

# **Texas Woman's University University Regulation and Procedure**

**Regulation and Procedure Name: Mental Health Leave for Peace Officers**

**Regulation and Procedure  
Number: URP: 05.560**

**Policy Owner: Finance and Administration**

## **POLICY STATEMENT**

This University Regulation and Procedure ("URP") outlines the Texas Woman's University ("TWU" or "University") guidelines for Mental Health Leave for Peace Officers in compliance with state law. Texas Woman's University recognizes the importance of supporting and retaining qualified Peace Officers who experience a traumatic event in the course and scope of their employment.

## **APPLICABILITY**

This policy is applicable to all commissioned peace officers employed by Texas Woman's University.

## **DEFINITIONS**

1. "Peace Officer" means an employee of TWU's Department of Public Safety who is commissioned to serve as a peace officer under Article 2.12, Code of Criminal Procedure and Section 51.203, Texas Education Code.
2. "Licensed Practitioner" means a practitioner, as defined in the Texas Insurance Code, who is practicing within the scope of their license as a physician, therapist, or counselor.
3. "Traumatic Event" means an event which occurs in the peace officer's scope of employment when the peace officer is involved in the response to, or investigation of, an event that causes the peace officer to experience unusually strong emotional reactions or feelings which have the potential to interfere with their ability to function during or after the incident. Traumatic events include, but are not limited to the following:
  - a. Suicide;
  - b. Fatal Accident;

- c. Homicide;
- d. Line of duty death or suicide of a department employee;
- e. Use of force resulting in death or serious bodily injury;
- f. In-custody death;
- g. Any incident in which the peace officer, while acting in a law enforcement capacity, suffers serious bodily injury or is threatened serious bodily injury by another person(s);
- h. Participation in recovery efforts related to a natural disaster such as a tornado, hurricane, flood, fire, or earthquake; or
- i. Participation in response and recovery efforts related to a terroristic attack.

## **REGULATION AND PROCEDURE**

### **I. Duration of Leave**

- A. For each traumatic event, mental health leave for peace officers may be granted via the process noted below for up to three (3) workdays as approved by the Chief of Police and the Office of Human Resources.
- B. The peace officer may be granted additional days if documented justification is provided to the Office of Human Resources. The Chief of Police and the Office of Human Resources will make a determination of approval or denial of additional days.

### **II. Procedures**

A peace officer's request for mental health leave will be treated with discretion, professionalism, respect, and dignity through the following processes:

- A. Within thirty (30) days of experiencing a traumatic event in the course and scope of their employment with Texas Woman's University, the requesting peace officer may request Mental Health Leave for Peace Officers.
- B. The request for Mental Health Leave for Peace Officers must be made in writing to the Office of Human Resources.
- C. The Office of Human Resources will:
  - 1. Provide the requesting peace officer with information regarding the Employee Assistance Program ("EAP");

2. Review the request for Mental Health Leave for Peace Officers;
3. Determine if the request qualifies for Mental Health Leave for Peace Officers;
4. In consultation with the Chief of Police, approve and set the length of leave or deny the request; and
5. Communicate in writing to the peace officer the approval or denial of the request.

D. Additional days may be requested and requires the requesting peace officer to provide documented justification. The following will suffice as documented justification when provided to the Office of Human Resources:

1. A note from the peace officer's treating licensed practitioner that states they are treating the peace officer for mental health related to the traumatic event with an estimated leave end date; and
2. Recommendation to the Office of Human Resources by the Chief of Police regarding the traumatic event with an estimated leave end date.

### III. Components of Mental Health Leave for Peace Officers

A peace officer on approved Mental Health Leave for Peace Officers shall, for the entire period in which they are on Mental Health Leave:

- A. Be placed on Mental Health Leave status and receive their regular salary;
- B. Remain eligible to participate in and to have their eligible dependents continue to participate in Texas Woman's University's Employee Group Benefits Plan ("GBP") under the applicable terms and conditions of the GBP applicable to active employees;
- C. Not be required to take accrued vacation leave, accrued sick leave, banked overtime, or state compensatory time while on Mental Health Leave for Peace Officers; and
- D. Be subject to any other rights and duties applicable to an employee on medical leave under applicable laws and institutional policies.

### IV. Confidentiality

Any request for mental health leave shall be treated as strictly confidential to the extent permitted by law by all parties involved and shall not be discussed or

disclosed outside the peace officer's immediate chain of command and the Office of Human Resources, and only as necessary to facilitate the use of the leave.

#### V. Workers' Compensation Considerations

As authorized by Section 614.015 of the Texas Government Code and this policy, Mental Health Leave for Peace Officers is entirely separate and independent of workers' compensation. Nothing in this policy limits or prohibits a peace officer's right to file a workers' compensation claim. A request for mental health leave does not trigger any reporting requirement related to workers' compensation claims.

#### VI. Administration Leave

When a peace officer is placed on administrative leave after a critical incident, that time is not considered mental health leave. It is understood that following a critical incident, the peace officer(s) involved will be placed on administrative leave per the TWU Department of Public Safety guidelines.

### REVIEW

This policy will remain in effect and published until it is reviewed, updated, or archived. This policy is to be reviewed once every six years. Interim review may be required as a result of updates to federal and state law or regulations, Board of Regents policies, or internal processes or procedures.

### REFERENCES

[Texas Government Code, Section 614.015, as added by Senate Bill 1359 \(87th Legislature, Regular Session\)](#)

[Texas Code of Criminal Procedure, Article 2.12](#)

[Texas Education Code Section 51.203](#)

[Texas Insurance Code, Section 1301.001](#)

### FORMS AND TOOLS

None

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