



**OFFICE OF THE DIRECTOR OF POLICE
THE UNIVERSITY OF TEXAS SYSTEM
POLICY AND PROCEDURE MANUAL**

Subject APPLICANT SELECTION PROCESS FOR EMPLOYMENT			Policy Number 401
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Reference Standards TPCA: 4.01.1-4.04.1 CALEA: 31.4.1-31.4.6, 31.5.1-31.5.7 IACLEA: 5.2.1-5.2.6 Texas Occupations Code 501.004, 1701.251, 1701.3035, 1701.451, 1701.4535, 1701.501 Texas 87th Legislature (Senate Bill 24 (87R) U.S. Department of Justice Civil Rights Division Disability Rights Section		Rescinds or Amends Policy Number 401a 401b	

I. PURPOSE

To comply with the relevant provisions of the Texas Occupations Code, Texas Administrative Code, Texas Commission on Law Enforcement (TCOLE), and *Rules and Regulations* of The University of Texas System Board of Regents.

II. DEFINITIONS

1. The University of Texas (UT) System Police: except when referring to “UT System Police Policies and Procedures” or “UT System Police Academy,” this term refers to:
 - a. The University of Texas System, Office of the Director of Police; or
 - b. The police department of a University of Texas Institution.
2. UT System Police Policies and Procedures: policies and procedures binding on all UT institution police departments and issued by The University of Texas System, Office of the Director of Police.
3. The Texas Commission on Law Enforcement (TCOLE) –A regulatory State agency that establishes and enforces standards to ensure that the people of Texas are served by highly trained and ethical law enforcement, corrections, and telecommunications personnel.
4. Basic Peace Officer’s Course - University of Texas System Police Academy’s Basic Peace Officer Course (BPOC) provides academic and practical instruction as well as preparation for the Texas State Peace Officer Licensing Examination required for all approved persons wanting to become a Texas Peace Officer.
5. Reinstatement Exception–Having left employment from any police department within 180 days or less and is otherwise eligible for rehire.

III. POLICY

An applicant seeking to be employed as a cadet, police officer, or telecommunicator must meet the minimum standards for appointment required by the Texas Occupations Code, Texas Administrative Code, TCOLE, the UT System Police Policies and Procedures. Applicants for the position of cadet must meet the standards for the regional academy they may be attending, if applicable. Applicants for the position of police officer must have successfully completed a Basic Peace Officer Course approved by the Office of the Director of Police and passed the TCOLE licensing exam.

IV. APPLICANT SELECTION PROCESS

1. Application
 - a. Each applicant must apply for employment to the human resources department of the institution at which they wish to be employed.
 - b. An applicant already employed in another capacity by the employing police department must complete a new application for employment.
 - c. Initial application method will be determined by the institutional police department and its human resources department.
2. Pre-employment Exam (applicants for cadet and telecommunicator only)
3. Physical Agility Test (applicants for cadet and police officer only)
4. Conditional Offer of Employment

A Conditional Offer of Employment (DP-2) may be given at any time after passing the written examination but must be executed prior to the pre-polygraph questionnaire (DP-4), polygraph examination, drug screen, psychological, and medical examinations.

V. APPLICATION, QUALIFICATION STANDARDS AND DISQUALIFIERS

1. Qualification Standards:

TCOLE Minimum Standards for Enrollment are located in the Texas Administrative Code Title 37 PUBLIC SAFETY AND CORRECTIONS, Part 7 TEXAS COMMISSION ON LAW ENFORCEMENT, Chapter 217 ENROLLMENT, LICENSING, APPOINTMENT, AND SEPARATION

- a. Prior to licensing, the applicant must have reached:
 - 1) their 18th birthday (telecommunicator)
 - 2) their 21st birthday (cadet and police officer)
- b. The applicant must have a high school diploma or have passed a General Educational Development (GED).
- c. The applicant must be fingerprinted using the Fingerprint Applicant Services of Texas (FAST) and subjected to a search of local, state and national records and fingerprint files to disclose any criminal record. A copy of the fingerprint check return shall be maintained in the Personnel File.
- d. The applicant must be a U.S. citizen or is a legal permanent resident of the United States, if the person is an honorably discharged veteran of the armed forces of the United States with at least two years of service before discharge and presents evidence satisfactory to the commission that the person has applied for United States citizenship.
- e. If applicable, the applicant has never received a dishonorable discharge from the Armed Forces of the United States.

If applicable, the applicant must have registered for the Selective Service.

- f. Applicants for the position of cadet and police officer must meet the following physical requirements:
 - 1) VISION:
 - a) VISUAL ACUITY - Maximum uncorrected visual acuity of 20/200 and corrected or correctable to 20/30.
 - b) OTHER VISUAL FACTORS – An applicant may be rejected for color deficiencies as determined by the Executive Director of Police after examination by an approved ophthalmologist.
 - 2) HEARING – The applicant must be able to hear ordinary conversation from at least 15 feet.
 - 3) GENERAL HEALTH – The applicant must pass the physical agility test and be capable of performing all police duties specified in the current job description.
 - g. The applicant must meet the minimum standards of a thorough, comprehensive background investigation conducted by the institution's police department.
 - h. The applicant must successfully complete an oral board interview.
 - i. The applicant must successfully complete and pass a polygraph examination commissioned and/or conducted by the institution's police department.
 - j. The applicant must possess a valid driver's license issued by the state where the applicant permanently resides, not be in jeopardy of license suspension, and provide proof of financial responsibility pursuant to the Texas Motor Vehicle Safety Responsibility Act.
 - k. If the applicant is expected to drive a university vehicle, the applicant must be eligible to drive a university vehicle in accordance with University of Texas System Policy UTS157.
 - l. If required, the applicant must be examined by a physician and a psychiatrist or psychologist, determined by the employing institution. All examinations must be passed, as described below.
 - m. If applicable, the applicant must successfully complete additional institution specific security clearance processes, such as a Department of Justice security clearance.
 - n. For cadets and peace officers, the applicant must agree to swear or affirm to preserve, protect, and defend the Constitutions and laws of the United States and the State of Texas to the best of their ability.
 - o. For peace officers, the applicant must submit an official record of annual firearms qualification within the past 12 months or complete a firearms qualification prior to employment.
2. Disqualifiers
- a. An applicant who falls into any of the following categories is ineligible to be licensed and must be removed from further consideration:
 - 1) Community supervision history:
 - a) has ever been on court-ordered community supervision or probation for any criminal offense above the grade of Class B misdemeanor or a Class B misdemeanor within the last ten years from the date of the court order; but
 - b) the commission may approve the application of a person who was convicted or received deferred adjudication for a Class A or B misdemeanor at least five (5) years prior to application if an agency administrator sufficiently demonstrates in writing with supporting documentation that mitigating circumstances exist with the case and with the individual applying for licensure, and that the public interest would be served by reducing the

waiting period;

- 2) Persons who are currently charged with or under indictment for any criminal offense for which conviction would be a bar to licensure.
- 3) Persons who have been convicted of an offense above the grade of a Class B misdemeanor or a Class B misdemeanor within the last ten years.
- 4) Persons who have been convicted of any family violence offense.
- 5) Persons who have had a dishonorable discharge or bad conduct discharge from the military.
- 6) Persons who have had a TCOLE license denied by final order or revoked; is currently on suspension; have a voluntary surrender of a TCOLE license currently in effect; or have violated any TCOLE rules or provisions of the Texas Occupations Code, Chapter 1701.
- 7) If required to operate a university vehicle, persons who are prohibited by state or federal law from operating a motor vehicle.
- 8) For cadets and peace officers, persons who are prohibited by state or federal law from possessing firearms or ammunition.

b. An applicant who falls into any of the following categories will not be appointed by the UT System and must be removed from further consideration:

- 1) Persons who have used marijuana intentionally any time in the 36 months preceding the date of application.
- 2) Persons who have used any of the drugs listed in this section (1-7) at any time while serving as a law enforcement officer, correctional officer, telecommunicator, security officer or fire fighter/EMT. Applicants who used any drug listed in this section can request an exemption if the applicant can sufficiently demonstrate the use was part of their official duties (i.e. undercover operations)
- 3) Persons who used paint, glue, or other inhalants for the purpose of intoxication within the last five years.
- 4) Persons who used hallucinogenic drugs, including, but not limited to, LSD, PCP or Psilocybin within the past five years.
- 5) Persons who abused prescription medicines, whether prescribed to them or another person, in the last five years.
- 6) Persons who used anabolic steroids for any reason other than the treatment of a medical condition, and as authorized by and under the direction of a licensed physician, within the last five years.
- 7) Persons who illegally used any other substances or drugs listed in the federal or Texas Controlled Substances Acts, including, but not limited to: amphetamines, methamphetamines, cocaine, opium, barbiturates, heroin, morphine, and MDMA within the past five years.
- 8) Persons who illegally sold, produced, cultivated, or transported for sale marijuana or any other substances or drugs listed in the Federal or Texas Controlled Substances Acts.
- 9) Persons who have been terminated, asked to resign, or resigned from any previous employment for engaging in inappropriate or unlawful behavior, including, but not limited to, any of the following:
 - a) Any felony offense;
 - b) Sex crimes;

- c) Sexual harassment;
 - d) Discriminatory or retaliatory acts; or
 - e) Any offense involving acts of moral turpitude
- 10) Persons who do not complete and satisfactorily meet the applicant selection process requirements.
- c. Among other duties, the process requires applicants to submit documentation such as the personal history questionnaire and other documents on or before the designated date, report to appointments and examinations on the scheduled dates and times, properly notify the institution police department of address and/or telephone number changes and comply with the directions and instructions of the background investigator.
- d. Applicants who do not demonstrate maturity, dependability, integrity, and good work ethic in their past and present employment. An applicant's employment history from age 18 must not indicate instability in the applicant's employment history, including excessive tardiness or absenteeism; inefficiency; failure to follow directions, policies, procedures, rules, and regulations; poor working relationships; or negligent work habits.
- e. Applicants with a consistent pattern of financial irresponsibility, such as a failure to pay just debts without valid justification. Each applicant's financial history will be evaluated on a case-by-case basis, with consideration given to the totality of circumstances.
- f. Applicants who have made false/deceptive statements. Applicants must be truthful and honest in their responses to all inquiries related to their suitability for employment with the institution police department. Applicants found to have withheld material information, and/or to have committed or attempted to commit any deception or fraud in their applications; examinations or appointments are deemed unsuitable.

VI. COMMISSIONED LICENSE HOLDER CURRENTLY EMPLOYED BY A UT SYSTEM INSTITUTION

1. Applicants who are currently employed by a UT System institution with no break in service and are currently commissioned through UT System wishing to change their license status (i.e. Telecommunicator to Peace Officer) are not required to complete the background investigation process. The license holder shall maintain their current license until the change of status is complete.

VII. ENTRY LEVEL TESTS

1. Pre-Employment EXAMINATION FOR NON-LICENSE HOLDER APPLICANTS
 - a. All non-license holder applicants must complete a pre-employment examination approved by the Executive Director of Police and, if applicable, additional examinations required by the academy the applicant will attend.
 - b. An applicant must score a minimum passing score based on the validation entry-level examination. If applicable, the applicant must meet the minimum standard for the academy attending.
2. PHYSICAL AGILITY TEST FOR CADETS AND PEACE OFFICERS

Cadet and peace officer (if there is over a 180-day break in service) applicants shall be given and pass a physical agility test, as described in UT System Police Policy 402. If required, applicants shall participate in and pass a physical agility test required by the academy they are attending.

VIII. REQUIRED DOCUMENTATION

1. All documents must be verified by the background investigator and filed appropriately in the background investigation folder. Background investigators shall use and complete the Appointment

Index Form (ODOP Form DP-53).

2. The applicant must complete and/or provide the institution police department with all required documents and supporting documentation by the assigned deadline. Failure to complete and/or provide all documentation may result in being disqualified from consideration. A list of required documentation is provided via the TCOLE Law Enforcement Agency Audit Checklist and the ODOP Form DP-53.

IX. BACKGROUND INVESTIGATION

After receiving the TCOLE PHS (Personal History Statement Form), DP-2 (Conditional Offer), DP-4 (Pre-Polygraph Questionnaire); the DP-5 (Polygraph Authorization); the DP-36 (Assumption of Risk, if required) and the DP-38 (Authorization for Release of Personal Information); the institution police department must conduct a thorough background investigation on each applicant. An Authorization for Release of Personal Information form is required from each applicant before reviewing information required in the background investigation.

The background investigation must examine and ensure, at a minimum:

1. An applicant meets all minimum standards for employment;
2. An applicant's suitability for licensing and appointment, by reviewing the applicant's biographical data, scholastic records, employment and criminal history, and statements made through publicly available sources that include, but are not limited to, publications, documents, and social networking media; and by interviewing references, supervisors, and others who know the applicant's abilities, skills, and character;
3. An applicant's dependability, integrity, initiative, situational reasoning ability, self-control, writing skills, reading skills, oral communication skills, interpersonal skills, and physical ability meets the essential functions of the position; and
4. An applicant is screened out if, based on the applicant's history or other relevant information, they are found to be unsuitable for the position.

The background investigation of an applicant shall minimally include the following:

1. Personnel files, as described by Texas Occupations Code §1701.4535, and other employee records from each previous law enforcement agency employer, including the employment application submitted to the previous employer.
2. The review of files requires the use of TCOLE Secure Share (TSS) System and shall be documented on the Background Confirmation Form; Examine the employment termination reports and misconduct investigation reports maintained by TCOLE.

Applicants may be hired while the subject of a misconduct investigation with a previous employing agency for a provisional 90-day period. During the provisional period, obtain and review the completed misconduct investigation report from the previous employing agency or TCOLE. The applicant may be terminated after the review of information. The provisional period is unrelated to any other probationary hiring period used;

3. Examine the service records maintained by TCOLE;
4. Receive proof that the person meets the minimum qualifications for enrollment in a training program under Texas Occupations Code §1701.251(a);
5. Examine a military veteran's United States Department of Defense Form DD-214 or other military discharge records;
6. Criminal history record information;
7. Information on pending warrants as available through the Texas Crime Information Center (TCIC) and National Crime Information Center (NCIC);

8. Evidence of financial responsibility as required by Texas Transportation Code § 601.051;
9. Review of the current driving record from the Department of Public Safety;
10. Proof of United States citizenship or, if the person is an honorably discharged veteran of the armed forces of the United States with at least two years of service before discharge, proof of legal permanent residence and proof that the person has applied for United States citizenship;
11. Information on the applicant's background from at least three personal references and at least two professional references;
12. Information on the applicant's law enforcement background as available through the National Decertification Index (NDI) maintained by the International Association of Directors of Law Enforcement Standards and Training (IADLEST); and obtaining and reviewing records with entry agencies if a matching record exists;
13. Review, if applicable, a file or record obtained by the commission under Texas Occupations Code § 1701.3035;
14. The background investigator must scrutinize all information contained in the TCOLE PHS and report all information that is found not to be true and correct; and
15. The background investigator must record their findings on the DP-6 (Evidence Organizer and Report of Background Investigation) and any attached pages that are necessary. A copy of the DP-6 shall be maintained in the employee's Personnel File (Reference ODOP Policy 502).

X. ORAL INTERVIEW BOARD

In accordance with the *Rules and Regulations* of The University of Texas System Board of Regents and TCOLE rules, interviews of the applicants will be conducted as follows:

1. The Chief of Police or designee at the employing institution police department will assemble a panel of board members to participate in an interview board;
2. The board must consist of at least three persons;
3. The board members may be members of the police department or outside community members;
4. The board members must not be under internal affairs investigation or on a performance improvement plan or disciplinary probation;
5. During the interview, the board will ask the applicant various questions designed to determine the applicant's situational reasoning ability, initiative, dependability, integrity, interpersonal skills, and overall suitability for employment. The board shall use the DP-7 (Interview Booklet) to create consistency when scoring the applicant;
6. After each applicant interview, the board members will complete a DP-11 (Individual Member Score Sheet). An applicant must receive a score of 18 to pass the interview board;
7. The chairperson for the interview board members will take the individual scores from each board member and complete the DP-12 (Interview Summary Score Sheet). These scores will be used to rank each applicant in order of their suitability for the position sought;
8. To continue in the application process, an applicant who has successfully completed all hiring requirements must rank within the number of available vacancies for the position sought. Applicants must be selected from this list in order of their final ranking;
9. An applicant who obtains a passing board score, but whose score ranks them outside the number of currently available vacancies, may continue the application process by being placed on a limited-term eligibility list for future vacancies. The Chief of Police, or designee, reserves the right to discontinue this limited-term eligibility list at any time; and
10. An applicant who chooses not to be placed on the limited-term eligibility list will be removed from further consideration.

XI. CONDITIONAL OFFER OF EMPLOYMENT

1. An applicant who does not successfully complete all phases of the selection process will have the conditional offer of employment rescinded.

XII. POLYGRAPH EXAMINATION

1. The polygraph exam must be administered by an examiner who is licensed by any of the following: American Polygraph Association, National Polygraph Association, or American Association of Police Polygraphists. The polygraph exam is used to confirm the validity of the information the applicant has provided on their application and personal history statement, and to the oral interview board.
2. All non-reinstatement applicants must successfully complete and pass the polygraph exam.

XIII. MEDICAL/DRUG SCREENING

1. The medical and drug screen is not required for applicants of Peace Officer or Telecommunication if they currently hold a TCOLE license and there has been 180 days or less in the break of service.
2. Licensed health care providers must perform a battery of tests designed to determine an applicant's medical, physical and vision suitability for the respective position sought. If applicable, the applicant must be examined by a physician licensed by the Texas Medical Board and designated by the employing institution. The physician must be familiar with the duties appropriate to the license sought and the appointment to be made. The appointee must be declared by that professional, on a form prescribed by the commission, within 180 days before the date of appointment by the agency to be physically sound and free from any defect which may adversely affect the performance of duty appropriate to the type of license sought; show no trace of drug dependency or illegal drug use after a blood test or other medical test; A copy of the "Job Duties/Description" must be included and sent to the examining practitioner.
3. The Physical Exam section of TCOLE Form L-2 (Declaration of Medical Condition) must be completed by the examining physician. The original document must be placed in the appropriate section of the Background Investigation folder submitted to the Office of the Director of Police and a copy placed in the employee's personnel file.
4. If applicable, the Drug Exam section of TCOLE form L-2 (Declaration of Medical Condition) must be completed by the examining licensed physician. The applicant must show no trace of drug dependency or illegal drug use after a physical examination, blood test, or other medical test. A copy of the drug screening report shall be included with the L-2 in the Background Investigation folder. The "Drug Screen Report" shall be a 10-panel drug screen report.
5. Any L-2 Medical Examination and Drug Screen failures should be documented on the L-2 form will be submitted to ODOP who will report the failure to TCOLE.

XIV. PSYCHOLOGICAL EXAM

1. A psychological exam is not required for applicants of Peace Officer or Telecommunication if they currently hold a TCOLE license and there has been 180 days or less in the break of service;
2. If applicable, the applicant shall be examined by a psychologist, selected by the employing institution, who is licensed by the Texas State Board of Examiners of Psychologists or a psychiatrist licensed by the Texas Medical Board and certified by the American Board of Psychiatry and Neurology. The psychologist or psychiatrist must be familiar with the duties appropriate to the type of license sought. The individual must be declared by that professional, on a form prescribed by the commission, to be in satisfactory psychological and emotional health to serve as the type of position for which the license is sought. The examination must be conducted pursuant to professionally

recognized standards and methods. The examination process must consist of a review of a job description for the position sought; review of any personal history statements; review of any background documents; at least two instruments, one which measures personality traits and one which measures psychopathology; and a face-to-face interview conducted after the instruments have been scored and the background packet reviewed. The appointee must be declared by that professional, on a form prescribed by the commission, within 180 days before the date of the appointment by the agency;

A copy of the "Job Duties/Description" must be included and sent to the examining practitioner. A copy of the background investigation packet, including the Personal History Statement, must be included and sent to the examining practitioner, including a summary of the applicant's criminal history, if any. CJIS documents should not be sent to the examining practitioner;

3. In exceptional circumstances, TCOLE may allow a licensed physician to perform the evaluation of psychological and emotional health. In these circumstances, the Office of the Director of Police may request an exception from TCOLE in writing and must receive approval from TCOLE before the evaluation can be completed;
4. The examination may be conducted by a qualified person identified by the Texas Occupations Code §501.004. In this situation, the Office of the Director of Police may request an exception from TCOLE in writing and must receive approval from TCOLE before the evaluation can be completed;
5. TCOLE Form L-3 (Declaration of Emotional and Psychological Health) must be completed by the examining licensed psychiatrist or psychologist. The original document must be placed in the appropriate section of the Background Investigation folder submitted to the Office of the Director of Police and a copy placed in the employee's personnel file; and
6. Any L-3 Psychological Examination failures should be documented on the L-3 form and will be submitted to ODOP, who will report the failure to TCOLE.

XV. BACKGROUND FOLDER SUBMISSION

1. The Chief of Police, or designee, requesting to appoint a police cadet applicant should submit the completed background investigation folder to the Office of the Director of Police no later than 30 calendar days before an academy class begins.
2. The background investigation shall examine at a minimum the immediate past 15 years (if applicable) calculated from the date of application by the applicant.
3. The folder must be reviewed by the Office of the Director of Police to ensure the applicant meets the qualifications for the position. After its review, the Executive Director of Police, or designee, shall notify the employing institution's Chief of Police whether the applicant is approved or not approved to be hired. If hired, the applicant for the position of police cadet must then attend a Basic Police Officer's Course.
4. The required documents should be completed and verified by the background investigator on the Appointment Index Form.

XVI. APPOINTMENT OF LICENSEE

1. During the appointment of any licensee, the employing institution will complete the appropriate background and appointment forms required by TCOLE. Such forms will document that all background investigation steps required by the Texas Occupations Code §1701.451 were completed prior to appointment and how those steps were completed. The information certified on the forms shall be consistent with the processed outlined in this policy.
2. Upon being appointed as a peace officer or telecommunicator, ODOP will submit the appropriate paperwork to TCOLE and other state agencies. All background related documents will be maintained in the license holder's personnel file.

Michael Parks
Executive Director of Police

Changes/Additions Since Last Publication

Significant revisions to meet TCOLE Model Policy. Consolidated Policies 401, 401a, and 401b into a single policy.
June 1, 2025