

**Austin Peay State
University**

Employment of Law Enforcement and Security Personnel

Issued: ~~February 14, 2020~~

POLICIES

Responsible Official: Vice President for Finance and Administration

Responsible Office: Public Safety

Policy Statement

It is the policy of Austin Peay State University to employ law enforcement and security personnel that meet the requirements detailed in the procedures below.

Purpose

The purpose of this policy is to set forth the following general provisions to cover the circumstances and processes for the employment of law enforcement and security personnel at the University.

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Definitions

Campus Police Officer

A person commissioned by the University ~~and rendered~~ [who has taken](#) an oath to provide police services, enforce law, exercise arrest authority, and carry firearms; and [thus is subject to the Tennessee POST commission, per TCA 49-7-118.](#)

Campus Security Officer	<p>thus is subject to the provisions of the Tennessee Peace Officer Standards and Training Commission (Commission).</p> <p>A person employed by the University to provide non-police, security-related services and as such is not commissioned to exercise arrest authority nor carry firearms without additional provision of law, nor is <u>subject to the -Tennessee POST commission</u>subject to the provisions of the Commission.</p>
Law Enforcement Agency	<p>The department of an institution employing one (1) or more <u>commissioned</u>campus police officers.</p>

Procedures

Employment and Commissioning of Campus Police Officers	<p>A. The President is authorized by the Board of Trustees to employ and commission campus police officers who shall have all the police powers necessary to enforce all state laws as well as <u>-law enforcement related enforcement-related policies of the University</u>rules and regulations of APSU.</p> <p>1. Campus police officers, being so commissioned, may exercise their authority on all property or facilities, owned, leased or operated <u>for educational business purposes by APSU</u>by APSU, as prescribed by Tennessee law, including any public roads or right of way which are contiguous to or within the perimeter of the facilities or property of the University. The authority granted to campus police officers will also provide them with police powers throughout the state of Tennessee for the purpose of investigating and prosecuting criminal violations that originate inside their statutory jurisdiction, to include effectuating arrests, executing search warrants, and performing other law enforcement functions.</p> <p><u>B.</u> All campus police officers employed under this policy shall meet the minimum certification requirements set by the Commission (T.C.A. § 38-8-101 <i>et seq.</i>).</p> <p><u>1. The University is authorized to establish other minimum qualifications that are not in conflict with those established by the Commission or by Tennessee law.</u></p> <p><u>2. It shall be the duty of the Chief of Police or designee to ensure that the commissioned Campus Police officers met the necessary standards.</u></p> <p>B.C. <u>All candidates and active employees are expected to disclose past activities or conduct that could damage the reputation of the University or the APSU Police Department.</u></p>
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regardless of whether it is discovered in the thorough investigation conducted by the University Police Department.

D. In addition, any person employed as a Campus Police officer shall meet the following minimum qualifications in accordance with TCA § 38-8-106:

- At least eighteen (18) years of age;
- A citizen of the United States, or a permanent legal resident of the United States who is an honorably discharged veteran of the United States armed forces pursuant to T.C.A. § 38-8-105(d);
- Possess a high school diploma or high school equivalency;
- Not have been convicted of, pleaded guilty to, or entered a plea of nolo contendere to any felony charge or any violation of any federal or state laws or city ordinances relating to force, violence, theft, dishonesty, gambling, liquor, controlled substances, or controlled substance analogues;
- Not have been released or discharged, under any other than honorable discharge, from any of the armed forces of the United States;
- Have his/her fingerprints on file with the Tennessee Bureau of Investigation;
- Have passed a physical examination by a licensed physician or a nurse practitioner or physician assistant; Have a good moral character as determined by a thorough investigation conducted by the University Police Department; and
- Have been certified by a Tennessee licensed health care provider qualified in the psychiatric or psychological field as being free from any impairment, as set forth in the current edition of the Diagnostic and Statistical Manual of Mental Disorders (DSM) of the American Psychiatric Association at the time of the examination, that would, in the professional judgement of the examiner, affect the applicant's ability to perform an essential function of the job, with or without a reasonable accommodation.

~~1. The University President is authorized to establish other minimum qualifications that are not in conflict with those established by the Commission or by Tennessee law.~~

~~2.1. It shall be the duty of the Chief of Police or designee to ensure that the commissioned Campus Police officers met the~~

~~necessary standards. It is the duty of the President to ensure commissioned officers meet the necessary standards.~~

Employment of Campus Security Officers

A. The President is authorized to employ campus security officers who will provide non-police, security-related services. ~~Therefore, t~~They are not commissioned to exercise arrest authority ~~nor~~ carry firearms.

B. Campus security officers are not subject to the minimum certification requirements of the Commission.

~~A.C.~~ C. Campus security officers may execute their security-related duties on all property or facilities owned, leased or operated for educational business purposes by APSU ~~operated by APSU.~~

Mutual Assistance Agreements – Authority of Campus Law Enforcement Personnel

A. Campus police officers employed by APSU may exercise their authority on property or facilities owned, leased, or operated by another State institution where there is an agreement between the presidents or directors of the institutions involved.

~~A.B.~~ B. ~~The University Police Department APSU~~ may enter into written mutual assistance agreements with other law enforcement agencies, including a county sheriff's department, municipal police department, judicial district drug task force, Tennessee Bureau of Investigation or Tennessee Highway Patrol, as are necessary to preserve and protect the property, students and employees of the university employing the officers and to otherwise perform their duties.

1. § These agreements may provide for the establishment of primary and/or secondary jurisdictional areas and boundaries; establish and maintain procedural processes and assistance to be used for both normal and unusual occurrences; and provide for the exchange of law enforcement officers when required for a particular purpose or for mutual assistance to effectuate arrests, execute search warrants and perform other law enforcement functions, when the law enforcement agency finds it necessary to act outside of their statutory jurisdiction. ~~uch agreements may provide for the exchange of law enforcement officers when required for a particular purpose or for mutual assistance to effectuate arrests, execute search warrants and perform other law enforcement functions when the law enforcement agency~~

~~finds it necessary to act outside of their statutory jurisdiction.~~

2. Notwithstanding any mutual assistance agreement or an absence thereof, a campus law enforcement agency must comply with any state or federal law providing that a particular law enforcement agency must lead the investigation of specified criminal acts (Nottingham Act, T.C.A. §49-7-129).

Compliance with Rules and Regulations

A. ~~The~~ The University and each campus police officer must comply with the requirements of the Commission pertaining to all phases of the hiring and certification of law enforcement officers as found in the rules and regulations promulgated for the Tennessee Peace Officers Standards and Training Commission published in the Official Rules and Regulations of the Commission, Chapter 1110 of the Tennessee Secretary of State's Administrative Compilation.

~~A.B. Officers, dispatchers, and security guards are expected to perform in line with department procedures stored within PowerDMS. University and campus police officer must comply with the requirements of the Commission. This pertains to all phases of the hiring and certification of law enforcement officers as found in the rules and regulations promulgated for the Commission published in the Official Rules and Regulations of the Commission, Chapter 1110 of the Tennessee Secretary of State's Administrative Compilation.~~

C. ~~Failure~~ Any Campus Police officer whose certification is denied, suspended, or revoked by the Commission may be temporarily reassigned to duties for which certification is not required, such as the duties of a non-commissioned campus Security Guard, a non-sworn Campus police department position, or other university position, pending that University Police officer's appeal to the Commission of the denial, suspension, or revocation.~~to maintain certification will be grounds for immediate termination as a commissioned campus police officer.~~

~~B.D.~~ The decision of the Commission in those matters, or subsequent appellate decision as provided in the Officer Rules and Regulations of the Tennessee Peace Standards and Training Commission, Chapter 1110-2.04, if pursued, shall be determinative of the individual's qualification to be commissioned by the University. Failure to maintain

certification shall be grounds for immediate termination as a commissioned Campus Police officer.

Revision Dates

APSU Policy 5:018 – Rev.:

APSU Policy 5:018 – Rev.: February 14, 2020

APSU Policy 5:018 (previously 5:035) – Rev.: November 14, 2016

APSU Policy 5:018 – Rev.: September 14, 2015

APSU Policy 5:018 – Rev.: December 3, 2014

APSU Policy 5:018 – Rev.: July 19, 2006

APSU Policy 5:018 – Issued: April 18, 1988

Subject Areas:

Academic	Finance	General	Human Resources	Information Technology	Student Affairs
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Approved

President: signature on file