



School-Based Law Enforcement

Background

Texas school districts are committed to protecting the safety of students, staff, and visitors on district property and may choose from a variety of security options. Those options typically include establishing a school district police department, entering into an agreement with local law enforcement for the use of school resource officers, or relying on local law enforcement to respond just as they would in any other situation that may arise in the community.

District Police Departments

Texas law authorizes a school district's board of trustees to employ security personnel and commission peace officers to serve its schools and carry out the provisions set in Texas law. In establishing a school district police department, school boards must adopt policies and procedures governing the department.¹ According to the Texas School District Police Chiefs' Association, as of the 2011–12 school year, approximately 175 school boards had adopted local policies authorizing a district police department.

When establishing a school district police department, a school board must determine the jurisdiction of its commissioned peace officers. The Texas Education Code allows such jurisdiction to include all territory in the boundaries of a district and all property outside of the boundaries of a district that is owned, leased, rented by, or otherwise under the control of the district. Within this jurisdiction, a peace officer has the powers, privileges, and immunities of peace officers; may enforce all laws, including municipal ordinances, county ordinances, and state laws; and may take a juvenile into custody in accordance with Chapter 52 of the Texas Family Code.²

The duties of school district police officers typically include:

- investigating offenses;
- educating, mentoring, and counseling students;
- providing assistance to school district administrators on safety and security issues; and
- training district students, staff, and parents on crime-prevention issues.

If a district allows officers to perform off-duty law enforcement activities, it must be authorized in writing.³

School districts choose to establish police departments for a variety of reasons. Districts located in multiple jurisdictions report quicker response times because law enforcement agencies are clear on which agency should be the first responder. Hence, they cite safety as the primary motive for creating a district police department. School district police are specially trained to respond to incidents involving students while other law-enforcement officers are not. Districts report that having their own specially trained police departments has resulted in fewer disciplinary alternative education program (DAEP)

¹ Texas Education Code (TEC) § 37.081.

² TEC § 37.081.

³ TEC § 37.081(e).

placements. Some districts report cost savings as their main reason for establishing a police department, as district police— not contract security services— serve as security for after-hours events.

School Resource Officers

As an alternative to establishing a district police department to meet safety and security needs, school districts have the option to contract with a local police or sheriff's department to have school resource officers (SRO) assigned to the district.⁴ The federal No Child Left Behind Act of 2001 defines "school resource officer" as a career law enforcement officer, with sworn authority, deployed in community-oriented policing and assigned by the employing police department to a local educational agency (i.e., a school district) to work in collaboration with schools and community-based organizations to:

- (1) educate students in crime and illegal drug use prevention and safety;
- (2) develop or expand community justice initiatives for students; and
- (3) train students in conflict resolution, restorative justice, and crime and illegal drug use awareness.⁵

The National Association of School Resource Officers similarly defines the role of an SRO as a law enforcement officer, educator, and counselor. An agreement or memoranda of understanding between a school district and law enforcement agency governs assignments of SROs to districts, including the terms of payment by the district to the law enforcement agency and duties of SROs. While SROs are based in schools and work directly with students and school administrators, they remain employees of the commissioning city or county.

School districts typically decide to contract with the police department or sheriff's office for school resource officers because these officers are specially trained to respond to incidents involving students. Districts also report that having specially trained resource officers helps reduce the number of DAEP placements and provides time and cost efficiencies.

Local Law Enforcement Response

School districts also have the option of relying on local law enforcement personnel with or without a formal arrangement. School districts tend to prefer this model if local law enforcement is promptly available in emergency situations and are located in close proximity to district property. It is generally the least expensive model. However, responding officers are not specially trained to deal with situations involving students.

Conclusion

There is no single best solution to ensuring law and order in public schools. Texas law recognizes that each school district is unique in geographic size, resources, student population, and needs. Hence, school boards are vested with the authority to design policy that meets the law enforcement needs of district students and staff and the local community.

⁴ Tex. Occupational Code § 1701.601.

⁵ No Child Left Behind Act of 2001, 20 U.S.C. § 7161(11) (2008). See also Tex. Occupational Code § 1701.601.