

**Regulation 3515.3: District Police/Security Department**

Status: ADOPTED

Original Adopted Date: 10/01/1998 | Last Revised Date: 03/01/2021 | Last Reviewed Date: 11/01/2003

CSBA NOTE: The following regulation is for use by districts whose Governing Board has established a police or security department pursuant to Education Code 38000. Districts should revise the following regulation to reflect whether the district has a "police" or "security" department.

To be employed as district police or security officers, persons shall meet all the requirements for classified personnel in addition to specialized requirements as described below.

**Chief of Police/Chief of Security**

The district police or security department shall be supervised by a chief of police or chief of security designated by the Superintendent and working under the Superintendent's direction. (Education Code 38000)

CSBA NOTE: Pursuant to Education Code 38000, the Board must set minimum qualifications for employment of the police chief or security chief, including but not limited to the qualifications described in the following paragraph. The district may expand the following paragraph to specify additional qualifications.

Qualifications for the position of police or security chief include, but are not limited to, prior employment as a peace officer or completion of a peace officer training course approved by the Commission on Peace Officer Standards and Training (POST). The police or security chief shall comply with this requirement within one year of initial employment in this position by the district. (Education Code 38000)

**Qualifications of Security Officers**

CSBA NOTE: The following section is for use by districts that employ security officers pursuant to Education Code 38000 and 38001.5.

A person employed as a school security officer shall: (Education Code 38001.5)

1. Under the conditions described in Education Code 38001.5, submit fingerprints to the district on forms or electronically, as prescribed by the Department of Justice
2. Be determined to be a person not prohibited from employment by a school district pursuant to Education Code 44237 or 45122.1

CSBA NOTE: Item #3 below is for use by districts that authorize security officers to carry firearms; see the accompanying Board policy. Pursuant to Penal Code 832.15-832.16, after receiving an applicant's or employee's fingerprints, the Department of Justice will notify the district as to whether the individual is prohibited from possessing a firearm.

3. Be determined by the Department of Justice to be a person who is not prohibited from possessing a firearm

CSBA NOTE: Education Code 38001.5 requires security officers employed by the district to complete the training described below. Effective July 1, 2021, Education Code 38001.5 extends the training requirement to include security officers who work 20 hours per week or less. Education Code 38001.5 also requires that the district provide the training during regular work hours unless otherwise negotiated with the employee's exclusive representative. Districts that have otherwise negotiated this provision should modify the following paragraph accordingly.

The district shall provide each school security officer, during the employee's regular working hours, a course of training developed by the Bureau of Security and Investigative Services of the Department of Consumer Affairs in consultation with POST. (Education Code 38001.5)

CSBA NOTE: The following paragraph is for use by districts that authorize security officers to carry firearms; see the accompanying Board policy.

School security officers who carry a firearm while performing their duties shall additionally satisfy the training requirements of Penal Code 832. (Education Code 38001.5)

**Qualifications of Police Officers**

CSBA NOTE: The following section is for use by districts that employ police officers pursuant to Education Code 38000 and 38001.

Before exercising the powers of a peace officer, district police officers shall satisfactorily complete an introductory course of training prescribed by POST and shall pass the POST examination. (Penal Code 832, 832.3)

A person who has passed this examination more than three years before being employed as a peace officer, or has a break in service of three or more years, shall be required to pass the examination before beginning duties as a district police officer, unless exempted pursuant to Penal Code 832. (Penal Code 832)

CSBA NOTE: Pursuant to Penal Code 832.3, within two years of the date of first employment, district police officers must complete specialized training on the unique safety needs of a school environment. As a best practice, it is recommended that district police officers complete such specialized training prior to beginning employment with the district. Districts may revise the following paragraph to reflect district practice.

Within a reasonable time but not to exceed two years of the date of first employment, police officers shall complete supplementary specialized training approved by POST on the unique safety needs of a school environment. (Penal Code 832.3)

CSBA NOTE: The following paragraph may be expanded to include other trainings provided by the district.

The Superintendent or designee may provide district police officers with additional training in other public safety skills, including but not limited to first aid, rescue, cardiopulmonary resuscitation, emergency medical technician training, juvenile procedures and specialized safety equipment. (Education Code 38002)

CSBA NOTE: The following paragraph is for use by districts that have established a school police reserve corps as authorized by Education Code 35021.5 and 38000; see the accompanying Board policy.

School police reserve officers shall complete a course of training directly related to the role of school police reserve officers as prescribed in Penal Code 832.2. (Education Code 35021.5)

## Equipment

Each district police or security officer shall wear a badge bearing the name of the district, carry an identification card bearing a photograph and signature and the signature of the Superintendent, and carry any other identification data required by local law enforcement agencies. (Education Code 38003)

CSBA NOTE: If the district does not require officers to wear a uniform, the word "uniforms" should be deleted from the following paragraph.

The district shall bear the cost of all required uniforms, equipment, identification badges, and cards. (Education Code 38003)

The district may provide and maintain motor vehicles for use by police or security department staff. When operated by a district officer in the performance of the officer's duties, any vehicle is an authorized emergency vehicle and may be equipped and operated as such, as provided by the Vehicle Code. (Education Code 38004)

## Use of Force

CSBA NOTE: Government Code 7286.5, as added by AB 1196 (Ch. 324, Statutes of 2020), prohibits a law enforcement agency from authorizing the use of carotid restraints or choke holds, as defined.

District police or security officers shall not use a carotid restraint or choke hold involving the application of pressure to a person's neck, trachea, or windpipe. (Government Code 7286.5)

CSBA NOTE: Pursuant to Government Code 7286, district police departments are required to adopt policy on the use of force. Penal Code 13519.10 requires the Commission on Peace Officer Standards and Training (POST) to develop uniform, minimum guidelines for use in the development of local policies. These guidelines are contained in POST Use of Force Standards and Guidelines, available on the POST web site.

Districts may expand the following section to include the policy adopted by the district police department. Districts whose officers do not carry firearms should delete or revise items #4-5 and 17 below.

The district police department shall maintain a policy, consistent with guidelines provided by POST, that provides a minimum standard on the use of force and includes all of the following: (Government Code 7286; Penal Code 13519.10)

1. A requirement that officers utilize de-escalation techniques, crisis intervention tactics, and other alternatives to force when feasible
2. A requirement that officers only use a level of force that they reasonably believe is proportional to the seriousness of the suspected offense or the reasonably perceived level of actual or threatened resistance
3. A requirement that officers report potential excessive force to a superior officer when present and observing another officer using force that the officer believes to be beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances based upon the totality of information actually known to the officer
4. Clear and specific guidelines regarding situations in which officers may or may not draw a firearm or point a firearm at a person
5. A requirement that officers consider their surroundings and potential risks to bystanders, to the extent reasonable under the circumstances, before discharging a firearm
6. Procedures for disclosing public records in accordance with Penal Code 832.7
7. Procedures for the filing, investigation, and reporting of citizen complaints regarding use of force incidents
8. A requirement that an officer intercede when present and observing another officer using force that is clearly beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances, taking into account the possibility that other officers may have additional information regarding the threat posed
9. Comprehensive and specific guidelines regarding approved methods and devices available for the application of force
10. An explicitly stated requirement that officers carry out duties, including use of force, in a manner that is fair and unbiased
11. Comprehensive and specific guidelines for the application of deadly force
12. Comprehensive and detailed requirements for prompt internal reporting and notification regarding a use of force incident, including reporting use of force incidents to the Department of Justice in compliance with Government Code 12525.2
13. The role of supervisors in the review of use of force applications
14. A requirement that officers promptly provide, if properly trained, or otherwise promptly procure medical assistance for persons injured in a use of force incident, when reasonable and safe to do so
15. Training standards and requirements relating to demonstrated knowledge and understanding of the district's use of force policy by officers, investigators, and supervisors
16. Training and guidelines regarding vulnerable populations, including, but not limited to, children, elderly persons, people who are pregnant, and people with physical, mental, and developmental disabilities
17. Comprehensive and specific guidelines under which the discharge of a firearm at or from a moving vehicle may or may not be permitted
18. Factors for evaluating and reviewing all use of force incidents
19. Minimum training and course titles required to meet the objectives in the use of force policy
20. A requirement for the regular review and updating of the policy to reflect developing practices and procedures

CSBA NOTE: The following paragraph is optional.

The district prohibits retaliation against an officer or other district employee who reports a suspected violation of

Mesa Union School District

Somis, Ca

Board Approved: May 18, 2021

this policy by another officer.

### Personnel Files

CSBA NOTE: The following section is for use by districts that have established a police department and may be adapted for use by districts that have established a security department.

Before any record containing an adverse comment is placed in a district police officer's personnel file, the employee shall read and sign the record indicating awareness of the comment. The officer shall have 30 days to file a written response, which shall be attached to the adverse comment. (Government Code 3305-3306)

A police officer may inspect the personnel file during usual business hours with no loss of compensation. If the officer believes that any portion of the material is mistakenly or unlawfully placed in the file, the officer may request, in writing, that the mistaken or unlawful portion be corrected or deleted and shall describe the reasons supporting those corrections or deletions. Within 30 days of the request, the Superintendent or designee shall either grant the officer's request or notify the officer of the decision to refuse to grant the request. The Superintendent or designee shall state in writing the reasons for refusing any request. (Government Code 3306.5)

### Disciplinary Action

CSBA NOTE: The following section is for use by districts that have established a police department. When a district police officer is under disciplinary investigation, Government Code 3300 provides the officer with the right to receive copies of any reports or complaints made by investigators or other persons, except those that are confidential. The court in San Diego Police Officers Association et al. v. City of San Diego Civil Service Commission et al. ruled that personnel records of a public safety officer cannot be disclosed at public disciplinary appeal hearings without the officer's consent.

Any investigation of a district police officer that could lead to punitive action shall be conducted in accordance with Government Code 3303-3304.

If the Superintendent or designee decides to impose discipline following investigation and any predisciplinary response or procedure, the police officer shall be notified in writing within 30 days of the decision, including the date that the discipline shall be imposed. (Government Code 3304)

CSBA NOTE: Pursuant to Government Code 3304.5, an administrative appeal initiated by a police officer shall be conducted in accordance with district rules and procedures. Districts should consult legal counsel prior to initiating discipline against a police officer or whenever an investigation is undertaken.

Any appeal by a police officer shall be conducted in accordance with Board policy and administrative regulation. (Government Code 3304.5)

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**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

### State References

Bus. Code 7583-7583.4

### Description

[Private patrol operators](#)

Ed. Code 35021.5

[School police reserve corps](#)

Ed. Code 38000-38005

[Security departments](#)

Ed. Code 39672

[School peace officers, fingerprinting](#)

Ed. Code 45122.1

[Classified employees, conviction of a violent or serious felony](#)

Ed. Code 49079

[Notification to teacher; student act constituting grounds for suspension or expulsion](#)

Fam. Code 6240-6274

[Emergency protective orders](#)

Gov. Code 3300-3312

[Public safety officers, rights and protections](#)

Gov. Code 8597-8598

[Peace officers](#)

Pen. Code 12028.5

[Taking custody of weapons](#)

Mesa Union School District

Somis, Ca

Board Approved: May 18, 2021

Pen. Code 13510-13519.9	<a href="#">Standards for recruitment and training</a>
Pen. Code 13700-13702	<a href="#">Response to domestic violence</a>
Pen. Code 290.45	<a href="#">Sex offenders, authority of peace officers</a>
Pen. Code 646.91	<a href="#">Emergency protective order for stalking</a>
Pen. Code 830-832.9	<a href="#">Peace officers</a>
Pen. Code 830.32	<a href="#">School district and community college police</a>
Pen. Code 830.6	<a href="#">Reserve police officers, powers and duties</a>
Pen. Code 832	<a href="#">Course of training prescribed by Commission on Peace Officer Standards and Training</a>
Pen. Code 832.2	<a href="#">School peace officers; training</a>
Pen. Code 832.7	<a href="#">Disclosure of personnel files in criminal or civil proceedings</a>
Pen. Code 836	<a href="#">Peace officers; warrants</a>
W&I Code 707	<a href="#">List of crimes</a>
W&I Code 828-828.1	<a href="#">Disclosure of information re minors by law enforcement agency</a>

**Management Resources References**

CDE Publication	<a href="#">Safe Schools: A Planning Guide for Action, 2002</a>
Court Case	<a href="#">San Diego Police Officers Association et al. v. City of San Diego Civil Service Commission et al., 104 Cal.App.4th 275 (2002)</a>
Website	<a href="#">Commission on Peace Officer Standards and Training</a>
Website	<a href="#">Attorney General's Office, Crime and Violence Prevention Center</a>
Website	<a href="#">California Department of Education, Safe Schools</a>

**Description**

**Cross References**

0450	<a href="#">Comprehensive Safety Plan</a>
0450	<a href="#">Comprehensive Safety Plan</a>
1113	<a href="#">District And School Web Sites</a>
1113	<a href="#">District And School Web Sites</a>
1113-E(1)	<a href="#">District And School Web Sites</a>
1250	<a href="#">Visitors/Outsiders</a>
1250	<a href="#">Visitors/Outsiders</a>
3515	<a href="#">Campus Security</a>
3515	<a href="#">Campus Security</a>
3515.2	<a href="#">Disruptions</a>
3515.2	<a href="#">Disruptions</a>
3515.4	<a href="#">Recovery For Property Loss Or Damage</a>
3515.4	<a href="#">Recovery For Property Loss Or Damage</a>
3515.5	<a href="#">Sex Offender Notification</a>
3515.5	<a href="#">Sex Offender Notification</a>
3515.6	<a href="#">Criminal Background Checks For Contractors</a>
3515.7	<a href="#">Firearms On School Grounds</a>
3516.2	<a href="#">Bomb Threats</a>
4112.4	<a href="#">Health Examinations</a>

**Description**

4112.41	<a href="#">Employee Drug Testing</a>
4112.41	<a href="#">Employee Drug Testing</a>
4112.5	<a href="#">Criminal Record Check</a>
4112.5-E(1)	<a href="#">Criminal Record Check</a>
4112.6	<a href="#">Personnel Files</a>
4119.43	<a href="#">Universal Precautions</a>
4119.43	<a href="#">Universal Precautions</a>
4158	<a href="#">Employee Security</a>
4158	<a href="#">Employee Security</a>
4200	<a href="#">Classified Personnel</a>
4200	<a href="#">Classified Personnel</a>
4211	<a href="#">Recruitment And Selection</a>
4212	<a href="#">Appointment And Conditions Of Employment</a>
4212.4	<a href="#">Health Examinations</a>
4212.41	<a href="#">Employee Drug Testing</a>
4212.41	<a href="#">Employee Drug Testing</a>
4212.5	<a href="#">Criminal Record Check</a>
4212.5-E(1)	<a href="#">Criminal Record Check</a>
4212.6	<a href="#">Personnel Files</a>
4215	<a href="#">Evaluation/Supervision</a>
4218	<a href="#">Dismissal/Suspension/Disciplinary Action</a>
4218	<a href="#">Dismissal/Suspension/Disciplinary Action</a>
4219.43	<a href="#">Universal Precautions</a>
4219.43	<a href="#">Universal Precautions</a>
4231	<a href="#">Staff Development</a>
4258	<a href="#">Employee Security</a>
4258	<a href="#">Employee Security</a>
4312.4	<a href="#">Health Examinations</a>
4312.41	<a href="#">Employee Drug Testing</a>
4312.41	<a href="#">Employee Drug Testing</a>
4312.5	<a href="#">Criminal Record Check</a>
4312.5-E(1)	<a href="#">Criminal Record Check</a>
4312.6	<a href="#">Personnel Files</a>
4319.43	<a href="#">Universal Precautions</a>
4319.43	<a href="#">Universal Precautions</a>
4358	<a href="#">Employee Security</a>
4358	<a href="#">Employee Security</a>
5131.4	<a href="#">Student Disturbances</a>
5131.4	<a href="#">Student Disturbances</a>
5131.5	<a href="#">Vandalism And Graffiti</a>
5131.6	<a href="#">Alcohol And Other Drugs</a>

5131.6	<a href="#">Alcohol And Other Drugs</a>
5131.7	<a href="#">Weapons And Dangerous Instruments</a>
5131.7	<a href="#">Weapons And Dangerous Instruments</a>
5136	<a href="#">Gangs</a>
5136	<a href="#">Gangs</a>
5141	<a href="#">Health Care And Emergencies</a>
5141	<a href="#">Health Care And Emergencies</a>
5142.1	<a href="#">Identification And Reporting Of Missing Children</a>
5145.11	<a href="#">Questioning And Apprehension By Law Enforcement</a>
5145.12	<a href="#">Search And Seizure</a>
5145.12	<a href="#">Search And Seizure</a>
6184	<a href="#">Continuation Education</a>
6184	<a href="#">Continuation Education</a>