503 KAR 1:120. Professional development in-service training: graduation requirements; recognized courses; records.

RELATES TO: KRS 15.330(1)(f), 15.404(2), 15.440(1)(e)
STATUTORY AUTHORITY: KRS 15.330(1)(h)
NECESSITY, FUNCTION, AND CONFORMITY: KRS 15.440(1)(e) requires local units of government participating in the Law Enforcement Foundation Program Fund to require all police officers to successfully complete at least forty (40) hours of in-service training each calendar year at a school certified or recognized by the council. KRS 15.330(1)(h) authorizes the Kentucky Law Enforcement Council to promulgate reasonable administrative regulations to implement KRS 15.310 through 15.404. KRS 15.404(2) requires all peace officers with active certification status to successfully complete forty (40) hours of annual in-service training certified or recognized by the council. This administrative regulation establishes requirements for graduation from an in-service training course, maintenance of in-service training records, procedures for recognizing training at noncertified schools, and procedures for receiving in-service training credit for completion of college courses.

Section 1. In-service Training Graduation Requirements.

(1) A trainee in an in-service training course:
   (a) Shall participate in the minimum hours prescribed for the course; and
   (b) May have excused absences from the course with approval of the director of the certified school or his or her designee.

(2) An excused absence which causes a trainee to miss any of the required hours of in-service training shall be made up through an additional training assignment. A trainee shall not be allowed excused absences from more than ten (10) percent of the hours of an in-service course.

(3) To successfully complete an in-service training course, a trainee shall:
   (a) Participate in at least the minimum hours prescribed for the training course;
   (b) Successfully complete a graded exercise, or pass the final examination or a reexamination;
   (c) Successfully complete all graded training areas and all other assignments, exercises, and projects included in the course; and
   (d) Comply with all rules and administrative regulations of the certified school, the fund, and the council.

(4) Final examinations.
   (a) In a course that requires a final examination as a part of the curriculum, if a trainee fails to attain a minimum score of seventy (70) on a final examination in an in-service course, the trainee may request a second examination.
   (b) The request for the second examination shall be made within seven (7) calendar days from the date a notice of failure was mailed to the trainee.
   (c) The second examination shall:
      1. Contain a completely different set of questions from the first examination;
      2. Be administered within twenty-one (21) days from the date of the request; and
      3. Be administered at a time and location designated by the supervisor of the in-service program.
   (d) A failure of a trainee to meet the minimum reexamination requirements shall constitute a course failure.

Section 2. In-service Training Courses at Recognized Schools.

(1) The council may recognize schools providing in-service training which are not certified by the council.

(2) A trainee who desires to attend an in-service training course at a school that is not certified shall make a request to the council at least thirty (30) days prior to the first day

of the course.

(3) The council may grant a request made after the course has been attended, but failure to submit the request at least thirty (30) days in advance of the course shall be justification for not recognizing the course.

(4) The council shall review the request and determine whether the school and the course shall be recognized based upon the following:

(a) The quality and reputation of the training school or institution;

(b) The relationship of the course to the officer's rank and responsibility; and

(c) The unavailability of the course at a certified school.

(5) If, upon review of the request, the council determines that the trainee may attend an in-service training course at a school or institution that is not certified, the council shall notify the trainee's agency and the fund administrator of its action.

(6) A trainee who fails to meet requirements established by the council for attendance at the recognized course (which shall not be less than those prescribed herein for certified schools) shall not have met the requirements of KRS 15.440(1)(e).

Section 3. In-Service Training Credit for Completion of College Courses. To enhance the professional development of law enforcement officers in the Commonwealth, the council recognizes the benefit that college courses offer in verbal and written skills, and advancement of general knowledge. Therefore, the council shall recognize a completed college course as in-service training if the conditions established in this section are met.

(1) The course shall be completed at an accredited college or university.

(2) The course shall be a minimum of three (3) semester credit hours.

(3) The officer shall successfully complete the course and receive a passing grade that is the equivalent of a seventy (70) percent or a letter grade of "C", or higher.

(4) The officer shall be an active fund participant or in active peace officer professional standards certification status as defined in KRS 15.386(2) while enrolled in the college course.

(5) The cost of the college course shall be the responsibility of the officer or his or her agency, and shall not be paid through the fund.

(6) An officer shall receive approval from his or her agency head prior to submitting an application to receive in-service training credit pursuant to this section. The agency head shall confirm his or her approval by signing Form 68-2, Application for In-service Training Credit for College Courses.

(7) An officer shall be eligible to receive in-service training credit pursuant to this section once every three (3) years.

(8) An officer who meets all requirements as established in this section shall receive forty (40) hours of in-service training designated with a "pass" score for the year in which the college course was completed.

(9) The receipt of in-service credit pursuant to this section shall not relieve an officer of mandatory training requirements pursuant to federal, state, or local law.

(10) The completed Form 68-2, Application for In-service Training Credit for College Courses shall be sent to the KLEC Executive Director, who shall forward a copy to the fund administrator and the DOCJT Records Section Supervisor.

Section 4. Maintenance of Records.

(1) Each trainee who has successfully completed an in-service course conducted by a school recognized or certified by the council (other than the Department of Criminal Justice Training) shall, at the conclusion of the course, have the school complete Form 68-1, Application for Training Credit.

(2) The forms shall be sent to the council for verification and retention. After verification by the council, one (1) copy of the form shall be sent to the:

(a) Fund administrator; and

(b) Trainee's agency.

(3) All training records required for fund purposes shall be retained by the certified school and a copy shall be sent to the fund administrator.

(4) All training records shall be available to the council, the secretary, and the fund administrator for inspection or other appropriate purposes.

(5) All records shall be maintained in accordance with the state records retention and disposal schedules, incorporated by reference in 725 KAR Chapter 1.

Section 5. Incorporation by Reference.

(1) The following material is incorporated by reference:

(a) Form 68-1, "Application for Training Credit", June 2014; and

(b) Form 68-2, "Application for In-service Training Credit for College Courses", June 2014.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department of Criminal Justice Training, 521 Lancaster Avenue, Richmond, Kentucky 40475-3102, Monday through Friday, 8 a.m. to 4:30 p.m.

(11 Ky.R. 1543; Am. 1777; eff. 5-14-1985; 16 Ky.R. 1984; 2413; eff. 5-13-1990; 29 Ky.R. 1336; 1777; eff. 1-16-2003; 30 Ky.R. 2576; 8-26-2004; 41 Ky.R. 327; 747; eff. 10-31-2014; Certified to be amended; filing deadline 8-25-2021.)