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Fast-Track Regulation Agency Background Document

Agency name	Department of Criminal Justice Services
Virginia Administrative Code (VAC) Chapter citation(s)	_6_ VAC_20_-_270_
VAC Chapter title(s)	Regulations Relating to Campus Security Officers
Action title	Repeal of Campus Security Officers Regulation
Date this document prepared	10/17/2022

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19, the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

Brief Summary

Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.

The Department of Criminal Justice Services seeks to repeal 6 VAC 20-270, which currently enumerates the compulsory minimum training standards and requirements relating to campus security officers employed in the Commonwealth of Virginia. The Virginia Center for School and Campus Safety division of DCJS has been working with subject matter experts to establish a guidance document containing revised requirements and training standards for these civilian employees within college and university campuses, which will replace this regulation. This action is not expected to be controversial in nature, so this expedited, one-step process is appropriate.

Acronyms and Definitions

Define all acronyms used in this form, and any technical terms that are not also defined in the “Definitions” section of the regulation.

Board - Criminal Justice Services Board, DCJS’ policy board
CJSB - Criminal Justice Services Board
COT – Committee on Training
DCJS – Department of Criminal Justice Services
Department - The Virginia Department of Criminal Justice Services
VCSCS - Virginia Center for School and Campus Safety
CSO – Campus Security Officer

Statement of Final Agency Action

Provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) the name of the agency taking the action; and 3) the title of the regulation.

On October 13, 2022, DCJS presented its Notice of Intended Regulatory Action summary for the Fast-Track repeal of 6 VAC 20-270, Regulations Relating to Campus Security Officers, to the COT (for informational purposes), and to the CJSB for formal approval. The Board approved moving forward with the repeal of this regulation, as DCJS anticipates submitting a new guidance document in early 2023 to replace this regulation.

Mandate and Impetus

Identify the mandate for this regulatory change and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, petition for rulemaking, periodic review, or board decision). For purposes of executive branch review, “mandate” has the same meaning as defined in the ORM procedures, “a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part.”

Consistent with Virginia Code § 2.2-4012.1, also explain why this rulemaking is expected to be noncontroversial and therefore appropriate for the fast-track rulemaking process.

While there is no formal mandate for this repeal and overall regulatory change, after additional review by both DCJS and the Secretary of Public Safety and Homeland Security, the Department is of the position that the replacement of revised training standards and requirements for CSOs is more appropriate as a guidance document. Additionally, per § 2.2-4012.2, the repeal of 6 VAC 20-270 is expected to be noncontroversial in nature, as all parties involved are in favor of this regulatory change, and formal Board approval was given at the October 13, 2022 CJSB meeting.

Legal Basis

Identify (1) the promulgating agency, and (2) the state and/or federal legal authority for the regulatory change, including the most relevant citations to the Code of Virginia and Acts of Assembly chapter number(s), if applicable. Your citation must include a specific provision, if any, authorizing the promulgating agency to regulate this specific subject or program, as well as a reference to the agency’s overall regulatory authority.

The Department, pursuant to § 9.1-102, under the direction of the Board, which shall be the policy-making body for carrying out the duties and powers hereunder, shall have the power and duty to:

1. Adopt regulations, pursuant to the Administrative Process Act (§ 2.2-4000 et seq.), for the administration of this chapter including the authority to require the submission of reports and information by law-enforcement officers within the Commonwealth. Any proposed regulations concerning the privacy, confidentiality, and security of criminal justice information shall be submitted for review and comment to any board, commission, or committee or other body which may be established by the General Assembly to regulate the privacy, confidentiality, and security of information collected and maintained by the Commonwealth or any political subdivision thereof;

46. Establish minimum standards for (i) employment, (ii) job-entry and in-service training curricula, and (iii) certification requirements for campus security officers. Such training standards shall include, but not be limited to, the role and responsibility of campus security officers, relevant state and federal laws, school and personal liability issues, security awareness in the campus environment, and disaster and emergency response. The Department shall provide technical support and assistance to campus police departments and campus security departments on the establishment and implementation of policies and procedures, including but not limited to: the management of such departments, investigatory procedures, judicial referrals, the establishment and management of databases for campus safety and security information sharing, and development of uniform record keeping for disciplinary records and statistics, such as campus crime logs, judicial referrals and Clery Act statistics. The Department shall establish an advisory committee consisting of college administrators, college police chiefs, college security department chiefs, and local law-enforcement officials to assist in the development of the standards and certification requirements and training pursuant to this subdivision;

Purpose

Explain the need for the regulatory change, including a description of: (1) the rationale or justification, (2) the specific reasons the regulatory change is essential to protect the health, safety or welfare of citizens, and (3) the goals of the regulatory change and the problems it is intended to solve.

The purpose of this regulatory change and the repeal of 6 VAC 20-270 is to eliminate confusion and unnecessary regulations, and instead promulgate the compulsory minimum training standards and requirements for civilian employees of college and university campuses serving in the role of a campus security officer, as a guidance document. The repeal of this regulation in its entirety (and the replacement with a guidance document) will provide enhanced clarity of the intended training requirements for these individuals to DCJS constituents, as well as to members of the general public that may inquire as to the role of CSOs, while supporting the current administration’s desire to reduce the regulatory burden for state agencies in the Commonwealth. It will have no impact on the health, safety, or welfare of citizens, and is expected to be non-controversial in nature.

Substance

Briefly identify and explain the new substantive provisions, the substantive changes to existing sections, or both. A more detailed discussion is provided in the “Detail of Changes” section below.

The substantive changes to the current 6 VAC 20-270 are that all regulatory sections will be repealed in their entirety.

Issues

Identify the issues associated with the regulatory change, including: 1) the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions; 2) the primary advantages and disadvantages to the agency or the Commonwealth; and 3) other pertinent matters of interest to the regulated community, government officials, and the public. If there are no disadvantages to the public or the Commonwealth, include a specific statement to that effect.

There are no known disadvantages to the public, DCJS, colleges and/or universities, or any other agency in the Commonwealth by repealing 6 VAC 20-270 and replacing the regulation with a guidance document. The primary advantages to DCJS and its constituents are increased clarity of CSOs' roles and responsibilities, as well supporting overall regulatory reduction for the agency.

Requirements More Restrictive than Federal

Identify and describe any requirement of the regulatory change which is more restrictive than applicable federal requirements. Include a specific citation for each applicable federal requirement, and a rationale for the need for the more restrictive requirements. If there are no applicable federal requirements, or no requirements that exceed applicable federal requirements, include a specific statement to that effect.

There are no applicable federal requirements, nor requirements that exceed applicable federal requirements.

Agencies, Localities, and Other Entities Particularly Affected

Consistent with § 2.2-4007.04 of the Code of Virginia, identify any other state agencies, localities, or other entities particularly affected by the regulatory change. Other entities could include local partners such as tribal governments, school boards, community services boards, and similar regional organizations. "Particularly affected" are those that are likely to bear any identified disproportionate material impact which would not be experienced by other agencies, localities, or entities. "Locality" can refer to either local governments or the locations in the Commonwealth where the activities relevant to the regulation or regulatory change are most likely to occur. If no agency, locality, or entity is particularly affected, include a specific statement to that effect.

Other State Agencies Particularly Affected

As DCJS will be promulgating a new guidance document which will house the revised standards and requirements for CSOs, no other state agencies will be affected by this regulatory change.

Localities Particularly Affected

As a new guidance document is expected to be promulgated by the Department in early 2023, no additional localities are to be particularly affected by this regulatory change.

Other Entities Particularly Affected

There are no additional entities that will be particularly affected.

Economic Impact

Consistent with § 2.2-4007.04 of the Code of Virginia, identify all specific economic impacts (costs and/or benefits), anticipated to result from the regulatory change. When describing a particular economic impact, specify which new requirement or change in requirement creates the anticipated economic impact. Keep in mind that this is the proposed change versus the status quo.

Impact on State Agencies

<p><i>For your agency:</i> projected costs, savings, fees or revenues resulting from the regulatory change, including: a) fund source / fund detail; b) delineation of one-time versus on-going expenditures; and c) whether any costs or revenue loss can be absorbed within existing resources</p>	<p>There will be no projected costs, savings, fees, or revenues resulting from this regulatory change.</p>
<p><i>For other state agencies:</i> projected costs, savings, fees or revenues resulting from the regulatory change, including a delineation of one-time versus on-going expenditures.</p>	<p>There will be no projected costs, savings, fees, or revenues for other state agencies resulting from this regulatory change.</p>
<p><i>For all agencies:</i> Benefits the regulatory change is designed to produce.</p>	<p>Although no economic impact will be felt by any agency (to include DCJS) or locality as a result of this change, the overall benefits include enhanced clarity of the requirements for CSOs employed by colleges and/or universities in Virginia, as well as the reduction of the number of current regulations for Department.</p>

Impact on Localities

If this analysis has been reported on the ORM Economic Impact form, indicate the tables (1a or 2) on which it was reported. Information provided on that form need not be repeated here.

<p>Projected costs, savings, fees or revenues resulting from the regulatory change.</p>	<p>There are no projected costs, savings, fees, or revenues to localities resulting from the repeal of 6 VAC 20-270.</p>
<p>Benefits the regulatory change is designed to produce.</p>	<p>There are no benefits to localities other than increased clarity of the requirements of CSOs, as this regulatory change will not impact any additional agencies or organizations. Individuals or colleges/universities looking for the training requirements for these individuals will now obtain the information from a DCJS-published guidance document, rather than from regulatory text within Administrative Code.</p>

Impact on Other Entities

If this analysis has been reported on the ORM Economic Impact form, indicate the tables (1a, 3, or 4) on which it was reported. Information provided on that form need not be repeated here.

<p>Description of the individuals, businesses, or other entities likely to be affected by the regulatory change. If no other entities will be</p>	<p>There will be no additional impact to individuals or businesses as a result of this regulatory change.</p>
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<p>affected, include a specific statement to that effect.</p>	
<p>Agency's best estimate of the number of such entities that will be affected. Include an estimate of the number of small businesses affected. Small business means a business entity, including its affiliates, that: a) is independently owned and operated and; b) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million.</p>	<p>No small businesses will be affected by this change, nor will any additional entities.</p>
<p>All projected costs for affected individuals, businesses, or other entities resulting from the regulatory change. Be specific and include all costs including, but not limited to: a) projected reporting, recordkeeping, and other administrative costs required for compliance by small businesses; b) specify any costs related to the development of real estate for commercial or residential purposes that are a consequence of the regulatory change; c) fees; d) purchases of equipment or services; and e) time required to comply with the requirements.</p>	<p>There are no projected costs associated with this regulatory change.</p>
<p>Benefits the regulatory change is designed to produce.</p>	<p>This regulatory change will repeal the existing regulation and instead house the revised training standards and requirements for SSOs within a guidance document. There are no additional benefits to constituents, outside agencies, the public, or DCJS.</p>

Alternatives to Regulation

Describe any viable alternatives to the regulatory change that were considered, and the rationale used by the agency to select the least burdensome or intrusive alternative that meets the essential purpose of the regulatory change. Also, include discussion of less intrusive or less costly alternatives for small businesses, as defined in § 2.2-4007.1 of the Code of Virginia, of achieving the purpose of the regulatory change.

There are no alternatives to this regulatory change. The Department of Criminal Justice Services and the Office of the Secretary of Public Safety and Homeland Security are in agreement that DCJS is well within its authority to repeal the existing 6 VAC 20-270, and instead house the information within a Department-published guidance document for constituent consumption. Repealing 6 VAC 20-270 will have no economic (or otherwise adverse) impact to any additional agencies, and, to date, there is no opposition to making this change.

If this analysis has been reported on the ORM Economic Impact form, indicate the tables on which it was reported. Information provided on that form need not be repeated here.

Regulatory Flexibility Analysis

Consistent with § 2.2-4007.1 B of the Code of Virginia, describe the agency's analysis of alternative regulatory methods, consistent with health, safety, environmental, and economic welfare, that will accomplish the objectives of applicable law while minimizing the adverse impact on small business. Alternative regulatory methods include, at a minimum: 1) establishing less stringent compliance or reporting requirements; 2) establishing less stringent schedules or deadlines for compliance or reporting requirements; 3) consolidation or simplification of compliance or reporting requirements; 4) establishing performance standards for small businesses to replace design or operational standards required in the proposed regulation; and 5) the exemption of small businesses from all or any part of the requirements contained in the regulatory change.

There will be no adverse impact on small businesses due to this regulatory change. There are currently no alternative regulatory methods consistent with health, safety, environmental, and/or economic welfare, as none are applicable.

If this analysis has been reported on the ORM Economic Impact form, indicate the tables on which it was reported. Information provided on that form need not be repeated here.

Public Participation

Indicate how the public should contact the agency to submit comments on this regulation, and whether a public hearing will be held, by completing the text below.

Consistent with § 2.2-4011 of the Code of Virginia, if an objection to the use of the fast-track process is received within the 30-day public comment period from 10 or more persons, any member of the applicable standing committee of either house of the General Assembly or of the Joint Commission on Administrative Rules, the agency shall: 1) file notice of the objections with the Registrar of Regulations for publication in the Virginia Register and 2) proceed with the normal promulgation process with the initial publication of the fast-track regulation serving as the Notice of Intended Regulatory Action.

If you are objecting to the use of the fast-track process as the means of promulgating this regulation, please clearly indicate your objection in your comment. Please also indicate the nature of, and reason for, your objection to using this process.

The Department of Criminal Justice Services is providing an opportunity for comments on this regulatory proposal, including but not limited to (i) the costs and benefits of the regulatory proposal and any alternative approaches, (ii) the potential impacts of the regulation, and (iii) the agency's regulatory flexibility analysis stated in this background document.

Anyone wishing to submit written comments for the public comment file may do so through the Public Comment Forums feature of the Virginia Regulatory Town Hall web site at: <https://townhall.virginia.gov>. Comments may also be submitted by mail, email or fax to Kristi Shalton, 1100 Bank Street, Richmond, Virginia 23219, Kristi.shalton@dcjs.virginia.gov, or fax (804) 786-0410. In order to be considered, comments must be received by 11:59 pm on the last day of the public comment period.

Detail of Changes

List all regulatory changes and the consequences of the changes. Explain the new requirements and what they mean rather than merely quoting the text of the regulation. For example, describe the intent of the language and the expected impact. Describe the difference between existing requirement(s) and/or agency practice(s) and what is being proposed in this regulatory change. Use all tables that apply, but delete inapplicable tables.

If an existing VAC Chapter(s) is being amended or repealed, use Table 1 to describe the changes between existing VAC Chapter(s) and the proposed regulation. If existing VAC Chapter(s) or sections are being repealed and replaced, ensure Table 1 clearly shows both the current number and the new number for each repealed section and the replacement section.

Table 1: Changes to Existing VAC Chapter(s)

Current chapter-section number	New chapter-section number, if applicable	Current requirements in VAC	Change, intent, rationale, and likely impact of new requirements
6 VAC 20-270-10		<p>The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:</p> <p>"Approved instructor" means a person who has been approved by the department to instruct the Campus Security Officer Training Course.</p> <p>"Campus security officer" means any person employed by or contracted to a college or university for the sole purpose of maintaining peace and order and who is primarily responsible for ensuring the safety, security, and welfare of students, faculty, staff, and visitors. Certified law-enforcement officers as defined in § 9.1-101 of the Code of Virginia and campus police officers appointed pursuant to § 23-233 of the Code of Virginia are not included in this definition.</p> <p>"Campus security point of contact" is the person designated by the college, university, private security services business, or private security services training school to serve as the contact person between the department and the college, university, private security services business, or private security services training school on matters concerning the certification of campus security officers.</p> <p>"Certification" means that a qualified person has met the compulsory minimum entry-level training standards mandated for a campus security officer.</p> <p>"College or university" means an institution of higher education created to educate and grant certificates or degrees in a variety of subjects.</p> <p>"Compulsory minimum entry-level training and certification standards" means the compulsory training</p>	<p>Intent is to repeal this section in its entirety with no impact, as a new guidance document containing this information will be promulgated by the Department in early 2023.</p>

	<p>modules and other certification requirements, determined by the department, to comprise the necessary training and certification standards required as a basis for initial certification.</p> <p>"Contracted" means a person employed by a licensed private security services business under contract to perform the functions of a campus security officer.</p> <p>"Date of hire" means the date an employee is hired to provide campus security officer services for a college, university, or private security services business, and whom the department must regulate.</p> <p>"Department" means the Department of Criminal Justice Services or any successor agency.</p> <p>"Director" means the chief administrative officer of the department.</p> <p>"Employee" means a person providing campus security services hired directly by the employing college or university or a person hired by a licensed private security services business supplying campus security services to the college or university on a contract basis.</p> <p>"Entry-level training requirement" means the compulsory modules determined by the department to comprise the necessary training required as a basis for certification.</p> <p>"In-service training requirement" means the compulsory in-service training requirement adopted by the department for campus security officers.</p> <p>"Private security services business" or "PSS" means any person engaged in the business of providing, or who undertakes to provide, security officers to another person under contract, express, or implied as defined in § 9.1-138 of the Code of Virginia.</p> <p>"Private security services training school" means any person certified by the department to provide instruction in private security subjects for the training of private security service business personnel in accordance with this chapter.</p> <p>"Special events" means those events at which large numbers of people gather on campus or at college or university facilities</p>	
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		<p>creating a need for additional or specialized security actions.</p> <p>"This chapter" means the Regulations Relating to Campus Security Officers.</p> <p>"Training requirement" means any entry-level or in-service training or retraining standard established by this chapter.</p>	
<p>6 VAC 20-270-20</p>		<p>A. Contracted personnel who hold a valid private security services registration as an unarmed or armed security officer as defined under § 9.1-138 of the Code of Virginia are exempt from these compulsory minimum entry-level training and certification standards provided their duties are limited to security at special events.</p> <p>B. Part-time officers employed or contracted to any one college or university, or any combination of colleges or universities in Virginia, are exempt from the provisions of this chapter provided that the aggregate hours worked by the officer during the calendar year do not exceed 120 hours.</p>	<p>Intent is to repeal this section in its entirety with no impact, as a new guidance document containing this information will be promulgated by the Department in early 2023.</p>
<p>6 VAC 20-270-30</p>		<p>A. In addition to meeting all the hiring requirements of the employing college, university, or private security services business supplying campus security services to the college or university, all campus security officers are required to meet the following compulsory minimum entry-level training and certification standards. Such person shall:</p> <ol style="list-style-type: none"> 1. Be a United States citizen or legal resident eligible under United States law for employment in the United States. 2. Undergo a background investigation to include a criminal history inquiry. Results of such inquiries shall be examined by the employer. 3. Possess a high school diploma, General Education Diploma (GED), or other accepted secondary school credential. 4. Be a minimum of 18 years of age. 5. Possess a valid driver's license issued by his state of residence if required by the duties of office to operate a motor vehicle. 	<p>Intent is to repeal this section in its entirety with no impact, as a new guidance document containing this information will be promulgated by the Department in early 2023.</p>

		<p>6. Successfully complete first aid training as determined by the employing college or university. The level and substance of such training shall be at the discretion of the employing college or university.</p> <p>7. Complete the online course Introduction to Incident Command System for Higher Education (IS-100.HE) as provided by the Emergency Management Institute at the Federal Emergency Management Agency (FEMA).</p> <p>8. Comply with compulsory minimum entry-level training standards approved by the department.</p> <p style="padding-left: 40px;">a. Every campus security officer hired before January 31, 2011, is required to comply with the compulsory minimum entry-level training standards within 365 days of the effective date of this regulation. Every campus security officer hired on or after January 31, 2011, is required to comply with the compulsory minimum entry-level training standards within 180 days of the date of hire.</p> <p style="padding-left: 40px;">b. The compulsory minimum entry-level training standard shall consist of modules of content developed and approved by the department. Such training shall include but not be limited to:</p> <p style="padding-left: 80px;">(1) The role and responsibility of campus security officers;</p> <p style="padding-left: 80px;">(2) Relevant state and federal laws;</p> <p style="padding-left: 80px;">(3) School and personal liability issues;</p> <p style="padding-left: 80px;">(4) Security awareness in the campus environment;</p> <p style="padding-left: 80px;">(5) Mediation and conflict resolution;</p> <p style="padding-left: 80px;">(6) Disaster and emergency response; and</p> <p style="padding-left: 80px;">(7) Behavioral dynamics.</p>	
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		<p>c. The compulsory minimum entry-level training standard shall include a test for each module approved and provided by the department with a minimum passing grade of 70% on each module. Any officer not receiving a minimum grade of 70% on each module shall, at the discretion of the approved instructor, be given remedial training and thereafter the opportunity to be tested again on the questions incorrectly answered on the first attempt. If this option is utilized, the initial test score shall be recorded with an asterisk followed by the signature of the approved instructor who provided the remedial training. The approved instructor's signature shall be accepted as verification that the officer successfully answered enough of the questions missed on the initial test to achieve a passing score of 70%. A second unsuccessful test, subsequent to remedial training, shall result in a grade of "FAIL" after which the officer may, at the discretion of the employing college, university, or PSS business be enrolled in future training for the failed module.</p> <p>9. Submit to the department a properly completed and signed application for certification from the employing college, university, or PSS business in a format provided by the department.</p> <p>B. All costs associated with meeting the certification requirements are the responsibility of the employer.</p> <p>C. The department may grant an extension of the time limit for completion of the compulsory minimum entry-level training and certification standards under the following documented conditions:</p> <ol style="list-style-type: none"> 1. Illness or injury; 2. Military service; 3. Special duty required and performed in the public interest; 4. Administrative leave, full-time educational leave, or suspension 	
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		<p>pending investigation or adjudication of a crime; or</p> <p>5. Any other reasonable situation documented by the employing college, university, or PSS business.</p>	
<p>6 VAC 20-270- 40</p>		<p>A. The department will notify the applicant for campus security officer certification and the designated campus security point of contact for the employing college, university, or PSS business that the campus security officer is certified in accordance with this chapter after the following conditions are met:</p> <p>1. Notification to the department by the designated campus security point of contact that the applicant for campus security officer certification has successfully met the following compulsory minimum entry-level training and certification standards:</p> <ul style="list-style-type: none"> a. The total of modules that comprise the compulsory minimum entry-level training as required by this chapter; b. Complete background investigation as required by this chapter; c. First-aid training consistent with the standard set by the employing college or university; and d. Completion of the online course Introduction to Incident Command System for Higher Education (IS-100.HE) as provided by the Emergency Management Institute at the Federal Emergency Management Agency (FEMA) and as indicated by the department. <p>2. Receipt by the department of application for certification signed by the designated point of contact for the employing college, university, or PSS business.</p> <p>B. If a campus security officer seeking certification is denied by the department, the department will notify the designated campus security point of contact for the employing college, university, or PSS business and the applicant in writing, outlining the basis for the</p>	<p>Intent is to repeal this section in its entirety with no impact, as a new guidance document containing this information will be promulgated by the Department in early 2023.</p>

		<p>denial and the process for appeal of the decision to deny.</p> <p>C. The department shall maintain a current database of certified campus security officers as well as relevant training records.</p> <p>D. Certification shall be for a period not to exceed 24 months.</p>	
6 VAC 20-270-50		<p>A. Campus security officers will only be certified while employed by a college, university, or a PSS business while assigned to a college or university.</p> <p>B. Certification of the campus security officer will be suspended upon the termination of the officer's employment with the college, university, or PSS business. For the purposes of this chapter, a previously certified campus security officer's status shall be changed to suspended upon the department receiving notice that the officer is no longer employed by a college, university, or PSS business.</p> <p>C. Upon obtaining employment at another college, university, or PSS business, a previously certified campus security officer will not be required to repeat the compulsory minimum entry-level training provided the officer's employment starts within the two-year period of the previous certification.</p>	<p>Intent is to repeal this section in its entirety with no impact, as a new guidance document containing this information will be promulgated by the Department in early 2023.</p>
6 VAC 20-270-60		<p>A. Subject to the approval of the department, a compulsory minimum entry-level training waiver may be obtained for experienced campus security officers with a minimum of five years of experience who successfully complete the module tests with a minimum score of 70% on each test. The application for a waiver shall be submitted on the form prescribed by the department and must contain the signature of the designated campus security point of contact.</p> <p>B. If any module test grade is less than 70%, the experienced officer shall be required to complete the prescribed compulsory minimum entry-level training standards as outlined in this chapter.</p>	<p>Intent is to repeal this section in its entirety with no impact, as a new guidance document containing this information will be promulgated by the Department in early 2023.</p>
6 VAC 20-270-70		<p>Subject to the approval of the department, an educational requirement waiver may be obtained for campus security officers who have been continuously employed in that capacity at a college, university, or PSS business under contract to a</p>	<p>Intent is to repeal this section in its entirety with no impact, as a new guidance document containing this information will be promulgated by the Department in early 2023.</p>

		college or university for a minimum of five years prior to January 31, 2011.	
6 VAC 20-270-80		<p>A campus security officer shall:</p> <ol style="list-style-type: none"> 1. Conform to all requirements pursuant to the Code of Virginia and this chapter; 2. Maintain a valid mailing address with the employing college, university, or PSS business at all times. Written notification of any address change shall be submitted to the campus security point of contact for the employing college, university, or PSS business no later than 10 days after the effective date of the change; 3. Inform the designated campus security point of contact for the employing college, university, or PSS business in writing within 72 hours or the beginning of the next work day, whichever comes first, after an arrest for any felony or misdemeanor; 4. Inform the designated campus security point of contact for the employing college, university, or PSS business in writing within 72 hours or the beginning of the next work day, whichever comes first, after having been convicted of any felony or misdemeanor; and 5. Inform the designated campus security point of contact for the employing college, university, or PSS business in writing within 10 days after having been found guilty by any court or administrative body of competent jurisdiction to have violated the statutes or regulations of that jurisdiction. 	<p>Intent is to repeal this section in its entirety with no impact, as a new guidance document containing this information will be promulgated by the Department in early 2023.</p>
6 VAC 20-270-90		<p>A. Applications for recertification must be received by the department prior to certification expiration. It is the responsibility of the campus security officer employer to ensure recertification applications are filed with the department. A valid certification as a campus security officer is required in order to remain eligible for employment as a campus security officer. If the campus security officer has met the required in-service training requirements and the required in-service training documents and recertification application are on file with the department prior to expiration, the campus security officer is deemed</p>	<p>Intent is to repeal this section in its entirety with no impact, as a new guidance document containing this information will be promulgated by the Department in early 2023.</p>

		<p>recertified and may continue to operate in the campus security officer capacity.</p> <p>B. Applicants for recertification must have completed 16 hours of in-service training during each two-year period after initial certification. The in-service training must be directly related to the duties of the campus security officer, to include a legal update and other relevant topics approved by the department.</p> <p>C. Individuals whose certification is expired shall comply with the compulsory minimum entry-level training and certification standards set forth in this chapter.</p> <p>D. The department, subject to its discretion, retains the right to grant an extension of the recertification time limit and requirements under the following conditions:</p> <ol style="list-style-type: none"> 1. Illness or injury; 2. Military service; 3. Administrative leave, full-time educational leave, or suspension pending investigation or adjudication of a crime; or 4. Any other reasonable situation documented by the employing college, university, or PSS business. <p>E. Request for extensions shall:</p> <ol style="list-style-type: none"> 1. Be submitted in writing and signed by the designated campus security point of contact for the employing college, university, or PSS business prior to the expiration date of the time limit for completion of the requirement; and 2. Indicate the projected date for the completion of the requirement. 	
<p>6 VAC 20-270- 100</p>		<p>A. The department may decertify a campus security officer who has:</p> <ol style="list-style-type: none"> 1. Been convicted of or pled guilty or no contest to a felony or any offense that would be a felony if committed in Virginia; 2. Failed to comply with or maintain compliance with compulsory minimum entry-level training and certification standards; 	<p>Intent is to repeal this section in its entirety with no impact, as a new guidance document containing this information will be promulgated by the Department in early 2023.</p>

		<p>3. Refused to submit to a drug screening or has produced a positive result on a drug screening reported to the employer where the positive result cannot be explained to the employer's satisfaction;</p> <p>4. Lied on or failed to provide required information on an employment application for the current position; or</p> <p>5. Been terminated for just cause by the employing college, university, or PSS business.</p> <p>B. Such campus security officer shall not have the right to serve as a campus security officer within this Commonwealth until the department has reinstated the certification.</p> <p>C. The findings and the decision of the department may be appealed to the board provided that written notification is given to the attention of the Director, Department of Criminal Justice Services, within 30 days following the date notification of the decision was served or the date it was mailed to the respondent, whichever occurs first. In the event the hearing decision is served by mail, three days shall be added to that period. (Rule 2A:2 of Rules of the Virginia Supreme Court.)</p>	
<p>6 VAC 20-270- 110</p>		<p>A. The department may approve instructors to deliver the compulsory minimum entry-level training for campus security officers and may revoke such approval for cause.</p> <p>B. Each person applying for instructor approval shall:</p> <ol style="list-style-type: none"> 1. Submit an instructor application, signed by the designated point of contact of the employing college, university, PSS business, or private security services training school on the form prescribed by the department; 2. Have a high school diploma or equivalent (GED) or have passed the National External Diploma Program; 3. Have a minimum of: <ol style="list-style-type: none"> a. Two years of management or supervisory experience as a campus security officer or supervisory experience with any federal, state, county, or 	<p>Intent is to repeal this section in its entirety with no impact, as a new guidance document containing this information will be promulgated by the Department in early 2023.</p>

		<p>municipal law-enforcement agency in a related field; or</p> <p>b. Three years of general experience as a campus security officer or with a federal, state, or local law-enforcement agency in a related field; and</p> <p>4. One year experience and demonstrated success as an instructor or teacher in an accredited educational institution or law-enforcement or security agency.</p> <p>C. Each person applying for instructor approval shall file with the department a properly completed application provided by the department. The department maintains the right to require additional documentation of instructor qualifications.</p> <p>D. The department will evaluate qualifications based upon the justification provided.</p> <p>E. Upon completion of the instructor application requirements, the department may approve the instructor for an indefinite period.</p> <p>F. Each instructor shall conduct himself in a professional manner and the department may revoke instructor approval for cause.</p> <p>G. The department has the authority to accept a waiver application with supporting documentation demonstrating related training or experience that meets or exceeds standards established by the department within the three years immediately preceding the date of the instructor application.</p>	
<p>6 VAC 20-270- 120</p>		<p>An instructor shall:</p> <ol style="list-style-type: none"> 1. Conform to all requirements pursuant to the Code of Virginia and this chapter; 2. Maintain a current mailing address, phone number, and email address with the department. Written notification of any address, phone number, or email change shall be received by the department no later than 30 days after the effective date of the change; 3. Inform the department in writing within 72 hours or the beginning of the next work day, 	<p>Intent is to repeal this section in its entirety with no impact, as a new guidance document containing this information will be promulgated by the Department in early 2023.</p>

		<p>whichever comes first, after an arrest for any felony or misdemeanor;</p> <p>4. Inform the department in writing within 72 hours or the beginning of the next work day, whichever comes first, after having been convicted of any felony or misdemeanor;</p> <p>5. Inform the department in writing within 10 days after having been found guilty by any court or administrative body of competent jurisdiction to have violated the statutes or regulations of that jurisdiction;</p> <p>6. Conduct compulsory minimum entry-level trainings pursuant to requirements established in this chapter;</p> <p>7. Notify the department within 10 calendar days following termination of employment; and</p> <p>8. Be professional in conduct.</p>	
<p>6 VAC 20-270- 130</p>		<p>A. Campus security officer instructors shall ensure that compulsory minimum entry-level trainings are conducted in accordance with requirements established in this chapter. Adherence to the administrative requirements, attendance, and standards of conduct are the responsibility of the instructor.</p> <p>B. Administrative requirements.</p> <p>1. An approved instructor must submit a notification to conduct a compulsory minimum entry-level training in a manner approved by the department. All notifications shall be received by the department no less than 30 calendar days before the beginning of each compulsory minimum entry-level. The department may waive the 30-day notification at its discretion.</p> <p>2. The instructor must submit notification of any changes to the date, time, location, or cancellation of a future training to the department. This notice must be received by the department at least 24 hours in advance of the scheduled starting time of the training. In the event that a session must be cancelled on the scheduled date, the department</p>	<p>Intent is to repeal this section in its entirety with no impact, as a new guidance document containing this information will be promulgated by the Department in early 2023.</p>

		<p>must be notified as soon as practical.</p> <p>3. A test approved by the department shall be administered at the conclusion of each module of the compulsory minimum entry-level training. The student must attain a grade of 70% on each module. All test documents must be returned to the department with an accompanying training roster in a manner approved by the department.</p> <p>4. The instructor shall submit tests and training rosters to the department. These shall be received by the department within seven calendar days, or if mailed, postmarked no later than five business days following the training completion date.</p> <p>5. Instructors will conduct trainings utilizing the curriculum developed or approved by the department, including, at a minimum, any compulsory minimum entry-level trainings modules established pursuant to this chapter. Instructors must maintain accurate and current information on relevant laws and make necessary changes to the curriculum. It is the instructor's responsibility to assure they have the most recent curriculum supplied or approved by the department.</p> <p>6. The instructor shall permit the department to inspect and observe any training.</p> <p>7. Compulsory minimum entry-level trainings conducted not in accordance with the Code of Virginia and this chapter are invalid.</p> <p>C. Attendance.</p> <p>1. Campus security officers enrolled in an approved training are required to be present for the modules required for each training.</p> <p>2. Tardiness and absenteeism will not be permitted. Individuals violating these provisions will be required to make up any training missed. Such training must be completed by the certification process deadline and cannot be used to extend that deadline. Individuals not completing the</p>	
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		<p>compulsory minimum entry-level training within this period may not be certified or recertified and may be required to complete the entire training.</p> <p>3. Each individual attending an approved training shall comply with the regulations promulgated by the department and any other rules applicable to the training. If the instructor considers a violation of the rules detrimental to the training of other students or to involve cheating on tests, the instructor may expel the individual from the training. The instructor shall immediately report such action to the designated campus security point of contact for the employing college, university, PSS business, or private security services training school and the department.</p>	
FORMS		<p><u>Campus Security Officer Certification Application (1/13).</u></p> <p><u>Campus Security Officer Training Class Request (1/13).</u></p> <p><u>Campus Security Officer Application for Re-Certification (1/13).</u></p> <p><u>Campus Security Officer Certification Program - Permission for Extension (1/13).</u></p> <p><u>Campus Security Officer Instructor Application (1/13).</u></p> <p><u>Campus Security Officer Request for Waiver of Instructor Approval Qualifications (1/13).</u></p>	<p>Intent is to repeal this section in its entirety with no impact, as a new guidance document containing this information will be promulgated by the Department in early 2023. Links to specific forms will also be provided via the DCJS website.</p>

	<p>Campus Security Officer Basic Training Roster (1/13).</p> <p>Campus Security Officer Educational Requirement Waiver Application (1/13).</p> <p>Campus Security Officer Partial In-Service Credit Course Approval Form (1/13).</p> <p>Campus Security Officer Certification: Classroom Testing - Standard Operating Procedure (1/13).</p>	
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If a new VAC Chapter(s) is being promulgated and is not replacing an existing Chapter(s), use Table 2.

Table 2: Promulgating New VAC Chapter(s) without Repeal and Replace

New chapter-section number	New requirements	Other regulations and law that apply	Intent and likely impact of new requirements
N/A	N/A	N/A	N/A

If the regulatory change is replacing an **emergency regulation**, and the proposed regulation is identical to the emergency regulation, complete Table 1 and/or Table 2, as described above.

If the regulatory change is replacing an **emergency regulation**, but changes have been made since the emergency regulation became effective, also complete Table 3 to describe the changes made since the emergency regulation.

Table 3: Changes to the Emergency Regulation

Emergency chapter-section number	New chapter-section number, if applicable	Current <u>emergency</u> requirement	Change, intent, rationale, and likely impact of new or changed requirements since emergency stage
N/A	N/A	N/A	N/A

