



In-service Training Guide



STATE OF NEW YORK
Division of Criminal Justice Services
Office of Public Safety

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The 2012 edition is published by the
New York State
Division of Criminal Justice Services
Office of Public Safety
4 Tower Place
Albany, New York 12203

VERSION Aug 2012

PRINTED IN THE UNITED STATES OF AMERICA

Foreword

The In-service Training Guide was developed by the staff of the New York State Division of Criminal Justice Services, Office of Public Safety. This guide is intended to explain the administration of in-service courses, including peace officer annual training.

This guide will define regulations that govern Municipal Police Training Council approval for this course, including the requirements for conducting and reporting training, as well as the responsibilities of the various parties involved.

Preface

It is the goal of the Division of Criminal Justice Services, Office of Public Safety to assist course directors in the administration of law enforcement training in a manner consistent with New York law, regulation and policy.

This guide is designed to provide the information necessary for each course to be administered in a manner that will provide a level of training required to adequately perform public safety functions.

ACKNOWLEDGMENTS

Acknowledging the efforts of people involved in the development of this guide.

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Introduction

In-service training programs for law enforcement personnel and their civilian partners is a key element in increasing the effectiveness and efficiency of law enforcement and public safety organizations. Standardized training and support promotes professionalism throughout the law enforcement community and instills public confidence.

This guide is designed to facilitate training professionals who would like to conduct in-service training courses which will be recorded by the state.

With the exception of the Course in Police Supervision¹ and peace officer annual firearms and other weapons courses, there is no mandate for police officers or peace officers to complete in-service training as a condition of continued employment.

The Division of Criminal Justice Services

The Municipal Police Training Council (MPTC), created under Executive Law §839, determines minimally acceptable training and employment standards for law enforcement officers in New York State. The MPTC recommends rules and regulations for promulgation by the Governor. Once implemented, these rules and regulations carry the force of law.

The New York State Division of Criminal Justice (DCJS), Office of Public Safety, serves as the staff arm of the MPTC. It is the responsibility of DCJS to assist in the planning and evaluation of basic and in-service training courses and to ensure that practitioners meet the minimum standards established by the MPTC.

It is the goal of DCJS to assist practitioners in providing quality training for law enforcement personnel. Training directors and/or officers are encouraged to review this guide and ask questions. DCJS will make every effort to help practitioners understand

¹ A police officer promoted to a first-line supervisory position must complete an approved course in police supervision within twelve months of the date of promotion. A first-line supervisory position is defined as the position or rank of a police officer next above the beginning rank of patrolman or the rank equivalent to patrolman, which requires performance of supervisory duties. It does not include persons appointed to command ranks where a first-line supervisory position exists.

and deliver a quality product that meets, or exceeds, the standards established by the MPTC.

Establishing a School

A police in-service course may be established by a police or peace officer employer or by a regional law enforcement academy. All approvals are at the discretion of DCJS and are governed by the rules established for the Basic Course for Police Officers codified in Title 9 of the *Official Compilation of Codes, Rules, and Regulations of the State of New York*, Part 6022 (9 NYCRR 6022).

Employers may utilize a third party to deliver training; however, for the purposes of recording training with DCJS, only a police or peace officer employer or regional training academy may sponsor training. All documentation shall reflect the name and address of the sponsoring agency.

School Director Selection

Each school must appoint a school director. The school director serves as the administrator of the course and is responsible for a variety of important tasks that will be explained in this guide. It is preferable for the school director to be a certified MPTC instructor and possess a high level of administrative skill and the ability to work with a diverse student population. All contact with the school is conducted through the director.

The school director is expected to be an administrator who is available to students, instructors, and DCJS staff during school operational hours. Students and instructors should direct all questions or inquiries through the school director. Accordingly, the director must have the level of authority equal to this responsibility.

Instructor Selection

All instructors must meet the Standards and Qualifications established by 9 NYCRR 6023 for certification. There are two categories of instructor for MPTC approved courses, certified and approved. *Certified* instructors have completed an Instructor Development Course approved by the MPTC. Instructors in this category may instruct general topics and may possess, or are eligible to obtain, advanced certification

in specialty topics such as firearms and/or defensive tactics. This is the most common method of instructor certification.

The regulation also provides for Special Certification of instructors, or waiver of the Instructor Development Course, when an applicant can demonstrate technical expertise and has advanced academic credentials or a unique qualifying experience. The applicant must also be evaluated in the classroom and found to have acceptable instructional skills. Applicants who have earned a Bachelor's Degree in Education (or equivalent), a Master's Degree, a Juris Doctorate (JD), or other doctorate (PhD) are deemed to have advanced academic credentials. All waivers are issued at the discretion of DCJS.

Approved, or Non-certified Special Topics Instructors, possess advanced academic credentials and a unique qualifying experience. Instructors in this category have not attended an Instructor Development Course and may instruct topics for which they are uniquely qualified only. They are not eligible to obtain advanced certification in specialty topics, such as firearms or defensive tactics without first successfully completing an approved Instructor Development Course. Applicants must be evaluated in the classroom and found to have acceptable instructional skills. For example, a social worker who specializes in domestic violence cases may be *approved* to provide domestic violence instruction.

To become an approved instructor, a candidate must submit an Instructor Personal History Form accompanied by an acceptable Instructor Evaluation, performed by an MPTC certified Instructor Evaluator, to DCJS for consideration. All approvals are issued at the discretion of DCJS. A copy of the Instructor Personal History Form is available on our website at: <http://www.criminaljustice.ny.gov/ops/docs/index.htm>.

DCJS maintains a list of specialty topics that require instructors to complete an advanced course of study in order to receive certification. For example, in order to provide instruction in firearms and deadly physical force an instructor must have completed an Instructor Development Course pursuant to 9 NYCRR 6023 and successfully completed a Firearms Instructor Course pursuant to 9 NYCRR 6024.

All instructors shall be responsible for disseminating the information in the modules assigned them according to the standards established by the MPTC. Instructors may be called upon to provide documentation of their status and DCJS may require any additional information to establish the competence of an instructor or for any other pertinent purpose.

Training Facilities

Classrooms, like those used in any other training venue are sufficient for this program. The classrooms should meet the standards established by the Commissioner of Education for instructional resources set forth in section 52.2 of Title 8 of the *Official Compilation of Codes, Rules and Regulations of the State of New York* (8 NYCRR 52.2)

Firearms range (if conducted) training must be conducted at an appropriate firearms training facility that will support the shooting skills detailed in the Basic Course for Police Officers.

Driver training facilities (if such training is provided) must be conducted in an area that will support the driving skills detailed in the Basic Course for Police Officers.

Physical fitness training facilities (if such training is provided) must meet the standards established by the Commissioner of Education for instructional resources set forth in 8 NYCRR 52.2.

In-service Training Courses

General Municipal Law §209-q requires all first-line police supervisors to satisfactorily complete an MPTC approved Course in Police Supervision within one-year of appointment as a first-line supervisor. Likewise, Criminal Procedure Law §2.30 requires all peace officers armed by their employer during the performance of their official duties to satisfactorily complete MPTC approved Annual Firearms Course and/or Annual Other Weapons Courses each year.

Outside of these two specific requirements, there is no mandate for police officers or peace officers to complete in-service training as a condition of continued employment.

Course Planning

All in-service training programs reported to DCJS must meet the requirements for the administration of in-service training courses and the rules governing attendance/completion of such courses as established in 9 NYCRR 6022. There are two categories of in-service training programs, those which the MPTC has established minimum standards and will issue certification, and those for which it has researched but not yet established a standard. In instances where the MPTC has established minimum standards, the course must contain the topics, hours, and instructor qualifications in order to receive certification. Approval may be issued by DCJS on behalf of the MPTC.

In instances where the MPTC has not yet established minimum standards, the course may be reviewed for content against generally accepted standards and non-certified approval may be granted at the discretion of DCJS. These are referred to as *Miscellaneous In-service Courses* and typically address the most current methods, practices, or specific skill sets.

Schools must establish written policies and procedures for the administration of this training. Policy areas must, at minimum, include: attendance, remediation, and retesting.

Pursuant to 9 NYCRR 6022, training must be conducted as a single and cohesive unit. In practical terms, this means that a student must complete all units of an in-service course during one session, at one school. Under no circumstances may a student split the training among multiple schools.

It is the school director's responsibility to ensure each instructor is provided with a complete copy of the unit they are assigned to teach.

School directors do not have the authority to disregard or waive any policy, procedure, rule, or regulation established by either the MPTC or by DCJS. Violations may result in revocation of school approval and render any training provided invalid.

The DCJS Office of Public Safety is available to provide any technical assistance required by the school director. Students and instructors should direct all questions or inquiries through the school director.

Student Entrance Requirements

If the student is a police or peace officer, they must be employed at such time of attendance or if they are a civilian be authorized to attend such in-service training by their law enforcement employer or a [DCJS] recognized law enforcement partner.

Attendance

Students shall attend all sessions of a course. The school director is responsible for maintaining an accurate record of attendance, and may excuse an officer for valid reasons. The school director shall determine the validity of the excuse and may excuse absences of no more than ten percent of the required hours. Any absence from a scheduled session shall be made up as required by the school director.

Examinations

Examinations are required for all MPTC approved in-service courses, though not necessarily for those approved by DCJS. When an examination is administered as a course requirement, the passing of a written examination, or series thereof, is required. Students must achieve a minimum passing score of 70% on the examination, or series of examinations, in order to complete the course. If a series of examinations is administered, the average score must be 70%. If a series of examinations for mandated topics and agency specific topics are employed, the portion of the course prescribed by the MPTC shall constitute no less than 50% of the final grade. No partial credit may be given.

Remediation

The course director may remediate any students who have failed to meet the minimum passing requirements for any course, if in the course director's judgment, it is reasonable to believe the student will show improvement with additional training. All remediation must occur within the original time frame of the course. It is suggested that

course directors/sponsors consider extra time during, and at the end of, courses such as initial firearms training to allow for potential remediation. For example, schedule three weeks (120 hours) for the 80-hour Instructor Development Course thus providing additional time to remediate candidates that are likely to improve with continued practice.

Course Documentation

Curriculum

Pursuant to 9 NYCRR 6022.5(a), a course director proposing a course shall file with DCJS, at least 45 days in advance of the designation of the school a curriculum content form containing the MPTC approved course title, the location of the school, a chronological listing of the dates times and instructors for each module, and shall include all subjects prescribed by the MPTC. A school must receive DCJS approval to be offered.

Approval

Once a curriculum is received, DCJS will make written notification to the course director upon approval of a curriculum. It is recommended that course directors maintain a copy of the approval letter in the course file. Courses must be approved to be offered.

Class Roster/Notification of Completion

Once a course has been completed, the course director has ten days in which to submit a Class Roster/Notification of Completion to the Division. This form must be typed and contain all required information, including the approved course title (as it appears on the approval letter), the school sponsor (must be a law enforcement agency or academy), the school location, school dates, student information (name, social security number, sex, date of birth, employer, rank, status (full-time/part-time) and whether or not each student satisfactorily completed the course (S) or unsatisfactorily completed the course (U). A Class Roster/Notification of Completion is not valid unless it bears the course directors original signature.

In order to maintain accurate records, incomplete or inaccurate forms will be returned to the course director for completion/correction, thus delaying the posting of records and dissemination of certificates (if appropriate). A copy of this form is available on our website at <http://www.criminaljustice.ny.gov/ops/docs/index.htm> or by contacting our office at (518) 457-4135.

Certificates of Completion

It is DCJS policy to issue certificates of completion to registered police officers and peace officers that successfully complete all aspects of training.

Civilians

Certificates may be issued to civilians (non sworn personnel) who are employed or work in conjunction with law enforcement agencies or academies. A letter from the law enforcement employer or partner approving the civilian for training must accompany the Class Roster/Notification of Completion. This includes members of law enforcement agencies outside of New York State to include the federal government.

Each course completed by a peace or police officer and reported to DCJS is posted to that officer's official training record; however, in order to merit a certificate, the course must be greater than eight hours in duration. For example, the *Instructor Development Course* (80 required hours) merits a certificate, yet the *Instructor Evaluator Workshop* (4 required hours) does not.

Forms

For copies of the most current versions of our forms or publications, please visit our website at: <http://www.criminaljustice.ny.gov/ops/docs/index.htm> or by contacting our office at (518) 457-4135.

Questions

If, after reviewing this guide, course directors or instructors have any questions or concerns, please contact the Division prior to commencing any training.

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