

District Police Department	To ensure sufficient security and protection of students, staff, and property, the Board authorizes the formation of a District police department and shall employ and commission police officers.
Supervisory Authority	The chief of police shall be accountable to and shall report to the Superintendent. In accordance with law, the Superintendent shall not delegate this supervisory responsibility.
Jurisdiction	The jurisdiction of the District's police officers shall include all territory within District boundaries, as well as all real and personal property outside the boundaries of the District that is owned, leased, or rented by the District, or is otherwise under the District's control.
Police Authority and Duties	<p>Police officers employed by the District shall have all the powers, privileges, and immunities of police officers on or off duty within the jurisdiction of the District. Subject to limitations in law, the primary duties of District police officers shall be to:</p> <ol style="list-style-type: none">1. Protect the safety and welfare of any person engaged in the educational process within the jurisdiction of the District and protect the property, real and personal, of the District. Police officers shall first attend to protecting persons and assets on District-owned property and, second, shall attend to protecting students, staff, and District assets off District property, but within the jurisdiction of the District police officers.2. Assist in the enforcement of District policies, rules, and regulations that involve safety and/or disruption in the operation of the District on District property, in school zones, at bus stops, or at District functions.3. Investigate violations of District policy, rules, and regulations as requested by the chief of police or Superintendent and participate in hearings concerning alleged violations. <p>The secondary duties of the District police officers shall be guided by relevant articles of the Texas Code of Criminal Procedure and the Texas Education Code, including:</p> <ol style="list-style-type: none">1. Enforcing all laws, including municipal ordinances, county ordinances, and state laws, and investigating violations of law as needed. In doing so, District police officers may serve search warrants in connection with District-related investigations in compliance with the law.2. Arresting suspects consistent with state and federal statutory and constitutional standards governing arrests, including arrests without warrant, for offenses that occur in the officer's

presence or under the other rules set out in the Texas Code of Criminal Procedure.

3. Coordinating and cooperating with commissioned officers of all other law enforcement agencies in the enforcement of this policy as necessary.
4. Carrying out all other duties as directed by the chief of police or Superintendent.

The District police officers shall not be assigned routine classroom discipline or administrative tasks.

*Temporary
Assignment*

District police officers shall enforce all laws, including municipal ordinances, county ordinances, and state laws within another law enforcement agency's jurisdiction while temporarily assigned to the other agency.

Nonschool
Employment

All off-duty, nonschool employment for law enforcement or security services for an outside employer shall be approved in writing by the chief of police.

Relationship with
Outside Agencies

The District's 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. The memorandum of understanding shall be approved by the Board.

Video and Audio
Monitoring

The chief of police shall develop and implement regulations and/or departmental policies for the use of mobile and portable audio/video recording devices for District police officers while in the performance of duty.

*Access to
Recordings*

Recordings shall be considered law enforcement records, shall remain in the custody of the chief of police, and shall be maintained as required by District policy, the department regulations manual, and law.

Training

All District officers shall receive at least the minimum amount of continuing education required by the Texas Commission on Law Enforcement (TCOLE).

Department
Regulations Manual

To carry out the provisions in this policy, the police department shall compile and maintain a departmental regulations manual that describes and sets forth departmental regulations, operational procedures, and rules pertaining to the administration of police services. The chief of police shall review the manual annually and make any appropriate revisions.

<i>Racial Profiling</i>	The chief of police shall develop and implement regulations to ensure compliance with state law regarding racial profiling. Police officers employed by the District shall not initiate any law enforcement action based on an individual's race, ethnicity, or national origin.
<i>Use of Force</i>	The use of force, including deadly force, shall be authorized only when reasonable and necessary, as outlined in the department regulations manual.
<i>High-Speed Pursuit</i>	Officers shall not engage in high-speed chases in a motor vehicle when the immediate danger to the public or the officer created by the pursuit exceeds the immediate or potential danger presented by the offenders remaining at large. Guidelines for high-speed pursuits shall be addressed in the department regulations manual FO.02.
Complaints	<p>All complaints regarding the District police department, its operations, and its police officers and employees shall be reviewed by the appropriate supervisor(s) in the chain of command.</p> <p>Complaints that involve allegations of a non-serious nature where the complainant may simply request notification be made to the officer's supervisor regarding an incident and their dissatisfaction with the level of service provided, improper attitude, or improper behavior shall typically be handled as an informal complaint through the chain of command, beginning with the first-line supervisor. Informal complaints may be filed in person, by U.S. Mail, by e-mail, or by phone at any time.</p>
Formal Complaints	Complaints involving an allegation of misconduct that may be of a potentially serious nature that could warrant discipline and/or departmental corrective action may be investigated as a formal complaint. To proceed with a formal complaint against a District police officer, the complaint must be in writing on a form provided by the District and shall be signed by the person making the complaint and notarized. In accordance with the law, the District shall provide to the police officer a copy of the formal complaint. [See Complaints Against Peace Officers at CKEA(LEGAL)]
General Provisions	
<i>Filing</i>	Complaint forms may be filed by hand-delivery, by electronic communication, including e-mail and fax, or U.S. Mail. Hand-delivered filings shall be considered timely filed if received by the appropriate supervisor by the close of business on the deadline. Filings submitted by electronic communication shall be timely filed if received by the appropriate supervisor on or before the close of business by the deadline, as indicated by the date/time shown on the electronic

communication. Mail filings shall be timely filed if they are post-marked by U.S. Mail on or before the deadline and received by the appropriate supervisor no more than three days after the deadline.

The District shall make reasonable attempts to schedule conferences at a mutually agreeable time. If a complainant fails to schedule or appear at the conference, the District may dismiss the complaint. If the complaint is dismissed, it may be refiled, but only if within the time period for filing a complaint.

Response At Levels One, Two, and Three, "response" shall mean a written communication to the complainant from the appropriate supervisor. Responses may be hand-delivered or sent by U.S. Mail to the complainant's mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.

Days "Days" shall mean District business days as specified on the District's calendar. In calculating time lines under this policy, the day a document is filed is "day zero." The following business day is "day one."

Representative "Representative" shall mean any person or organization that is designated by the complainant to represent the complainant in the complaint process.

The complainant may designate a representative through written notice to the District at any level of this process. If the complainant designates a representative with fewer than three days' notice to the District before a scheduled conference or hearing, the District may reschedule the conference or hearing to a later date, if desired, in order to include the District's counsel. The District may be represented by counsel at any level of the process regardless of the complainant's representation.

Consolidating Complaints Complaints arising out of an event or a series of related events shall be addressed in one complaint. A complainant shall not bring separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.

Untimely Filings All time limits shall be strictly followed unless modified by mutual written consent.

If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the complainant, at any point during the formal complaint process. The complainant may appeal the dismissal by seeking review in writing within ten days from the date of the written dismissal notice, starting at the

	<p>level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.</p>
Costs Incurred	<p>Each party shall pay its own costs incurred in the course of the complaint process.</p>
Complaint Form	<p>Formal complaints under this policy shall be submitted in writing on a form provided by the District and shall be signed by the person making the complaint and notarized.</p> <p>Copies of any documents that support the complaint should be attached to the complaint form. If the complainant does not have copies of these documents, copies may be presented at the Level One conference. After the Level One conference, no new documents may be submitted by the complainant unless the complainant did not know the documents existed before the Level One conference.</p> <p>A complaint form that is incomplete in any material aspect may be dismissed but may be refiled with all the required information if the refiling is within the designated time for filing a formal complaint.</p>
Level One	<p>Formal complaints shall be filed with the office of the chief of police. If the complaint is not filed with the office of the chief of police, the individual receiving the complaint form shall note the date and time the form was received, place the complaint in a sealed envelope, and immediately forward the complaint to the office of the chief of police.</p> <p>The chief of police shall assign a Level One complaint to the lowest level administrator who has the authority to remedy the alleged problem. In most cases this will be the lieutenant in the police officer's chain of command.</p>
Violation of Law	<p>A complaint alleging a specific violation of the law shall be filed within the time frame established by the statute of limitations based on the action giving rise to the complaint.</p> <p>In such cases, the supervisor shall hold a conference with the complainant within ten days after receipt of the formal complaint. The supervisor may set reasonable time limits for the conference. The supervisor shall then conduct an investigation in a timely manner, but shall not exceed 30 days from receipt of the written complaint. The supervisor shall also provide the complainant a written response within 30 days from receipt of the written complaint. The written response shall set forth the basis of the decision. In reaching a decision, the supervisor may consider information provided at the Level One conference and any relevant documents or information from the supervisor's investigation.</p>

No Violation of Law A complaint shall be filed within 15 days of the date the individual first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint regarding a police officer or law enforcement operation that is not a violation of the law.

In such cases, the appropriate supervisor shall hold a conference with the complainant within ten days after receipt of the formal complaint. The supervisor may set reasonable time limits for the conference. The supervisor shall investigate as necessary and provide the complainant a written response within ten days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the supervisor may consider information provided at the Level One conference and any relevant documents or information from the supervisor's investigation.

Level Two

If the complainant did not receive the relief requested at Level One or if the time for a response to the formal complaint has expired based on the type of complaint filed (violation of law or no violation of law), the complainant may file a Level Two appeal notice with the office of the chief of police.

The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written Level One response or, if no response was received, within ten days of the Level One response deadline.

After receiving notice of the appeal, the Level One supervisor shall prepare and forward a record of the Level One complaint to the office of the chief of police. The complainant may request a copy of the Level One record.

The Level One record shall include:

1. The original complaint form and any attachments.
2. All other documents submitted by the complainant at Level One.
3. The written response issued at Level One and any attachments.
4. All other documents relied upon by the Level One supervisor in reaching the Level One decision.

The chief of police or designee shall hold a Level Two conference within ten days after the Level Two appeal notice is filed. The conference shall be limited to the issues presented by the complainant at Level One. At the Level Two conference, the complainant may provide information concerning any documents or information relied on by the administration for the Level One decision. The chief

of police or designee may set reasonable time limits for the conference.

The chief of police or designee shall provide the complainant a written response within ten days following the conference. The written response shall set forth the basis of the decision regarding the complaint. In reaching a decision, the chief of police or designee may consider the Level One record, information provided at the Level Two conference, and any other relevant documents or information the chief of police or designee believes will help resolve the complaint.

Recordings of the Level One and Level Two conferences, if any, shall be maintained with the Level One and Level Two records.

Level Three

If the complainant did not receive the relief requested at Level Two or if the time for a response has expired, the complainant may file a Level Three appeal notice with the office of the Superintendent to appeal the Level Two decision.

The appeal notice of the complaint shall be filed in writing, on a form provided by the District, within ten days of the written Level Two response or, if no response was received, within ten days of the Level Two response deadline.

The complainant may request a copy of the Level Two record.

The Level Two record shall include:

1. The Level One record.
2. The notice of appeal from Level One to Level Two.
3. The written response issued at Level Two and any attachments, including any audio recordings.
4. All other documents relied upon by the administration in reaching the Level Two decision.

The Level Three administrator shall be the Superintendent or designee. The Level Three administrator shall schedule a conference within ten days after the appeal notice is filed. The conference shall be limited to the issues and documents considered at Level One and Level Two and identified in the Level Three appeal notice. At the conference, the complainant may provide information concerning any documents or information relied upon by the administration for the Level Two decision. The Level Three administrator may set reasonable time limits for the conference.

The Level Three administrator shall provide the employee a written response within ten days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the Level Three administrator may consider the Level One and Level Two records, information provided at the Level Three conference, and any other relevant documents or information the Level Three administrator believes will help resolve the complaint.

Level Four

If the complainant did not receive the relief requested at Level Three or if the time for a response has expired, the complainant may appeal the decision to the Board.

The appeal notice shall be filed in writing, on a form provided by the District, within ten days of the date of the written Level Three response or, if no response was received, within ten days of the Level Three response deadline.

The Superintendent or designee shall inform the complainant of the date, time, and place of the Board meeting at which the complaint will be on the agenda for submission to the Board.

The Superintendent or designee shall provide the Board with the record of the Level Three appeal. The complainant may request a copy of the Level Three record.

The Level Three record shall include:

1. The Level One and Level Two records.
2. The notice of appeal from Level Two to Level Three.
3. The written response issued at Level Three and any attachments.
4. All other documents relied upon by the administration in reaching the Level Three decision.

The appeal shall be limited to the issues and documents considered at Level Three, except that if at the Level Four hearing the administration intends to rely on evidence not included in the Level Three record, the administration shall provide the complainant notice of the nature of the evidence at least three days before the hearing.

The presiding officer may set reasonable time limits and guidelines for the presentation, including an opportunity for the complainant and administration to each make a presentation and provide rebuttal and an opportunity for questioning by the Board. The Board shall hear the complaint and may request that the administration provide an explanation for the decisions at the preceding levels.

In addition to any other record of the Board meeting required by law, the Board shall prepare a separate record of the Level Four presentation. The Level Four presentation, including the presentation by the complainant or the complainant's representative, any presentation from the administration, and questions from the Board with responses, shall be recorded by audio recording, video/audio recording, or court reporter.

The Board shall then consider the complaint. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If the Board does not make a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Three. [See Complaints Against Peace Officers at CKEA(LEGAL)]

The District shall determine whether the complaint will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. [See BE]