandum of understanding for the provision of a school resource officer.

Additional information related to the jurisdiction of a University of Texas System Policy Officer is provided in Attachment A.

Education Code 37.081(a-1)

Sec. 5. DUTIES

The Board shall recommend the law enforcement duties of peace officers, school resource officers, and security personnel. The duties must be included in:

1. The district improvement plan under Education Code 11.252, if any;
2. The student code of conduct adopted under Education Code 37.001;
3. Any memorandum of understanding providing for a school resource officer; and

4. Any other campus or district document describing the role of peace officers, school resource officers, or security personnel in the district.

Education Code 37.081(d).

The Board shall coordinate with district campus behavior coordinators and other school employees to ensure that Security Officers are tasked only with duties related to law enforcement intervention and not tasked with behavioral or administrative duties better addressed by other School employees. *Education Code 37.081(d-4)*. The campus principal retains final authority to assign disciplinary consequences to students and staff.

a) Law Enforcement Duties

A peace officer, a school resource officer, or security personnel shall perform law enforcement duties for UT Tyler University Academy that must include protecting:

1. The safety and welfare of any person in the jurisdiction of the peace officer, resource officer, or security personnel; and
2. The property of UT Tyler University Academy.

Education Code 37.081(d-1).

A person permitted to carry a firearm on a UT Tyler campus may not perform the routine law enforcement duties of a peace officer, including making arrests, unless the duty is performed in response to an emergency that poses a threat of death or serious bodily injury to a student, school employee, or other individual at the school campus. This limitation does not apply to a commissioned peace officer who is assigned law enforcement duties that are included in campus and district documents describing the role of peace officers in the district as required by Education Code 37.081(d).

Education Code 37.089.

Additional information related to the authority of a University of Texas System Policy Officer is provided in Attachment B.

b) Student Discipline and School Administration

UT Tyler University Academy may not assign or require as duties of a charter school peace officer, a school resource officer, or security personnel:

1. Routine student discipline or school administrative tasks; or
2. Contact with students unrelated to the law enforcement duties of the peace officer, a school resource officer, or security personnel.

Education Code 37.081(d-2).

This limitation does not prohibit a charter school peace officer, a school resource officer, or security personnel from informal contact with a student unrelated to:

1. The assigned security or law enforcement duties of the peace officer, a school resource officer, or security personnel; or
2. An incident involving student behavior or law enforcement.

Education Code 37.081(d-3).

Attachment A



OFFICE OF THE DIRECTOR OF POLICE
THE UNIVERSITY OF TEXAS SYSTEM
POLICY AND PROCEDURE MANUAL



Subject JURISDICTION OF A UNIVERSITY OF TEXAS SYSTEM POLICE OFFICER			Policy Number 105
Effective Date July 7, 2011	Revision Date July 21, 2017	Reevaluation Date Annually	Number of Pages 5
Reference Standards TPCA: 105.1 CALEA: 2.1.1; 2.1.2 IACLEA: 2.1.1; 2.1.2 Texas Education Code 51.203 UTS160		Rescinds or Amends Policy Number A-3	

I. PURPOSE

Define the jurisdiction of a University of Texas System Police Officer.

II. POLICY

The primary jurisdiction of peace officers commissioned by the University of Texas System Police includes all counties in which property is owned, leased, rented, or otherwise under the control of the University of Texas System. **2.1.2**

III. DEFINITIONS

Texas Education Code Section 51.203 Campus Peace Officers - (a) The governing boards of each state institution of higher education and public technical institute may employ and commission peace officers for the purpose of carrying out the provisions of this subchapter. The primary jurisdiction of a peace officer commissioned under this section includes all counties in which property is owned, leased, rented, or otherwise under the control of the institution of higher education or public technical institute that employs the peace officer.

(b) Within a peace officer's primary jurisdiction, a peace officer commissioned under this section:

- (1) is vested with all the powers, privileges, and immunities of peace officers;
- (2) may, in accordance with Chapter 14, Code of Criminal Procedure, arrest without a warrant any person who violates a law of the state; and
- (3) may enforce all traffic laws on streets and highways.

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(c) Outside a peace officer's primary jurisdiction a peace officer commissioned under this section is vested with all the powers, privileges, and immunities of peace officers and may arrest any person who violates any law of the state if the peace officer:

- (1) is summoned by another law enforcement agency to provide assistance;
- (2) is assisting another law enforcement agency; or
- (3) is otherwise performing his duties as a peace officer for the institution of higher education or public technical institute that employs the peace officer.

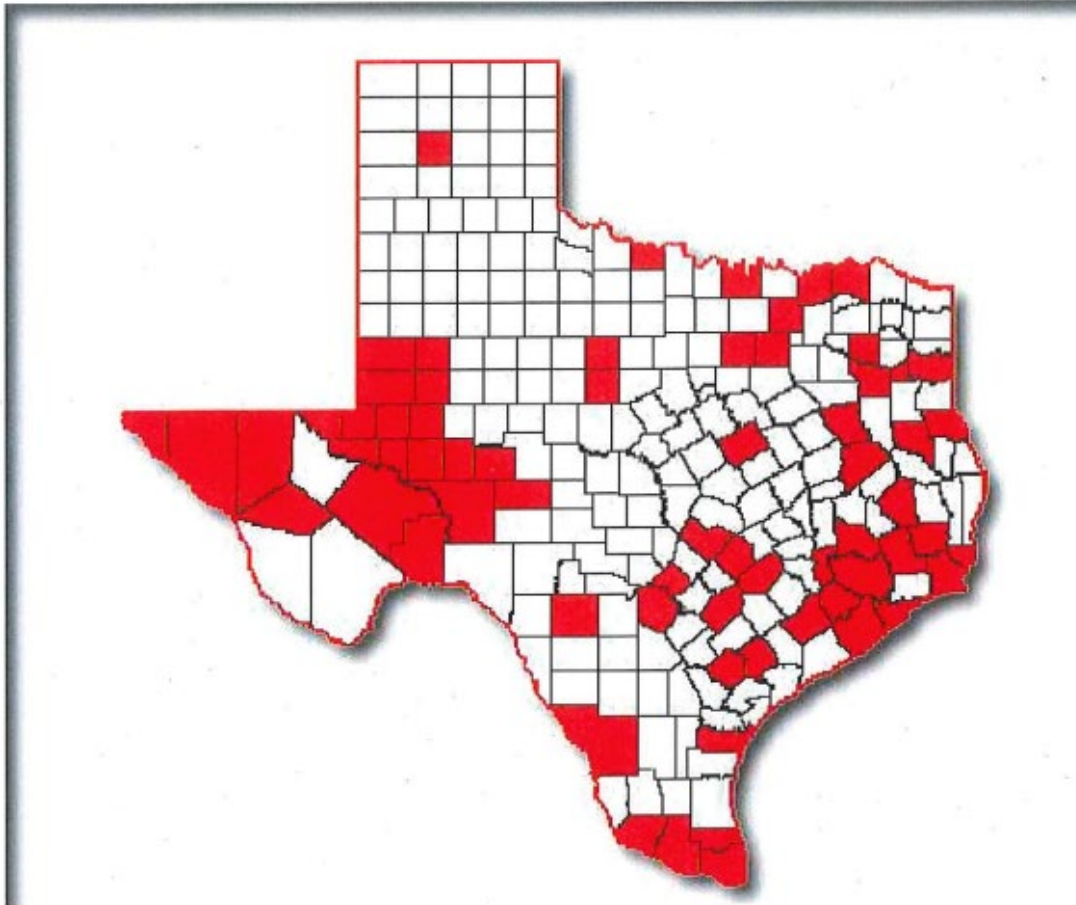
IV. PROCEDURES

- A. The University of Texas System Police is charged with the responsibility of protecting the life and property of individuals who comprise the student body, faculty, and staff of the University of Texas System community.
- B. Each institution chief of police shall be responsible for identifying the principal law enforcement focus, within the department's primary jurisdiction, of the agency's law enforcement efforts given the primary mission of the University of Texas System Police. 2.1.1
- C. Each institution chief of police shall be responsible for coordination and management of the department's law enforcement efforts with other local law enforcement agencies sharing mutual, concurrent or secondary jurisdiction. 2.1.2
- D. In addition to the provisions of Texas Education Code Section 51.203 (b) University of Texas System commissioned peace officers are authorized by Texas Education Code Section 51.203 (c) to function as peace officers outside their primary jurisdiction to assist another law enforcement agency in Texas, or to otherwise perform duties as a peace officer on official university business. 2.1.2



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Director of Police

University of Texas System Police Jurisdiction



Red – Primary Jurisdiction

Counties in which property is owned, leased, rented, or otherwise under the control of the University of Texas System

White – Secondary Jurisdiction

Commissioned peace officers are authorized to function as peace officers to assist another law enforcement agency or to otherwise perform duties as a peace officer on official university business

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Primary Jurisdiction Counties

Anderson	Gonzales	Potter
Andrews	Gregg	Reagan
Bastrop	Hardin	Schleicher
Bexar	Harris	Shackelford
Brazoria	Harrison	Shelby
Callahan	Hidalgo	Smith
Cameron	Houston	Starr
Collin	Hudspeth	Tarrant
Comal	Irion	Terrell
Cooke	Jeff Davis	Travis
Crane	Jefferson	Upton
Crockett	Lamar	Uvalde
Culberson	Liberty	Victoria
Dallas	Loving	Waller
Dawson	Martin	Ward
Ector	McLennan	Webb
El Paso	Midland	Wharton
Fannin	Montgomery	Wichita
Fayette	Nacogdoches	Willacy
Fort Bend	Nueces	Winkler
Gaines	Orange	Wood
Galveston	Pecos	
Goliad	Polk	

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Changes/Amendments since last publication:

Addition of Comal County, July 21, 2017

Attachment B



**OFFICE OF THE DIRECTOR OF POLICE
THE UNIVERSITY OF TEXAS SYSTEM
POLICY AND PROCEDURE MANUAL**



Subject LAW ENFORCEMENT AUTHORITY			Policy Number 104
Effective Date August 5, 2011	Revision Date January 30, 2019	Reevaluation Date Annually	Number of Pages 2
Reference Standards TPCA: 1.06.1 CALEA: 1.2.1 IACLEA: 2.1.4		Rescinds or Amends Policy Number	

I. PURPOSE

This written directive defines the law enforcement authority and responsibility of individuals commissioned as The University of Texas System Peace Officers.

II. POLICY

It is the policy of the University of Texas System Police that all employees and peace officers will bear strict adherence to the United States and Texas Constitutions when fulfilling the duties of their position, so that the Constitutional Rights of all persons are protected.

III. WHO ARE POLICE OFFICERS

- A. The Texas Code of Criminal Procedure, Article 2.12, defines Peace Officers as: (8) Officers commissioned under Section 37.081 Education Code or Subchapter E. Chapter 51, Education Code.
- B. The Texas Education Code, Subchapter E., Section 51.203, defines Campus Police Officers:
 1. The Governing Boards of each state institution of higher education and public technical institute may employ and commission peace officers for the purpose of carrying out the provisions of this subchapter. The primary jurisdiction of a peace officer commissioned under this section includes all counties in which property is owned, leased, rented, or otherwise under the control of the institution of higher education or public technical institute that employs the peace officer.
 2. Any person commissioned under this act must be a certified police officer under the requirements of The Texas Commission on Law Enforcement.

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IV. DUTIES AND POWERS OF PEACE OFFICERS

- A. The Texas Code of Criminal Procedure, Article 2.13, provides: "It is the duty of every peace officer to preserve the peace within his jurisdiction. To affect this purpose, he shall use all lawful means. He shall in every case where he is authorized by the provisions of this code, interfere without warrant to prevent or suppress crime. He shall execute all lawful process issued to him by any magistrate or court. He shall give notice to some magistrate of all offenses committed within his jurisdiction, where he has good reason to believe there has been a violation of the penal law. He shall arrest offenders without warrant in every case where he is authorized by law in order that they may be taken before the proper magistrate or court and be tried".
- B. The Texas Education Code, Subchapter E., Section 51.203, provides the powers, privileges and immunities of peace officer to include:
1. Within a peace officer's primary jurisdiction, a peace officer commissioned under this section:
 - a. Is vested with all the powers, privileges and immunities of peace officers;
 - b. May in accordance with Chapter 14, Texas Code of Criminal Procedure, arrest without warrant any person who violates a law of the state; and
 - c. May enforce all traffic laws on streets and highways.
 2. Outside a peace officer's primary jurisdiction a peace officer commissioned under this section is vested with all the powers, privileges and immunities of peace officers and may arrest any person who violates any law of the state if the peace officer:
 - a. Is summoned by another law enforcement agency to provide assistance;
 - b. Is assisting another law enforcement agency; or
 - c. Is otherwise performing his duties as a peace officer for the institution of higher education or public technical institute that employs the peace officer.


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