JUSTICE AND PUBLIC SAFETY CABINET
Department of Criminal Justice Training
(Amended at ARRS Committee)

503 KAR 3:140. Telecommunications (Public Safety Dispatch) Academy trainee requirements; misconduct; penalties; discipline procedures.

RELATES TO: KRS Chapter 13B, 15.530-15.590, 61.870-61.884
STATUTORY AUTHORITY: KRS 15.590, 15A.070(1), (5)
CERTIFICATION STATEMENT:
NECESSITY, FUNCTION, AND CONFORMITY: KRS 15A.070(1) requires the Department of Criminal Justice Training to establish, supervise, and coordinate training programs and schools for law enforcement personnel. KRS 15A.070(5) authorizes the commissioner to promulgate administrative regulations. This administrative regulation establishes conduct requirements of trainees attending the telecommunications (public safety dispatch) academy conducted by the Department of Criminal Justice Training, procedures for disciplinary action, and penalties for violations of conduct requirements.

Section 1. Criminal History Records Check Required. Prior to the trainee arriving at the Academy, the trainee's employing agency shall submit Form 151, Applicant Confirmation, to the department stating that:

(1) A criminal history check required by KRS 15.540(1) has been conducted within ninety (90) days before the trainee shall attend the Academy; and

(2) The trainee is not prohibited by state or federal law from accessing the Criminal Justice Information System (CJIS) or any other restricted records database.

Section 2. Removing a Trainee from the Academy.

(1) Unqualified trainee. After a trainee arrives on campus, if it is discovered that a trainee does not meet the law enforcement telecommunicator qualifications required by KRS 15.540, the trainee shall:

(a) Be removed from the academy by the commissioner or designee; and

(b) Not receive credit for completed portions of academy training.

(2) If a trainee is removed from the academy, pursuant to subsection (1) of this section, within thirty (30) days of the removal, the trainee may request in writing an administrative hearing, which shall comply with KRS Chapter 13B.

(3) Agency request. The department shall remove a trainee from the academy upon written request of the trainee's agency. Depending on the circumstances, the trainee may not receive credit for completed portions of academy training.

Section 3. Trainee Performance Report.

(1) The department shall provide at the conclusion of the academy a trainee performance report that includes trainee conduct, demonstrated leadership abilities, examination scores, overall effort on performance, observed social and interpersonal skills, and appearance.

(2) The trainee and the trainee's agency head or designee shall have access to the trainee's training record without filing an open records request pursuant to KRS 61.870 through KRS 61.884.

Section 4. Authority to Impose Discipline.

(1) A trainee may receive a verbal warning from a department instructor, section supervisor, branch manager, division director, or the commissioner or designee without meeting the requirements of the formal disciplinary procedures provided by Section 21 of this administrative regulation.

(2) A trainee may receive a written reprimand or loss of privileges from a section supervisor, branch manager, division director, or the commissioner or designee without meeting the requirements of the formal disciplinary procedures provided by Section 21 of this administrative regulation.
(3) Before a penalty set out in subsection (1) or (2) above may be imposed, the trainee shall have the opportunity to give an explanation.
(4) Any penalty set out in subsection (1) and (2) that is imposed on a trainee shall be reviewed by and may be rescinded or modified by the immediate supervisor of the staff member that imposed the penalty.
(5) The trainee shall have the opportunity to give an explanation to the reviewing immediate supervisor.
(6) Only the commissioner or designee may impose any penalty on a trainee regarding criminal conduct, and for all conduct for which a suspension or expulsion is allowed after an investigation has been conducted.

Section 5. Uniforms and hygiene.
(1) A trainee shall wear the required uniform and practice good personal hygiene while participating in the academy. Exceptions shall be approved in advance by the branch manager.
(2) The required uniform shall consist of:
(a) For men:
1. Department issued shirt;
2. Solid black dress pants with belt loops. Cargo pants or low-cut pants shall not be worn;
3. Black belt;
4. Black short sleeved undershirt;
5. Black socks above the ankles. Footies shall not be worn; and
6. Black, plain-toe, dress shoes, or tactical style duty boots; or
(b) For women:
1. Department issued shirt;
2. Solid black dress pants with belt loops or knee-length skirt. Cargo pants or low-cut pants shall not be worn:
3. Black belt;
4. Black short sleeved undershirt;
5. Black socks or hose above the ankles. Footies or anklets shall not be worn; and
6. Black, plain, closed-toe, dress shoes, or tactical style duty boots.
(3) A dark blue or black jacket or sweater may be worn with the uniform.
(4) A name tag, provided by the department, shall be worn on the right shirt breast.
(5) Sleeves on long-sleeved shirts shall not be rolled up.
(6) Additional clothing may be worn during an academy activity if authorized by the instructor.
(7) Uniforms shall be clean, pressed, and in good condition.
(8) The eligible penalties for a violation of this section shall be verbal warning or written reprimand.

Section 6. Residence Hall. If a trainee resides in a residence hall designated by the department, the trainee shall:
(1) Report and return to the trainee's residence hall by curfew times designated by the coordinator, Sunday through Thursday evenings, and remain there until 5:00 a.m. the next morning. Exceptions shall require approval from the class coordinator. The eligible penalties shall be verbal warning, written reprimand, or loss of privileges;
(2) Clean the trainee's area as directed by the coordinator. The eligible penalties shall be verbal warning or written reprimand;

(3) Keep doors of the trainee's room locked whenever the room is unoccupied. The eligible penalties shall be verbal warning or written reprimand;
(4) Not use hot plates or other table-top cooking surfaces. The eligible penalties shall be verbal warning, written reprimand, or loss of privileges;
(5) Not allow a visitor in the trainee's room after 9:00 p.m. The eligible penalties shall be verbal warning, written reprimand, or loss of privileges;
(6) Not keep pets or animals of any kind in the trainee's room, except ADA-defined service animals with advanced, written approval from the commissioner or designee. The eligible penalties shall be verbal warning, written reprimand, or loss of privileges; and
(7) Not engage in dangerous or disruptive behavior. The eligible penalties shall be verbal warning, written reprimand, loss of privileges, or suspension.

Section 7. Department Property.

(1) A trainee shall:

(a) Not damage, destroy, or fail to return property of the department or any other facility used by the department;

(b) Use department property in a manner that conserves resources and avoids waste; and

(c) Not use department property for personal benefit or gain.

(2) A trainee shall not be allowed to graduate until the trainee has returned all issued items or made satisfactory arrangements to pay for unreturned or damaged items.

(3) The eligible penalties for a violation of this section shall be verbal warning, written reprimand, loss of privileges, suspension, or expulsion.

Section 8. Absences.

(1) A trainee shall:

(a) Be considered tardy if the trainee is not physically present at a class or other required department activity for fewer than ten (10) minutes;

(b) Be considered absent if the trainee is not physically present in a class or other required department activity for ten (10) or more minutes; and

(c) Give advance notice of an absence or tardy, if possible.

(2) Excused absence or tardy.

(a) An absence or tardy may be excused if due to:

1. Illness;
2. Illness of an immediate family member;
3. Death of an immediate family member;
4. Necessity of the trainee's agency; or
5. Emergency circumstances.

(b) The determination as to whether an absence or tardy is excused shall be made by the section supervisor or branch manager.

(c) If a trainee's absence is excused, the trainee shall make up for the absence by completing an assignment provided by the instructor who taught the missed unit. Failure to make up the work shall be deemed a failure for that missed unit.

(d) If a trainee's absence is excused and the trainee misses more than ten (10) percent of the total hours of the academy, the trainee shall be withdrawn from the academy and reenrolled in a subsequent class beginning at the point at which the trainee was first absent. The time period for reenrollment in a subsequent class shall not exceed six (6) months from the date of the class from which the trainee was withdrawn.

(3) Unexcused absence or tardy.

(a) If a trainee's tardy is unexcused the eligible penalties shall be verbal warning or written reprimand.

(b) The eligible penalties for an unexcused absence shall be verbal warning, written reprimand, loss of privileges, or suspension.

(c) If a trainee's absence is unexcused and the trainee misses more than ten (10) percent of the total hours of the academy, the trainee shall be withdrawn from the academy and receive no credit for completed training.

Section 9. Tobacco, Food, and Drink Products.

(1) A trainee shall not possess tobacco products while on department property or other facility used by the department.

(2) A trainee shall not bring food or drink into an academy activity unless so permitted by the branch manager or above.

(3) The eligible penalties for a violation of this section shall be verbal warning or written reprimand.

Section 10. Electronic Devices. A trainee shall not possess any personal electronic devices during scheduled training hours unless written permission is granted by the class coordinator. The eligible penalties for a violation of this section shall be verbal warning or written reprimand.

Section 11. Alcohol. A trainee shall not possess, consume, or be under the influence of alcoholic beverages while present at the academy, or participating in academy activities. Any alcoholic beverage and its container shall be confiscated. The eligible penalties for a violation of this section shall be written reprimand, loss of privileges, suspension, or expulsion.

Section 12. Controlled Substances.

(1) A trainee shall advise the class coordinator or the section supervisor in writing of the use of a controlled substance, cannabis, or any medication that could impair their judgment or compromise safety. The eligible penalties for a violation of this section shall be verbal warning, written reprimand, or suspension.

(2) A trainee shall not possess or consume any controlled substance not prescribed or certified by a qualified medical professional while present at the academy or participating in academy activities. The eligible penalties shall be suspension or expulsion.

(3) If a trainee is under the influence of a controlled substance to the extent that the trainee may be impaired or may endanger him or herself or other persons or property the trainee shall not participate in any academy activity.

Section 13. Deadly Weapons. A trainee shall not possess a "deadly weapon" (as defined by KRS 500.080), ammunition, a "destructive device" (as defined by KRS 237.030), a "booby trap device" (as defined by KRS 237.030), a "hazardous substance" (as defined by KRS 224.1-400), fireworks, knives (except an ordinary pocketknife), or instruments used by law enforcement for control purposes (such as batons, stun guns, Mace, and pepper spray) on property used by the department except under circumstances specifically authorized by the department. The eligible penalties for a violation of this section shall be verbal warning, written reprimand, loss of privileges, suspension, or expulsion.

Section 14. Dangerous or Disruptive Conduct.

(1) A trainee shall not threaten to engage in or engage in any conduct that reasonably creates or may create a risk of injury to self or others.

(2) If the conduct or condition of a trainee constitutes an immediate danger or an immediate threat of danger to self or others, or is disruptive of, or is an immediate threat to be disruptive of a department activity, a department staff member may take reasonable steps necessary to resolve the situation.

(3) The eligible penalties for a violation of this section shall be verbal warning, written reprimand, loss of privileges, or suspension or expulsion.

Section 15. Chain of command. All communications shall follow the chain of command of the department. Exceptions to use of the chain of command shall be the unavailability of a supervisor or the trainee's complaint regarding a supervisor. The eligible penalties for a violation of this section shall be verbal warning or written reprimand.

Section 16. Insubordination. A trainee shall obey an instruction from a department staff member unless the trainee has a reasonable basis for belief that the order is unlawful or contrary to regulations. The eligible penalties for a violation of this section shall be verbal warning, written reprimand, loss of privileges, or suspension.

Section 17. Obscene Material. A trainee shall not possess "obscene" material as defined by KRS 531.010. The eligible penalties for a violation of this section shall be verbal warning, written reprimand, loss of privileges, suspension, or expulsion.

Section 18. Sexual harassment.

(1) Unwelcome sexual advances; requests for sexual acts or favors, with or without accompanying promises, threats, or reciprocal favors or actions; or other verbal or physical conduct of a sexual nature that creates or has the intention of creating a hostile or offensive working environment are prohibited.

(2) Complaints of sexual harassment shall be promptly investigated, and all trainees shall be free from any and all reprisal or retaliation for the filing of these complaints.

(3) All trainees are assured that they shall be free from any and all reprisal and retaliation for participating in an investigation of sexual harassment.

(4) Any trainee who is made aware of a complaint of sexual harassment while enrolled at the academy has a duty to immediately notify the class coordinator or section supervisor. If the section supervisor is the subject of the problem, the trainee shall immediately notify the branch manager.

(5) Trainees may also bring the complaint to the attention of the agency human resources administrator or EEO Coordinator, or the State EEO Coordinator at (502) 564-8000.

(6) The privacy of the complainant and the person accused of harassment shall be protected to the fullest extent permitted by law.

(7) If the investigation reveals that the complaint appears to be valid, immediate and appropriate corrective action shall be taken to stop sexual harassment and prevent its recurrence.

(8) Disciplinary action may be taken against persons found to have knowingly and purposely filed false claims about sexual harassment and all anti-discrimination or harassment policies.

(9) The eligible penalties for a violation of this section shall be verbal warning, written reprimand, loss of privileges, suspension, or expulsion.

Section 19. Criminal Conduct.

(1) While enrolled in the academy, if a trainee is convicted of, charged with, or under investigation for a felony, the commissioner or designee shall determine the penalty after consultation with the investigating or prosecuting agency, and the trainee's agency. Depending on the nature of the conduct and whether the trainee is convicted of, charged with, or under investigation for a felony, the trainee shall be penalized by suspension or expulsion.

(2) While enrolled in the academy, if a trainee is convicted of, charged with, or under investigation for a misdemeanor or violation, the commissioner or designee shall determine the penalty after consultation with the investigating or prosecuting agency, and the trainee's agency. Depending on the nature of the conduct and whether the trainee is convicted of, charged with, or under investigation for a misdemeanor or violation, the trainee shall be penalized by a verbal warning, written reprimand, loss of privileges, suspension, or expulsion.

Section 20. Other Conduct.

(1) A trainee shall refrain from:

(a) Vulgarity, rudeness, confrontation, dishonesty, or other disrespectful conduct directed toward a department staff member, guest, or other trainee.

(b) Conduct that is patently offensive; and

(c) Conduct that creates a disruptive learning environment.

(2) The eligible penalties shall be verbal warning, written reprimand, loss of privileges, suspension, or expulsion.

Section 21. Classroom activities.

(1) A trainee shall be attentive during academy activities. The eligible penalties shall be verbal warning or written reprimand.

(2) A trainee shall not take a break without permission or in an area restricted by the department. The eligible penalties shall be verbal warning or written reprimand.

(3) Insufficient performance of assignments.

(a) A trainee shall not submit for credit an assignment that is incomplete or does not meet the standards established for that assignment. Incomplete work includes a trainee's refusal to participate in group assignments or a required task. The eligible penalties shall be written reprimand, loss of privileges, or suspension.

(b) A trainee shall not represent as their own work and submit for credit any written material or other tangible deliverable created in whole or in part by another, unless it is a joint project. The eligible penalties shall be written reprimand, loss of privileges, suspension, or expulsion.

(c) A trainee shall not submit any plagiarized materials for credit. Plagiarism is using the work, words, or ideas of another without attribution. The eligible penalties shall be written reprimand, loss of privileges, suspension, or expulsion.

(d) A trainee shall not submit for credit unprofessional work product that is patently offensive or presented to others with the intent to offend. The eligible penalties shall be written reprimand, loss of privileges, suspension, or expulsion.

(4) A trainee shall not cheat or attempt to cheat on a test or on any other assignment or activity. The eligible penalties shall be verbal warning, written reprimand, loss of privileges, suspension, or expulsion.

Section 22. Penalties for Misconduct.

(1) The penalties established in this section shall apply to a trainee's failure to meet conduct requirements of the department and shall be applied depending on the frequency and severity of the violations.

(a) Verbal warning. The trainee is warned verbally that he or she has violated a conduct requirement.

(b) Written reprimand. The trainee is reprimanded in writing for violating a conduct requirement.

(c) Loss of privileges. The trainee's privileges as specified in the imposed penalty are rescinded for a stated period of time. The trainee's participation in academy activities is not affected.

(d) Suspension. The trainee is suspended from the academy for a period of time specified by the commissioner or designee and privileges are rescinded during the suspension period.

(e) Expulsion. The trainee is dismissed from the academy, all privileges are terminated, credit shall not be awarded for the completed portion of the course, and the trainee shall not return to the telecommunications academy for a period of two (2) years unless the trainee obtains permission from the commissioner or designee.

(2) Second and subsequent violations.

(a) If a trainee has received a penalty for violating a conduct requirement, for a second violation of any conduct requirement the next higher penalty shall be added to the list of penalties that may be imposed for the second violation.

(b) If a trainee has previously received two (2) penalties for violating two (2) conduct requirements, for a third or subsequent violation of any conduct requirement, the next two (2) higher penalties shall be added to the list of penalties that may be imposed for the third or subsequent violation.

(3) Notice of disciplinary action.

(a) The department shall give written notice to a trainee and his or her agency of any penalty imposed upon the trainee.

(b) If the penalty exceeds Summary Discipline as established in Section 23, the department shall provide verbal notification of the proposed disciplinary action to the trainee's agency head prior to written notice.

(4) Discipline records. A copy of any disciplinary notice and penalty imposed on a trainee shall be placed in the trainee's training file.

Section 23. Summary Discipline.

(1) Summary discipline is a verbal warning, written reprimand, and loss of privileges.

(2) A department instructor may summarily impose a verbal warning and a section supervisor or above may summarily impose a verbal warning, written reprimand, or loss of privileges without meeting the requirements of the formal disciplinary procedures provided by Sections 24 through 28 of this administrative regulation.

(3) To have the authority to impose summary discipline, the staff member shall believe by a preponderance of the evidence that the trainee has engaged in the misconduct.

Section 24. Complaint. Anyone having reasonable grounds for believing that a trainee has violated a conduct requirement identified in this administrative regulation may file a complaint with the section supervisor or branch manager. This complaint shall be in writing setting forth the facts upon which the complaint is based.

Section 25. Investigation.

(1) If the section supervisor or above receives a complaint of or witnesses apparent misconduct, the section supervisor or other department employee designated by the commissioner or designee shall take statements and otherwise investigate the matter. A notice of investigation shall be provided to the trainee.

(2) After investigating the matter, the section supervisor shall, with the concurrence of his or her branch manager:

(a) Take no action if none is justified by the evidence;

(b) Impose appropriate summary discipline; or

(c) File, with the commissioner or designee, a written request that charges be brought against the trainee. The request for charges shall describe the alleged misconduct and designate the specific conduct requirements violated. All pertinent evidence and documents including the complaint and statements of the trainee and witnesses shall be included.

Section 26. Review by Commissioner.

(1) The commissioner or designee shall review the request for charges and the supporting evidence and documents.

(2) The commissioner or designee may make or cause further inquiry into the matter for additional information.

(3) The commissioner or designee shall:

(a) File any charges against the trainee the commissioner or designee believes are justified by the evidence; or

(b) Deny the request for charges if the evidence does not support any charges. If the commissioner or designee declines to file charges, the commissioner or designee shall provide the trainee with a statement of the reasons for not filing charges.

(4) The charging document shall:

(a) Be in writing;

(b) Particularly describe the alleged misconduct so as to reasonably inform the trainee of the nature of the allegation;

(c) State the time, date, and place the trainee shall make an initial appearance before the commissioner or designee to answer the charges;

(d) Be signed by the commissioner or designee;

(e) Be served upon the trainee at least one (1) hour before his initial appearance before the commissioner or designee; and

(f) State the trainee's right to be represented by legal counsel.

Section 27. Removal from the Academy Pending an Initial Appearance before the Commissioner. If a request for charges is filed against a trainee, the commissioner or designee may remove the trainee from some or all training until the trainee's initial appearance before the commissioner, if the commissioner or designee has reasonable grounds to believe the alleged misconduct took place and:

(1) The commissioner or designee has reasonable suspicion to believe the trainee would be dangerous or disruptive if not removed; or

(2) The trainee may be charged with misconduct serious enough to authorize suspension or expulsion.

Section 28. Initial Appearance before the Commissioner.

(1) The initial appearance before the commissioner or designee shall be held no more than three (3) training days after the charges have been served on the trainee. If the trainee, after receiving proper notice, fails to appear, the commissioner or designee may proceed in his or her absence and the trainee shall be notified in writing of any action taken.

(2) At the initial appearance before the commissioner or designee:

(a) The commissioner or designee shall:

1. Read the charges to the trainee; and
2. Explain to the trainee:
   a. The charges;
   b. The trainee's right to a hearing in accordance with KRS Chapter 13B; and
   c. The trainee's right to be represented by legal counsel;

(b) The commissioner or designee shall explain to the trainee the possible answers to the charges including:

1. Admit the charges are true;
2. Deny the charges are true but waive a hearing; or
3. Deny the charges are true and ask for a hearing;

(c) The commissioner or designee shall advise the trainee of the penalty that shall be imposed if the trainee admits the charges or waives a hearing;

(d) The trainee shall be requested to answer the charges;

(e) If the trainee chooses to waive his rights and admits the charges or denies the charges but waives a hearing:

1. The trainee shall be permitted to make a statement of explanation; and
2. The commissioner or designee shall impose a penalty; and

(f) If the trainee denies the charges and requests a hearing or refuses to answer the charges, the commissioner or designee shall set a date for the hearing. A notice of administrative hearing as required by KRS 13B.050 shall be served on the trainee

within forty-eight (48) hours after the initial appearance before the commissioner or designee.

(3) The hearing shall be conducted in accordance with KRS Chapter 13B.

(4) The commissioner or designee may remove the trainee from some or all training until the hearing if:

(a) The commissioner or designee has reasonable grounds to believe the trainee would be dangerous or disruptive if not removed; or

(b) The trainee is charged with misconduct serious enough to authorize suspension or expulsion as a possible penalty.

Section 29. Incorporation by Reference.

(1) DOCJT Form 151, "Applicant Confirmation", 2024 Edition, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department of Criminal Justice Training, Funderburk Building, Kit Carson Drive, Richmond, Kentucky 40475-3102, Monday through Friday, 8:00 a.m. to 4:30 p.m. This material is also available on the department's Web site at https://docjt.ky.gov/ on the forms page.

(51 Ky.R. 1042, 1448; eff. 5-6-2025.)

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