

JUSTICE AND PUBLIC SAFETY CABINET
Department of Criminal Justice Training
(New Administrative Regulation)

503 KAR 3:130. Online Basic and In-Service Training.

RELATES TO: KRS 15A.070, 15.440

STATUTORY AUTHORITY: KRS 15A.070

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 Department of Criminal Justice Training to promulgate administrative regulations. This administrative regulation establishes requirements for basic and annual in-service course instruction to be offered electronically and online through remote learning.

Section 1. Definitions.

- (1) "Asynchronous learning" means online instruction that allows students to access content or participate in learning, but does not require students and instructors to participate at the same time or in the same place.
- (2) "Blended learning" means a course of study that includes both traditional in person classroom instruction and synchronous learning or asynchronous learning.
- (3) "Online learning" means instruction that takes place through electronic technologies and media over the internet.
- (4) "Recruit" is defined by 503 KAR 3:005(9).
- (5) "Student" means a trainee or recruit as defined by 503 KAR 3:005.
- (6) "Synchronous learning" means online instruction that occurs between students and instructors at the same time, but not in the same place, using video technology.
- (7) "Trainee" is defined by 503 KAR 3:005(12).

Section 2. Implementation.

- (1) By no later than January 1, 2024, at least ten percent (10%) of the total hours of course instruction required to be completed for basic training under KRS 15.440(1)(d) shall be made available electronically and online for candidates to complete through remote learning;
- (2) By no later than January 1, 2025, at least thirty percent (30%) of the total course offerings required to be completed by an officer for annual in-service training under KRS 15.440(1)(e) that is offered or sponsored by the Department of Criminal Justice Training shall be made available electronically and online to complete through remote learning;
- (3) The instruction provided by the Department of Criminal Justice Training under this section shall not be in the subject areas that require the demonstration of use of physical skill for the purposes of evaluating the participant's proficiency; and
- (4) The course offerings and instruction required to be provided under subsection (2) of this section shall be available throughout the entire calendar year and spread out over a reasonable period of time so as not to require attendance or participation for the entirety of a single work week.

Section 3. Instruction Offered. Online and blended courses shall be identified annually through the department's Web site at <https://www.docjt.ky.gov/> in the training area including through the registration system and course listings. The schedule of classes shall state whether a course is synchronous or asynchronous and identify any software and hardware requirements for participation in online class sessions.

Section 4. Online Learning.

- (1) A student participating in online learning through the department shall:

- (a) Actively participate in class learning activities regardless of the delivery method;
- (b) Successfully complete and submit all assignments for the online learning event within the deadline set for the specific online training event including:
 - 1. Electronic documents;
 - 2. Discussion boards;
 - 3. Blogs;
 - 4. Polls;
 - 5. Group assignments; and
 - 6. Any other assigned work from the instructor.
- (c) Complete assignments, online lessons, and tests only in a location conducive to learning, free of distraction, that ensures the safety of the student.
- (d) Comply with all course requirements within the time required as described in the Kentucky Law Enforcement Council approved curriculum or schedule book on the department's Web site at <https://www.docjt.ky.gov/> in the training area;
- (e) Have equipment that meets the minimum requirements for the course;
- (f) Have an approved internet browser as well as a stable internet connection and sufficient internet speed capable of meeting course requirements, including the ability to:
 - 1. Stream online video;
 - 2. Engage in web conferencing;
 - 3. Receive information and documents; and
 - 4. Use software programs required within the course; and
- (g) Test equipment that will be used for the online course pursuant to individual course requirements at least five (5) days prior to the start of the online training.
- (2) If a student is unable to meet technology requirements for the course or the student's testing indicates a problem for participation, the student shall contact the department at least five (5) days prior to the start of the online training to try to address the issue.
- (3) If a student is unable to correct the issue prior to the start of the course, the student shall be removed from the course roster and may reenroll in another course at a later time.
- (4) A student shall comply with 503 KAR Chapter 3.

Section 5. Synchronous Learning.

- (1) A student shall be:
 - (a) Viewed and able to be heard online by the instructor and other students; and
 - (b) Present online with appropriate equipment pursuant to individual course requirements.
- (2) A student shall acknowledge as requested the student's attendance at all attendance checks during an online learning event.

Section 6. Asynchronous Learning.

- (1) For asynchronous learning that is not performed on the department campus, a trainee shall be exempt from the:
 - (a) Attendance requirement in 503 KAR 3:020 Section 5(8);
 - (b) Grooming and uniform requirements in 503 KAR 3:020 Section 5(3); and
 - (c) Tobacco products usage and consumption of food or drink prohibitions in 503 KAR 3:020 Section 5(10)(b).
- (2) For asynchronous learning that is not performed on the department campus, a recruit shall be exempt from the:
 - (a) Attendance requirement in 503 KAR 3:010 Section 6(9);
 - (b) Grooming and uniform requirements in 503 KAR 3:010 Section 6(3); and
 - (c) Tobacco products usage and consumption of food or drink prohibitions in 503 KAR 3:010 Section 6(11)(c).

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APPROVED BY AGENCY: August 9, 2022

FILED WITH LRC: August 18, 2022 at 9:30 a.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on November 30, 2022, at 9:00 a.m. at the Justice and Public Safety Cabinet, 125 Holmes Street, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through 11:59 p.m. November 30, 2022. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Amy V. Barker, Assistant General Counsel, Justice and Public Safety Cabinet, 125 Holmes Street, Frankfort, Kentucky 40601, phone (502) 564-8207, fax (502) 564-6686, email Justice.RegContact@ky.gov.