



# Board Policy Series

**700 Series: School Marshal**

**Module 700: *School Marshal***

The School Marshal Module 700 provides a comprehensive summary of statutes and regulations that apply to charter schools in regard to requirements associated with School Marshals.

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## **700.010. GENERAL PROVISIONS**

### **Section 1. Purpose of Policy.**

A Universal Academy school marshal will act as a commissioned peace officer to protect the well-being and safety of the students and staff of Universal Academy.

### **Section 2. Guidelines.**

#### **Section 2.1. Licensure.**

A security office must be:

- a. a school district peace officer;
- b. a school resource officer; or
- c. a commissioned peace officer employed as security personnel under Texas Education Code Section 37.081;
- d. a reserve deputy sheriff appointed under Section 85.004, Local Government Code, who is a peace officer as described by Article 2A.001, Code of Criminal Procedure;
- e. a reserve police officer appointed under Section 37.0816 who is a peace officer as described by Article 2A.001, Code of Criminal Procedure who holds a permanent peace officer license issued under Chapter 1701, Occupations Code ; or
- f. an honorably retired peace officer, as that term is defined by Section 614.121, Government Code, who has: kept their commission as a peace officer in active status; and fulfilled all applicable requirements; or
- g. a fire marshal or any officer, inspector, or investigator of a municipality who holds a permanent peace officer license issued under Chapter 1701, Occupations Code.

#### **Section 2.2. Authority to Operate**

A Universal Academy school marshal must adhere and operate in accordance with Texas Education Code Sec. 37.0811.

- a. An Universal Academy school marshal may make arrests and exercise all authority given to peace officers under Section 2, Chapter 2, Article 2.127, Code of Criminal Procedure
  - i. only to the extent necessary to prevent or abate the commission of an offense that threatens serious bodily injury or death of students, faculty, or visitors on school premises, provided, however,
  - ii. a Universal Academy school marshal may not issue a traffic citation for a violation of Chapter 521, Transportation Code, or Subtitle C, Title 7 Transportation Code.
  - iii. A Universal Academy school marshal may access a handgun only under circumstances that would justify the use of deadly force under Section 9.32 or 9.33 of the Penal Code.

#### **Section 2.3. Handgun, Holsters, and Ammunition.**

A Universal Academy school marshal may only carry an approved handgun

- a. in compliance with the legal requirements for a licensed concealed handgun carrier and
- b. as may be determined by the Board at any Universal Academy campuses or properties whether leased or owned. A Universal Academy school marshal may carry an approved handgun on the physical premises of all district campuses, if authorized by the Board.
- c. A Universal Academy school marshal must use commercially produced holsters that provide adequate retention to secure the firearm. No firearms may be allowed to be kept in purses, handbags, backpacks, or an unsecured accessory.
- d. If a Universal Academy school marshal's primary duty involves regular, direct contact with students, the marshal shall not carry a concealed handgun but may possess an approved handgun on the physical premises of a school in a locked, secure gun safe within the marshal's immediate reach when conducting the marshal's primary duty.
- e. Any approved handgun carried by or within access of a Universal Academy school marshal must be loaded only with frangible ammunition designed to disintegrate on impact for maximum safety and minimal danger to others as approved by TCOLE. Such frangible ammunition must be approved by the Board.
- f. An Universal Academy school marshal will be responsible for providing his own duty handgun and holster. Handguns must be of a type that are allowed in the possession of a licensed peace officer.
- g. The Universal Academy Superintendent will maintain a record of any handgun a Universal Academy school marshal is authorized to carry.
- h. A Universal Academy school marshal's list of approved duty handguns may change during the school year so long as each handgun meets the requirements hereof before it is used in service.

### **Section 3. Inactive Status.**

A Universal Academy school marshal's status as a "school marshal" becomes inactive on:

- a. Expiration of the employee's school marshal license under Occupations Code 1701.260.
- b. Suspension or revocation of the employees concealed handgun license.
- c. Termination of the employee's employment or being placed on administrative leave with Universal Academy.
- d. Notice from the Board that the employee's services as school marshal are no longer required.
- e. Violation of any Universal Academy policy or regulation applicable to a Universal Academy school marshal.

### **Section 4. Training.**

A Universal Academy school marshal must:

- a. complete and pass the TCOLE weapons qualification course of fire and qualify with all firearms that he has registered
- b. demonstrate weapons proficiency to the satisfaction of the TCOLE.

A Universal Academy school marshal will be required to attend active shooter training provided by the TCOLE and/or other local agencies.