

Boerne ISD
130901

SAFETY PROGRAM/RISK MANAGEMENT:
SECURITY PERSONNEL/PEACE OFFICERS

CKE
(LEGAL)

PEACE OFFICERS The Board may employ security personnel and commission peace officers to carry out the provisions of Chapter 37, Subchapter C, Education Code, relating to law and order. If the Board authorizes security personnel to carry weapons, they must be commissioned peace officers. Any peace officer commissioned under Education Code 37.081 must meet all minimum standards for peace officers established by the Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE).

JURISDICTION The Board shall determine the jurisdiction of its commissioned peace officers, which may include all territory in the boundaries of the District and all property outside the boundaries of the District that is owned, leased, or rented by or otherwise under the control of the District.

Education Code 37.081(a)

**SCOPE OF
POWERS AND
DUTIES**

In a commissioned peace officer's jurisdiction, a peace officer:

1. Has the powers, privileges, and immunities of peace officers.
2. May enforce all laws, including municipal ordinances, county ordinances, and state laws.
3. May take a juvenile into custody in accordance with Chapter 52 of the Family Code.

Education Code 37.081(b); Family Code 52.01(a)

The Board shall determine the scope of the on-duty and off-duty law enforcement activities of its peace officers, and the District must authorize in writing any off-duty law enforcement activities performed by a District peace officer. The District peace officer shall perform administrative and law enforcement duties as determined by the Board, which shall include protecting the safety and welfare of any person in the officer's jurisdiction and protecting property of the District. *Education Code 37.081(d)(e)*

A peace officer may provide assistance to another law enforcement

agency, and the District may contract with a political subdivision for the jurisdiction of District peace officers to include all territory in the jurisdiction of the political subdivision. *Education Code 37.081(c)*

MEMORANDUM OF UNDERSTANDING	The District police department and the law enforcement agencies with which it has overlapping jurisdiction shall enter into a memorandum of understanding that outlines reasonable communication and coordination efforts among the department and the agencies. <i>Education Code 37.081(g)</i>
CHIEF OF POLICE	The District's chief of police is accountable to the Superintendent and shall report to the Superintendent or designee. District police officers shall be licensed by TCLEOSE and be supervised by the District chief of police or the chief's designee. <i>Education Code 37.081(f)</i>
BONDING	A commissioned and assigned peace officer shall take and file the oath required of peace officers and execute and file the required \$1,000 bond, payable to the Board, conditioned on the officer's performance of his or her duties. <i>Education Code 37.081(h)</i>
CONTINUING EDUCATION	If the District employs peace officers, it shall provide each officer with a continuing education program as required by Occupations Code Title 10, Chapter 1701, Subchapter H. <i>Occupations Code 1701, Subch. H</i>
COMPLAINT AGAINST PEACE OFFICER	In order for a complaint against a District peace officer to be considered by the head of the District's police department, the complaint must be in writing and signed by the person making the complaint. A copy of the complaint shall be given to the officer within a reasonable time after it is filed, and no disciplinary action shall be taken against the officer as a result of the complaint unless a copy is given to the officer. <i>Gov't Code Ch. 614, Subch. B; Atty. Gen. Op. GA-251 (2004)</i>
NOTICE OF EXPOSURE TO COMMUNICABLE DISEASE	A district that employs emergency medical service employees, paramedics, firefighters, law enforcement officers or correctional officers must post the required notice in the form specified by administrative rule, in its workplace to inform employees about Health and Safety Code requirements which may affect qualifying for workers' compensation benefits following a work-related exposure to a reportable communicable disease. <i>28 TAC 110.108</i>

DATE ISSUED: 04/01/2005

UPDATE 72

CKE(LEGAL)-P

This online presentation of your district's policy is an electronic representation of TASB's record of the district's currently adopted policy manual. It does not reflect updating activities in progress. The official, authoritative manual is available for inspection in the office of the Superintendent. [See BF (LOCAL) for further information.]

