

Title of Regulation **6 VAC 20-240. Regulations Relating to School Security Officers**

**6 VAC 20-240-10. Definitions**

The following words and terms when used in this chapter shall have the following meanings, unless the context clearly indicates otherwise:

"Approved training," means training approved by the department to meet minimum training standards.

"Board" means the Criminal Justice Services Board or any successor board or agency.

"Center" means the Virginia Center for School Safety or any successor board or agency

"Certification" means a method of regulation indicating that qualified persons have met the minimum requirements as school security officers.

"Compulsory minimum training standards" means the performance outcomes and minimum hours approved by the Board.

"Criminal Justice Services Board" means the board established in the executive branch of state government as the policy board for the Department of Criminal Justice Services.

"Date of hire" means the date any employee of a school board or system is hired to provide security services for a school and who must be regulated by the department.

"Department" means the Department of Criminal Justice Services or any successor agency.

"Director" means the chief administrative officer of the department.

"In-service training requirement" means the compulsory in-service training standards adopted by the Board for school security officers.

"School Security officer" means any person employed by the local school board for the purpose of maintaining order and discipline, preventing crime, investigating violations of school board policies and detaining persons violating the law or school board policies on school property or at school sponsored events and who is responsible solely for ensuring the safety, security and welfare of all students, faculty and staff in the assigned school.

"Training certification," means verification of the successful completion of any training requirement established by this chapter.

"Training requirement" means any entry level or in-service training or retraining standard established by this chapter.

## **6 VAC 20-240-20. Qualifications for School Security Officers**

A. In addition to meeting all the hiring requirements of the employing school board, all school security officers who enter upon the duties of such office after September 1, 2004, are required to meet the following minimum qualifications for office. Such person shall

1. Be a United States citizen or legal resident alien of the United States,
2. Be required to undergo a background investigation including fingerprint-based criminal history records inquiries to both the Central Criminal Records Exchange and the Federal Bureau of Investigation within 30 days of employment.
3. Not have been convicted of or pleaded guilty or no contest to a felony or any offense that would be a felony if committed in Virginia.
4. Have a high school education or have passed the General Educational Development exam,
5. Possess a valid driver's license if required by the duties of office to operate a motor vehicle,

B. The department may issue a letter of temporary certification for not more than 60 days while awaiting the results of the state and national fingerprint search, provided the applicant has met the necessary conditions and requirements for employment.

C. If an officer seeking certification is denied by DCJS, the department will notify the local school board by letter regarding the reasons for the denial.

## **6 VAC 20-240-30. Certification through training required for all school security officers**

A. All school security officers must be certified through the successful completion of approved training in order to remain eligible for employment

B. In order to obtain such certification, all entry-level school security officers seeking certification on or after September 1, 2004, shall successfully complete a minimum of 32 hours of approved entry-level training developed by the Department of Criminal Justice Services. Such training shall include but not be limited to the role and responsibility of school security officers, relevant state and federal laws, school and personal liability issues, security awareness in the school environment, mediation and conflict resolution, disaster and emergency response, and student behavioral dynamics

C. The Department may delegate delivery of the training to instructors certified by the Center for School Safety and may revoke such delegation at its discretion.

D. Within 30 days after completion of training by the school security officer, the Superintendent of the school division employing the school security officer shall submit the appropriate form verifying that the school security officer is certified in accordance with this regulation. The Center shall maintain a current database of certified school security officers as well as relevant in-service training records.

#### **6 VAC 20-240-40. Recertification of school security officers**

A. Recertification is required annually based upon the initial certification date of the officer.

B. Applicants for recertification must complete 8 hours of additional school safety related training to include a legal update and other relevant topics approved by the Center.

C. Individuals whose certification expires shall comply with the requirements set forth in 6 VAC 20-240-30

D. The Department retains the right to grant an extension of the recertification time limit and requirements under the following conditions:

1. Illness or injury
2. Military service
3. Special duty required and performed in the public interest
4. Leave without pay or suspension pending investigation or adjudication of crime
5. Any other reason documented by the school division superintendent

E. Requests for extensions of the time limit must be requested prior to certification expiration and shall not exceed 90 days in any calendar year.

#### **6 VAC 20-240-50. Decertification and appeal procedure**

A. Upon written notification from the employing school board that any certified school security officer has (i) been convicted of or pled guilty or no contest to a felony or any offense that would be a felony if committed in Virginia, (ii) failed to comply with or maintain compliance with mandated training requirements, or (iii) refused to submit to a drug screening or has produced a positive result on a drug screening reported to the employing school board where the positive result cannot be explained to the school board's satisfaction, which notification, where appropriate, shall be accompanied by a copy of the judgment of conviction, the Center shall decertify such school security

officer. Such school security officer shall not have the right to serve as a school security officer within this Commonwealth until the Center has reinstated the certification.

B. The findings and the decision of the Center may be appealed to the Board provided that written notification is given to the attention of the Director, Department of Criminal Justice Services, 805 East Broad St., Richmond, Virginia 23219, within 30 days following the date notification of the decision was served, or the date it was mailed to the respondent, whichever occurred 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.)

**6 VAC 20-240-60. Time Requirement for completion of training.**

A. Every school security officer who is required to comply with the compulsory minimum training standards shall satisfactorily complete such training within 60 days of the date of hire as a school security officer. All school security officers employed on or before September 1, 2004 shall have successfully completed the compulsory minimum training standards prior to assuming security duties at a school.

B. The director, or his designee may grant an extension of the time limit for completion of the compulsory minimum training standards under the following conditions:

1. Illness;
2. Injury;
3. Military service;
4. Administrative leave involving the determination of worker's compensation or disability retirement issues, full-time educational leave or suspension pending investigation or adjudication of a crime; or
5. Any other reasonable situation documented by the employing school division superintendent. Approval may be granted for not longer than 60 days, except that any school security officer already employed, and who has a minimum of two years service as a school security officer, may receive an extension not to exceed 180 days. After September 1, 2005 no extension longer than 60 days will be approved.

**6 VAC 20-240-70. Approval Authority.**

The Board shall be the approval authority for the training categories, hours and performance outcomes of the compulsory minimum training standards. Amendments to training categories, hours and performance outcomes shall be made in accordance with the provisions of the Administrative Process Act (§9-6.14:1 et seq. of the Code of Virginia).

A. The Committee on Training shall be the approval authority for the training objectives, criteria and lesson plan guides that support the performance outcomes. Training objectives, criteria and lesson plan guides supporting the compulsory minimum training standards and performance outcomes may be added, deleted or amended by the Committee on Training based upon written recommendation of the School Security Officer Advisory Committee.

B. Prior to approving changes to training objectives, criteria or lesson plan guides; the Committee on Training shall conduct a public hearing. Sixty days prior to the public hearing, the proposed changes shall be distributed to all affected parties for the opportunity to comment. Notice of change of training objectives, criteria and lesson plan guides shall be filed for publication in the Virginia Register of Regulations upon adoption, change or deletion. The department shall notify each certified training school in writing of any new, revised or deleted objectives. Such adoptions, changes or deletions shall become effective 30 days after notice of publication in the Virginia Register.

Statutory Authority

§ 9.1-102(45) Code of Virginia