

<b>DATE:</b>	<b>September 29, 2022</b>
<b>SUBJECT:</b>	<b>School-Based Law Enforcement</b>
<b>CATEGORY:</b>	<b>Information</b>
<b>NEXT STEPS:</b>	<b>Share with appropriate ESC and district staff</b>

## Overview:

In a [letter from Governor Abbott](#) dated June 2, 2022, the Commissioner of Education was charged with developing strategies to encourage school districts to increase the presence of trained law enforcement officers and school marshals on campuses. To inform planning efforts, each local educational agency (LEA) may reference the following information:

### **School-Based Law Enforcement (SBLE)**

[Texas Education Code \(TEC\), §37.081](#)

The board of trustees of any school district may employ security personnel, enter into a memorandum of understanding with a local law enforcement agency for the provision of school resource officers, and commission peace officers. The [Texas Commission on Law Enforcement](#) (TCOLE) sets reporting standards and procedures for the appointment and termination of peace officers and county jailers. It also provides that the chief administrative officer of a law enforcement agency is responsible for compliance with the reporting standards and procedures prescribed by the Commission.

A school district peace officer, a school resource officer, and security personnel shall perform law enforcement duties for the school district that must include protecting the safety and welfare of any person in the jurisdiction of the peace officer, resource officer, or security personnel, and the property of the school district. If a board of trustees authorizes a person employed as security personnel to carry a weapon, the person must be a commissioned peace officer.

A school district *may not* assign (or require as a duty) routine student discipline or school administrative tasks of a school district peace officer, a school resource officer, or security personnel. *(This is not applicable to school marshals or guardians serving in other capacities)*

The board of trustees of the school district shall determine the law enforcement duties of peace officers, school resource officers, and security personnel. The duties must be included in any memorandum of understanding provided for a school resource officer.

### **School-Based Law Enforcement (SBLE) Training Required**

[TEC, §37.0812](#)

A school district peace officer or school resource officer shall complete an active shooter response training program approved by TCOLE. Advanced Law Enforcement Rapid Response Training (ALERRT) Level I can be completed to meet the Active Shooter course requirement.

[TCOLE #4064 virtual](#) and [in-person](#) trainings are a two-day, 20 hour training designed to assist SBLE officers and school districts with compliance of legislative mandates requiring districts employing a peace/resource officer to create a policy requiring officers to complete education and training. All TCOLE #4064 trainings are free. The courses are provided by the Texas School Safety Center.

**School Marshals**

[TEC, §37.0811](#)

According to [TCOLE](#), “the purpose of a school marshal is to prevent the act of murder or serious bodily injury on school premises, and act only as defined by the written regulations adopted by the school board/governing body.”

After making application with TCOLE, a qualifying institution must send the candidate to an 80-hour training course, conducted by a law enforcement academy that has been specifically prepared to provide the school marshal curriculum. Among the topics covered in the school marshal course are:

- physical security
- improving the security of the campus
- use of force
- active shooter response
- weapon proficiency

**Guardian Option**

[Government Code \(GC\), § 411.1901](#)

411.1901

This statute allows qualified handgun instructors to obtain an additional certification in school safety. Instructors certified in school safety under this section may provide school safety training to employees of a school district or an open-enrollment charter school who hold a license to carry a handgun. This program allows anyone designated by a local school board to carry firearms on campus, including staff. Training and specific requirements for guardians are determined locally.

**Additional Considerations:**

LEAs may consider a variety of options based on, among other factors, size, location, and availability of law enforcement response.

Starting a district police department:

- A board of trustees authorizes the creation of a police department.
- [TCOLE's Special Services Division](#) must be contacted to begin the application process for the department's authorization to operate.
- TCOLE will require specific preliminary policies and a viable method of communications / dispatch for the department.

Starting a Marshal Program:

- In accordance with [TEC, §37.0811](#), a board of trustees of a school district or the governing body of an open-enrollment charter school may appoint one or more school marshals for each campus.
- A school marshal appointed by the board of trustees of a school district, or the governing body of an open-enrollment charter school may carry a concealed handgun or possess a handgun on

the physical premises of a school, but only: (1) in the manner provided by written regulations adopted by the board of trustees or the governing body; and (2) at a specific school specified by the board of trustees or governing body.

- Contact TCOLE (schoolmarshal@tcole.texas.gov or 512-936-7373) to learn more about the school marshal application process and determine training guidelines/availability. Their staff can also provide information regarding (and assist with applying for) grants available to help with Marshal Program costs.
- Requirements for marshal candidates include:
  - a. Employee of a school district
  - b. Possess a current firearm license to carry (LTC)
  - c. Approved by the governing body
  - d. Pass a psychological examination ([TCOLE L3](#))
  - e. Complete the 80-hour Marshal course
  - f. Submit the School Marshal Appointment form and fee
  - g. Complete 16-hour renewal course every 2 years

[Register for the October 14, 2022 webinar](#) overviewing Marshal Program start up and best practices.

Webinar will start at 12:00 noon; registration is required to

join. [https://us02web.zoom.us/webinar/register/WN\\_6FbrJuDTQZiJ5-ML6wSDNA](https://us02web.zoom.us/webinar/register/WN_6FbrJuDTQZiJ5-ML6wSDNA)

#### **Advanced Law Enforcement Rapid Response Training (ALERRT):**

Effective September 30, 2022, ALERRT's Civilian Response to Active Shooter Events (CRASE) training will be available at all regional education service centers (ESCs). For information regarding this valuable training, please contact your ESC. Additionally the free e-learning module for CRASE Training of Trainers is available at: [Advanced Law Enforcement Rapid Response Training: CRASE \(alerrt.org\)](#).