

JUSTICE AND PUBLIC SAFETY CABINET
Kentucky Law Enforcement Council
(Amended at ARRS Committee)

503 KAR 1:110. Department of Criminal Justice Training basic training: graduation requirements; records.

RELATES TO: KRS 15.330(1)(c), (f), 15.386(1), 15.404(1), 15.440(1)(d)

STATUTORY AUTHORITY: KRS 15.330(1)(c), (f), (h), 15.334(4), 15.440(1)(d)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 15.330(1)(f) and (h) authorize the Kentucky Law Enforcement Council to approve law enforcement officers as having met the requirements for completion of law enforcement training and to promulgate administrative regulations to implement that requirement. This administrative regulation establishes requirements for graduation from the Department of Criminal Justice Training basic training course, which meets the requirements for peace officer certification and participation in the Kentucky Law Enforcement Foundation Program Fund, and for maintenance of basic training records.

Section 1. Peace Officer Basic Training Graduation Requirements. To graduate from the department's basic training course, a recruit shall:

- (1) Successfully complete a minimum of 800 hours of training, based upon the curriculum approved by the Kentucky Law Enforcement Council in accordance with KRS 15.330 and 503 KAR 1:090;
- (2) Pass all assessments or examinations as outlined in the current KLEC-approved curriculum; and
- (3) Successfully complete all other assignments, exercises, and projects included in the course. After-hours assignments may be required, and shall be successfully completed to pass the training segment for which they were assigned.

Section 2. Physical Training Requirements. A recruit who is required to complete basic training to fulfill the peace officer certification provisions established in KRS 15.380 to 15.404 shall meet the physical training entry and graduation requirements established in this section.

(1) Physical training entry requirements.

(a) Within five (5) days from the first date of the basic training course, the recruit shall be tested in all physical training areas set forth in 503 KAR 1:140 Section 4(4)(a), as instructed and evaluated by qualified department instructors; and the evaluation standards for those tests shall meet or exceed the standards required for peace officer precertification status under KRS 15.386.

(b) Retest.

1. A recruit who fails to meet the lowest performance level in a test event, thus earning a zero point value for that event, shall be granted a retest opportunity in that event without having to retest in the other events for which a point value was obtained, except that a retest shall not be granted unless the maximum value of eleven (11) points would allow the applicant to meet the required overall fifty (50) point minimum.
2. A recruit who obtains a point value for each event, but does not obtain an overall score of fifty (50), shall be retested on the physical training entry test again, in its entirety.
3. A retest shall not occur any sooner than forty-eight (48) hours or any later than seventy-two (72) hours from the date of the initial test attempt.
4. All failed events shall be retested on the same date.

5. If the recruit passes all previously failed events on the date of the retest, the recruit shall have met the entry requirements.

6. If the recruit does not pass all previously failed events on the date of the retest, the recruit shall be unqualified to participate in the department's basic training course for which he is currently enrolled, and may reapply to participate in a future department basic training course. The recruit shall receive no credit for the part of the basic training course which he has completed.

(2) Physical training graduation requirements.

(a) To graduate, the recruit shall successfully complete the physical ability requirements in 503 KAR 1:140 Section 4(4)(b) within ten (10) days of graduation from law enforcement basic training, which, except for the entry test score requirements in subsection (1)(a) of this administrative regulation, shall be administered in the same order and in conformity with the KLEC Physical Fitness Testing Protocols, incorporated by reference in 503 KAR 1:140, as instructed and evaluated by qualified department instructors.

(b) If a recruit passes all events when participating in the physical training graduation test, the recruit shall have met the physical training graduation requirements.

(c) Retest. If a recruit fails to pass all events when participating in the physical training graduation test:

1. The recruit shall retest in the failed events no earlier than forty-eight (48) hours after the date of the graduation test, but not later than the last scheduled date of the basic training course;

2. All failed events shall be retested on the same date;

3. If the recruit passes all previously failed events on the date of the retest, the recruit shall have met the physical training graduation requirements; and

4. If the recruit does not pass all previously failed events on the date of the retest, the recruit shall fail basic training.

(3) A physical training midpoint assessment shall be administered to the recruits at the midpoint of the basic training course for purposes of reporting their progress to their respective law enforcement agencies.

Section 3. Removal and Repetition of Basic Training.

(1) Failure of Training.

(a) A recruit that is removed from basic training due to a training segment failure pursuant to Section 5 of this administrative regulation shall:

1. Be removed from the basic training class;

2. Reenter basic training in a subsequent class that has the first available vacancy;

3. Start the training at the beginning of the training segment that the recruit did not successfully complete; and

4. Pay all applicable fees for the repeated basic training course in accordance with 503 KAR 3:030.

(b) Upon the recruit's return, the recruit shall attend and participate at the beginning of the segment failed.

1. In accordance with 503 KAR 3:030, Section 6(2), the recruit's hiring agency shall prepay to the department the full tuition, room, and board costs of repeating the training segment which was failed. The hiring agency may recover these costs of repeating the training segment from its recruit; and

2. If the training segment is successfully completed, the recruit shall continue with the remainder of the basic training course.

(c) A recruit who is permitted to return to basic training in accordance with this section and is removed due to failure a second time shall:

1. Be required to repeat basic training in its entirety; and

2. Pay all costs of repeating the entire basic training course in accordance with 503 KAR 3:030.

(2) Failure of the physical training graduation requirements. A recruit who fails the physical training graduation requirement in Section 2(2) of this administrative regulation:

- (a) Shall not graduate with the recruit's basic training class;
- (b) Shall be permitted to retest with the next basic training class; and
- (c) Upon successful completion, may graduate with that class.

(3) A recruit who is permitted to return to basic training in accordance with this section and is removed due to failure a second time shall:

- (a) Be required to repeat basic training in its entirety; and
- (b) Pay all costs of repeating the entire basic training course in accordance with 503 KAR 3:030.

Section 4. Basic Training Curriculum.

(1) The basic training curriculum shall consist of training segments and topics listed in the current KLEC-approved curriculum. Each training segment shall include one (1) or more of the topics listed in subsection (2) of this section. All topics listed in subsection (2) of this section shall be covered to qualify for graduation.

(2) Basic Training Topics.

- (a) Legal subjects;
- (b) Physical training;
- (c) Defensive tactics;
- (d) Patrol;
- (e) Vehicle operations;
- (f) Firearms;
- (g) Criminal investigation;
- (h) D.U.I./Field sobriety testing;
- (i) Breath testing; or
- (j) Practical evaluation/testing.

Section 5. Practical Test and Examinations.

(1) Scheduled practical tests or examinations shall be administered to recruits at the completion of each segment of basic training identified in the law enforcement basic training curriculum that is currently approved by the Kentucky Law Enforcement Council. Each segment shall include one (1) or more of the topics listed in Section 4 of this administrative regulation.

(2) A recruit shall be permitted one (1) re-test per practical test or examination failed during basic training, but shall not exceed a total of two (2) re-tests during basic training.

(3) A recruit who fails a practical test or examination shall not be re-tested:

- (a) Earlier than forty-eight (48) hours from the original test or examination; or
- (b) Later than:

1. Five (5) days after the original test or examination. A recruit may submit a written request to the training director or his designee for an additional five (5) days in which to re-take the practical test or examination ; and

2. The last scheduled day of the basic training course.

(4) A recruit shall fail basic training if the recruit fails:

- (a) A practical test or examination and fails to complete the re-take as authorized by this section;
- (b) A practical test or examination re-take; or
- (c) A practical test or examination after taking two (2) re-takes in accordance with subsection (2) of this section.

Section 6. Absence.

- (1) A recruit may have excused absences from the course with approval of the director of the certified school or his designee.
- (2) An excused absence from the course which causes a recruit to miss any of the required hours of basic training shall be made up through an additional training assignment.

Section 7. Circumstances Preventing Completion of Basic Training.

- (1) If a recruit is prevented from completing the basic training course due to extenuating circumstances beyond the control of the recruit, including injury, illness, personal tragedy, or agency emergency, he shall be permitted to complete the unfinished areas of the course within 180 days immediately following the termination of the extenuating circumstance, if the:
 - (a) Extenuating circumstance preventing completion of basic training does not last for a period longer than one (1) year; and
 - (b) Failure to complete is not caused by a preexisting physical injury or preexisting physiological condition.
- (2) If a recruit is prevented from completing the basic training course due to being called for active duty in the Kentucky National Guard or other branches of the United States Armed Forces, the recruit shall be permitted to complete the unfinished areas of the course within 180 days immediately following his or her return from active duty service.

Section 8. Termination of Employment while Enrolled. If, while enrolled in the basic training course, a recruit's employment as a police officer is terminated by dismissal, and the recruit is unable to complete the course, the recruit shall complete the remaining training within one (1) year of reemployment as an officer. The recruit shall repeat basic training in its entirety if:

- (1) The break in employment exceeds one (1) year; or
- (2) The termination of employment is a result, directly or indirectly, of disciplinary action taken by the department against the recruit while enrolled in the basic training course.

Section 9. Maintenance of Records.

- (1) At the conclusion of each basic training course, the department shall forward a final roster indicating the pass or fail status of each recruit to the council.
 - (2) All training records required for fund purposes shall be retained by the department, but a copy of pertinent facts shall be sent to the fund administrator upon written request.
 - (3) All training records shall be:
 - (a) Available to the council, the secretary, and the fund administrator for inspection or other appropriate purposes; and
 - (b) Maintained in accordance with applicable provisions of KRS Chapter 171.
- (11 Ky.R. 1542; 1776; eff. 5-14-1985; 12 Ky.R. 1628; eff. 5-6-1986; 16 Ky.R. 1982; 2412; eff. 5-13-1990; 26 Ky.R. 1203; 2-14-2000; 27 Ky.R. 2574; 3083; eff. 5-14-2001; 29 Ky.R. 2340; 2883; eff. 6-16-2003; 31 Ky.R. 1733; 32 Ky.R. 68; eff. 8-5-2005; 953; 1395; eff. 3-3-2006; 33 Ky.R. 2138; 2944; eff. 4-6-2007; 35 Ky.R. 1012; 1457; eff. 1-5-2009; 36 Ky.R. 2383; 37 Ky.R. 127; 702; eff. 10-2-2010; 38 Ky.R. 1795; 1953; eff. 7-6-2012; 41 Ky.R. 2626; 42 Ky.R. 284; eff. 9-4-2015; 45 Ky.R. 462, 1047; eff. 12-7-2018; 48 Ky.R. 973, 2048; eff. 4-5-2022.)

FILED WITH LRC: December 9, 2021

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