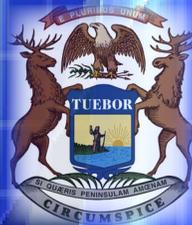




# **MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS**

## **2011**

# **COMPETITIVE GRANT MANUAL**



**Michigan Justice Training Fund  
Act 302 of 1982, as amended  
May, 2010**

## **Announcement**

The Michigan Commission on Law Enforcement Standards is pleased to announce that it is seeking applications for calendar year 2011 competitive grant funding under the Michigan Justice Training Act (P.A. 302 of 1982, as amended).

## **Eligibility**

Applications for grant funds will be accepted from state or local agencies, which include: a) an agency or department, division, bureau, board, commission, council, or authority of the state or of a city, village, township, or county; b) a state supported college or university; c) a community college; d) a training consortium consisting of eligible agencies; or e) any agency or entity of the judicial branch of government. (See "Eligibility", page 6)

## **Deadline**

All applications must be **postmarked** on or before August 31, 2010. (See "Submission", page 24)

## **Contact Information**

For assistance with the requirements of this solicitation, contact Cheryl Hartwell, MCOLES Grant Coordinator, at 517-322-5617 or [HartweC@michigan.gov](mailto:HartweC@michigan.gov).

**Release Date:** May, 2010

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## **Part 1: General Information**

Chapter 1: Overview

Chapter 2: Objectives

Chapter 3: Annual Funding Priorities

## **Chapter 1: Overview**

### Chapter Highlights:

- Statutory Authority
- Purpose
- Eligibility

## STATUTORY AUTHORITY

The Michigan Justice Training programs are regulated by state law, administrative rule, and executive order.

**Public Act 301** of 1982 created the Michigan Justice Training Fund. The vehicle to collect revenue for the fund is an assessment for each civil infraction determination (except for a parking violation or a violation for which the total fine and costs imposed are \$10.00 or less) levied by the district courts. This revenue is a portion of the fees collected and submitted by the courts to the Michigan Department of Treasury for deposit in the Justice System Fund. A percentage of Justice System Fund revenue is then transferred to the Michigan Justice Training Fund on a monthly basis. Both the Justice System Fund and the Justice Training Fund are interest-bearing accounts. Interest is posted to each account quarterly.

The Michigan Justice Training Fund is a *restricted fund*. These funds may be used only for the criminal justice in-service (active duty) training of eligible trainees or such purposes as designated by legislative mandate.

**Public Act 302** of 1982 created the Michigan Justice Training Commission (MJTC) and set forth the responsibilities of that Commission. Section 3(a) of the Act directs the Commission to annually distribute 60% of the Justice Training Fund to eligible entities under the law enforcement distribution, and in Section 3(b), the Commission is required to annually distribute, through a competitive grant process, the balance of the fund after administrative costs have been deducted. These two funding programs are referred to as the Law Enforcement Distribution (LED) and the Competitive Grant Program, respectively. This document addresses the Competitive Grant Program.

The **administrative rules** that prescribe the procedures by which the Commission shall distribute money from the fund were developed under the authority conferred on the Commission by section 3 of 1982 PA 302, by section 9 of 1965 PA 380, and by Executive Reorganization Order 2001-2, MCL 18.423, 16.109, and 28.621.

With **Executive Order 2001-5**, Governor John Engler ordered the merger of the Michigan Justice Training Commission with the Commission on Law Enforcement Standards (COLES) to form the new Michigan Commission on Law Enforcement Standards (MCOLES) and transferred the responsibilities of P.A. 302 to the MCOLES. Executive Order 2001-5 also directed the Commission to focus its activities in order to accomplish the following objectives involving law enforcement organizations and officers:

- increase professionalism,
- increase the number of law enforcement organizations that offer formal in-service training and increase the number of law enforcement officers who receive formal in-service training,
- institute law enforcement in-service training standards applicable to all law enforcement in-service training in Michigan,
- implement a Web-based information system that will allow the Commission to accomplish its goals and communicate with Michigan law enforcement organizations in a more efficient manner, and
- ensure grants awarded by the Commission to Michigan law enforcement organizations advance these objectives.

In compliance with this executive directive, the Commission implemented policy to give **priority grant funding to training consortia**, through which the greatest number of individuals can be trained in the most cost-effective manner.

## PURPOSE

The purpose of the competitive grant program is to annually distribute justice training funds to eligible applicants to provide in-service criminal justice training to employees of those agencies.

Criminal justice training, in this context, is training that is designed and intended to enhance the direct delivery of criminal justice services, by employees of eligible applicants, **which is not required minimum basic training or initial training**, and which is any of the following:

- criminal justice educational program presented by the eligible applicant or by a contractual training provider hired by the agency,
- criminal justice course or package of instruction provided to an eligible trainee for the payment of a fee or tuition, or
- self-education presented through the use of audio-visual materials (e-learning).

Justice training competitive grant funds shall be used to **supplement** existing state and local funds for program activities and shall not replace those funds that have been appropriated for the same purposes.

## ELIGIBILITY

**Eligible Applicants** - Applications for grant funds are accepted from state or local agencies, which include: a) an agency or department, division, bureau, board, commission, council, or authority of the state or of a city, village, township, or county; b) a state supported college or university; c) a community college or; e) any agency or entity of the judicial branch of government. Professional associations are **not** eligible applicants.

Additional requirements apply to **consortia applications**:

- A **formally** established consortium of eligible agencies, with a single eligible agency acting as the applicant, may apply directly for grant funds.
- An **informally** established consortium, made up of a geographic cluster of eligible agencies, may submit individual agency applications for grant funds if the group has agreed to act as a consortium for the purpose of in-service criminal justice training. Each application shall identify the consortium as the implementing agency, and shall be prioritized by the membership together with all applications submitted by the consortium members.
- All consortia applications must be accompanied by a **Certification of Consortium Membership Requirements** (Appendix A) that clearly and concisely describes the:
  - consortium structure,
  - geographic region served by the consortium,
  - member agencies and,
  - financial commitment of member agencies.

Applicant agencies that anticipate entering into a contract with an individual or firm to develop or conduct in-service training should be aware that the Commission will not respond to questions, issues, or concerns about a grant application unless the inquiry is made directly by the grant applicant. The grant applicant, as opposed to consultants, product vendors, or other individuals who are not employed by the eligible entity, is responsible for all communication with the Commission regarding the grant application and for addressing Commission inquiries.

**Eligible Trainees** - To qualify for grant funding, trainees may be sworn or civilian personnel and shall be employees of an eligible agency.

## **Chapter 2: Program Objectives**

### Chapter Highlights:

- Funding Objectives
  - Objectives
  - In-State Preference
  - Matching Funds
- Funding Restrictions

## FUNDING OBJECTIVES

**Objectives** - A basic mandate of P.A. 302 requires the Commission to consider the quality and cost effectiveness of training programs and the criminal justice needs of the state of Michigan when distributing justice training funds through the Competitive Grant process. The Commission has adopted a set of funding objectives to ensure compliance with this mandate and to serve as the foundation for the application review and grant award process. All grant applications will be reviewed based upon these objectives and the policies of the Commission.

The Commission shall:

- consider grant applications for in-service training from eligible entities as identified in P.A. 302 when LED funding is not reasonably available;
- ensure that grant awards are based on demonstrated training need;
- ensure that grant awards are based on a sound curriculum plan with established quality measures and;
- ensure that these relevant factors are considered in the grant award process:
  - the opportunity for cross-professional training among eligible entities
  - the needs of all organizational levels
  - the needs of all constituent groups
  - the development of innovative programs
  - training needs by geographic region
  - equitable distribution of available funds

**In-State Priority** - A second mandate of P.A. 302 pertains to the use of Michigan Justice Training Funds to procure out-of-state training. It is intended that justice training funds be expended primarily within the state of Michigan to purchase services and materials from Michigan vendors, whenever possible. Therefore, the Commission will not fund any out-of-state training program unless the training complies with **all** of the following:

- meets the definition of “Criminal Justice Education Program”;
- is needed to obtain or maintain certification of a specialty that meets the definition of “Direct Delivery of Criminal Justice Services”;
- the training is not available in Michigan;
- the training cannot be brought to Michigan; and
- the training is registered, and attendance is reported, in the MCOLES Information Tracking Network (MITN) database system.

It is the applicant agency’s responsibility to make every reasonable effort to locate a Michigan based provider prior to application for grant funding of an out-of-state vendor. At a minimum, the applicant shall contact a statewide provider (e.g. the Michigan State Police, the Michigan Municipal League or Michigan State University), local or regional providers (e.g. community colleges), and the MCOLES Schedule of Training Courses.

If the required in-service training is not available in Michigan, the applicant must include an explanation of the contacts made and provide a detailed written justification for selection of the out-of-state vendor or training program in the grant application. The out-of-state training program must be substantially different than the program provided by a Michigan vendor to be considered for grant funding.

The MCOLES Schedule of Training Courses contains scheduling and course information on criminal justice in-service training programs offered by Michigan based providers and can be found on the MCOLES Web site at [www.michigan.gov/mcoles](http://www.michigan.gov/mcoles).

**Cost Sharing** – On April 21, 2010, the MCOLES adopted Commission Resolution 2010-03 (Attachment H) to provide policy direction for the competitive grant program in light of declining revenues. The Commission resolved to restructure the existing competitive grant process by implementing eleven specific objectives. One of these objectives requires a 75%/25% cost sharing, or match, for **all** grant applications. The Commission shall fund a maximum of 75% of the **total** program cost of approved applications. The applicant agency shall contribute a minimum of 25% of the **total** cost as cash (hard) match or in-kind (soft) match. Refer to Part 3, Chapter 4 for more details regarding grantee match.

## **FUNDING RESTRICTIONS**

The Commission shall **not** award competitive grant funds for any of the following:

- criminal justice training in another country;
- purchase of alcoholic beverages;
- travel costs to participate in criminal justice training, unless the criminal justice training program is for the sole purpose of training, or offers not less than 6 hours of qualifying training within any 24-hour period;
- **trainee** travel for law enforcement and local corrections grants where LED or Booking Fee funds are available for these expenses;
- publication of a newsletter;
- purchase of firearms training systems that simulate deadly force decision-making circumstances;
- construction of a firearms range;
- purchase of firearms;
- purchase of emergency vehicle operation (EVO) simulators;
- funding requests that are 100% equipment acquisitions;
- printing and mailing of training manuals;
- duplication of compensation to instructors or staff;
- consultant fees for travel time;
- a consultant to act as an on-site coordinator
- refreshments or;
- overhead or operating costs as a percentage of the total grant request.

## **Chapter 3: Annual Funding Priorities**

### Chapter Highlights:

- Commission Priorities
  - Priority Program Areas
  - Priority Program Applicants
  - Other Priorities

## COMMISSION PRIORITIES

In addition to the funding objectives mandated by statute, the Commission also sets funding priorities. These priorities are established in compliance with the objectives and are intended to give further direction to applicant agencies.

**Priority Program Areas** - To ensure that grant awards are based on demonstrated training need, the Commission surveys the criminal justice community annually and identifies specific priority program areas for funding during the following calendar year. The program areas identified for this funding cycle are listed below.

<p>Adjudication</p> <ul style="list-style-type: none"> <li>• Court Support Personnel Training</li> <li>• Immediate Supervisors of Court Support Personnel Training</li> </ul>	<p>Corrections</p> <ul style="list-style-type: none"> <li>• Scientific Content Analysis (SCAN)</li> <li>• Tactical Tracking (Basic and Advanced)</li> </ul>
<p>Criminal Defense</p> <ul style="list-style-type: none"> <li>• Defender Books – Update/Revision</li> <li>• Web-Based Legal Research, Writing &amp; Presentations</li> <li>• Appellate Skills Training</li> <li>• Trial Skills Training</li> <li>• Training for Trainers</li> <li>• Legal Updates</li> </ul>	<p>Law Enforcement</p> <ul style="list-style-type: none"> <li>• Firearms (including Active Duty Firearms Standard)</li> <li>• Emergency Vehicle Operations</li> <li>• Legal Update</li> <li>• Subject Control</li> <li>• Instructor Training (including platform skills based on adult learning)</li> <li>• Evidence Collection/Crime Scene Processing</li> <li>• First Line Supervision (does not include Staff &amp; Command)</li> </ul>
<p>Prosecution</p> <ul style="list-style-type: none"> <li>• Trial &amp; Appellate Advocacy Training</li> <li>• Legal Updates</li> <li>• Prosecution Support Staff &amp; Victim Rights Training</li> <li>• Child Support Enforcement</li> </ul>	

**Priority Applicants** - To encourage the most cost-effective use of Justice Training grant funds, the Commission will give priority to applications submitted by:

- a training consortium,
- law enforcement agencies employing 100 or more MCOLES licensed law enforcement officers,
- an individual eligible agency serving as the training provider for its own employees **and** the employees of other eligible agencies within a specified geographic area, and
- statewide training providers for specialized training endeavors that meet an identified statewide need.

**Other Priorities** – Given the limited amount of Justice Training funds available for the competitive grant program, the Commission will also give priority to new and innovative proposals. However, consideration will be given to previously funded, ongoing programs if sufficient justification is provided by the applicant.

## **TOPIC CONSIDERATIONS**

**Training Series** - A separate grant application is required for each topic area, unless the application is to provide for a series of related training programs (e.g. law enforcement series). Complex or multi-part grant applications with dissimilar training topics or audiences must be broken into individual grant applications for each training topic or area.

**Legal Update** - Law Enforcement agencies or consortia proposing legal update training must first determine if such training is available through their local prosecuting attorney's office. If the local prosecutor's office cannot provide this training, the agency or consortium may request grant funding. An explanation of the contact with, and response from, the local prosecuting attorney's office must be included in the grant application.

**Computer Based Training** - Applications for computer based training, as defined in Appendix A, must meet the following requirements to be considered for funding:

- An instructor or course developer must be identified and available for contact by participants with questions or follow-up on the material.
- A copy of any CD-ROMs used in training courses shall be submitted to MCOLES. For blended learning or Internet-hosted courses, access to the platform or Internet connection must be provided to MCOLES staff.
- A copy of the test security protocol (e.g., circulation and/or accessibility of the test, proctored testing, etc.) shall be submitted on training courses that involve high risk, high liability activities, and/or officer certification in a particular law enforcement area.
- An evaluation instrument shall be developed and utilized to measure the participant's mastery of the topic. The participant must attain competency to receive credit for the course.
- The computer navigation required to participate in the computer based training program should not require advanced knowledge of computer operations, unless the program is specifically for advanced users or part of cumulative training;
- The minimum computer system requirements should allow the program to run on the basic level of current technologies, unless the training is specifically targeted to applications requiring advanced hardware/software; and
- Any applications or plug-ins required to run the computer based training course (e.g. Adobe Reader, Macromedia Flash, activeX controllers, etc.) shall be provided or made readily available for download.

**Active Duty Firearms Standard** - Grant applications that include the MCOLES Active Duty Firearms Standard shall encompass, and provide specific details relative to, the following:

- Both components of the standard (educational and skill).
  - The educational component must contain all seven training objectives listed in the standard.
  - The firearms skill assessment must be the MCOLES published course of fire.
- How the agency intends to comply with both components of the standard, including:
  - An assessment of the knowledge piece to determine minimum competency.

- Remedial training protocol for those who fail to demonstrate desired competency in the educational component (e.g., decision-making, legal justification, tactics, etc.).
- Remedial training protocol for those who fail to demonstrate desired competency on the course of fire.
- The identification and description of an appropriate firearms range that can safely contain all rounds fired.

## **Part 2: Pre-Award Requirements**

Chapter 1: Application Process

Chapter 2: Conditions of Award and Acceptance

Chapter 3: Standards for Financial Management

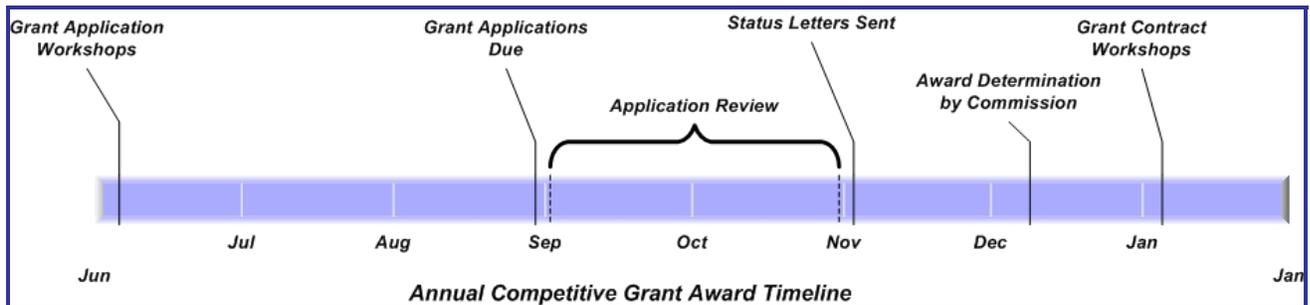
## **Chapter 1: Application Process**

### Chapter Highlights:

- Timeline
- Application Workshops
- Application Preparation
- Submission
- Application Review

## TIMELINE

The competitive grant award cycle begins in the spring and concludes the following January with the award of grant contracts. The annual calendar of events is posted on the MCOLES Web site ([www.michigan.gov/mcoles](http://www.michigan.gov/mcoles)) well in advance of each milestone.



## APPLICATION WORKSHOPS

The application workshops are the first step in the competitive grant award cycle. **Attendance is mandatory** for all prospective grant writers and at least one financial representative from each eligible agency submitting a competitive grant application. Applications will **not** be considered for funding if this workshop attendance requirement has not been met.

Grant application forms will be distributed at the workshops and will **not** be available on the MCOLES web site. If additional copies are required, applicants who have attended a workshop should contact the MCOLES Grant Coordinator.

## APPLICATION PREPARATION

Carefully review the instructions for completion of each section of the application. **Only complete applications that comply with all the requirements will be considered.**

### Section 1 – Identification

The first section of the grant application captures basic identifying information about the applicant agency and the proposal. The **Applicant Agency** must be an eligible recipient agency, with the authority to enter into a contract with, and receive funds from, the state of Michigan. If the application is submitted on behalf of a consortium, provide the official name of the **Training Consortium**. In all cases, the **Federal ID Number** must be the number issued to the Applicant Agency.

Provide a clear, concise **title** for your project limited to 45 characters in length. The project (contract) period is one **calendar year** in duration and will be predefined on the application form. Enter both the **total project cost** (grant funds plus match) and the amount of **grant funds requested** (a maximum of 75% of the total project cost).

The person authorized to enter into contracts on behalf of the applicant agency shall sign as the **authorized official**. The individual who is responsible for implementing the project shall sign as the **project administrator**, and the person assigned to supervise financial matters related to the grant contract shall sign as the **financial officer**. No one person may serve more than one role. These signatories shall be three separate individuals.

## **Section 2 – Project Narrative**

The Project Narrative is divided into five (5) components and is the heart of the application. It is here that the applicant clearly describes the Problem Identification, Training Objectives, Training Methods, Evaluation, and Cost Justification for the proposed training.

### **2-A Problem Identification**

Write a clear, concrete statement that describes the issue, concern, or problem to which the proposed training will be directed. Identifying a problem involves providing a solid rationale for the training, in other words, it should answer the question “Why bother with this training?”

Clearly explain:

- what the problem is,
- why the problem is relevant to your geographic region or is important to your agencies,
- how the training will mitigate the identified problem,
- why this training proposal is worthwhile and,
- why this training should be funded instead of similar proposals.

It is suggested that you use the Commission’s prioritized training list as a starting point and a guide as you formulate the problem statement. Consult with your constituent agencies about the types of training they need and ask them to provide a rationale for that need. Be sure to identify the problem in precise terms. Articulate the importance of an issue by connecting it to proposed training outcomes.

### **2-B Training Objectives**

Provide a detailed description of the subject matter, the course syllabus (outline), and the number of hours each topic requires. Identify major training objectives and include several sub-objectives that describe how the participant is expected to achieve the major objective. Indicate what the participants are expected to know and do as a result of the training. Use a structured format that has a logical flow. Do not confuse course objectives with the procedures used to identify a problem in Section 2-A (Problem Identification) and be sure to specify more than one or two major objectives in the application.

Preferably, write the training objectives in terms of behavioral outcomes and work from the following implied stem: *At the completion of training, the participant will be able to...* Use action words such as “demonstrates the ability to..”, “describes”, “considers”, “explains”, or “evaluates”, rather than “knows”, “lists”, or “understands.” Training should produce performance outcomes, rather than repetitive memorization or recall. True competency is achieved when both knowledge and the ability to perform come together. When writing training objectives, the author should think in terms of “knowing”, rather than “knowledge”.

The format of the training objectives should effectively bridge training content with quality decision-making and contextual problem solving. For example, when writing objectives for emergency vehicle operations, be sure to include a decision-making component. Do not rely exclusively on mechanical skills development. Each objective should be measurable, observable, and be written as an action statement. Connect the proposed training program to the Commission's prioritized training list.

## **2-C Training Methods**

Identify program developers and instructors and list their qualifications. Explain how their time will be allocated and how the training will be delivered in the classroom (lecture, group activities, case studies, discussion, etc.).

MCOLES believes that **adult learning** should be an essential component of any teaching methodology. Learning must include higher order thinking and adult learners prefer context and relevance (what's in it for me?). Moreover, the training must be useful to the participants when they return to their job. Once they leave the classroom they will be required to make decisions and perform effectively on the job. The reviewers will give preference to training that incorporates these methodologies where appropriate.

Specifically identify providers who are not based in Michigan and justify the selection of the out-of-state training program or vendor. The **out-of-state vendor** program must be substantially different than a Michigan vendor to be considered for funding. Priority will be given to in-state training vendors.

Outline the methods of training, hours of training, and identify classroom texts that are required. Additionally, identify where the training will occur and any facility requirements. Describe the training materials to be developed or provided. Indicate where and how the materials will be made available to other criminal justice practitioners.

## **2-D Evaluation**

Design and implement a plan to determine the success of the training. Refer to the identified problem and indicate how the training outcomes connect with the problem or issue that is being addressed. The evaluation process should measure basic skills and knowledge, but should also assess how training outcomes may positively affect subsequent behavior on the job.

Evaluation can be accomplished in three ways. First, the **participants' reactions** to the training session can be obtained, organized, and assessed. Ask them what they think about the training and the instructors. Then, improvements can be made to subsequent training, if necessary, based on this feedback. This is the most common evaluation methodology and is required by the grant. Be aware that if the training session is delivered in an interactive manner, based on adult learning methodologies, the participant feedback may not all be positive. Participants generally prefer passive learning.

In addition, the participants can be evaluated on their **acquisition of knowledge** through written examinations, quizzes, or performance exercises. This type of evaluation is also a grant requirement. Knowledge acquisition is a fundamental component of any training and identifying the extent to which the participants acquired basic knowledge and skills can be useful. Use multiple choice tests or quizzes. Performance assessments are particularly well suited for measuring higher order thinking, particularly if using reality-based scenarios with role players.

Performance requires the participants to demonstrate their knowledge rather than recite their knowledge. Use these types of assessments whenever practicable.

Evaluation can also address the extent to which the training has helped **resolve the stated problem** or issue after the participants return to their work assignments. Designing these types of evaluations can be more complex and unquestionably take more time and effort. But ultimately, the true purpose of training is to help resolve real-life issues when working the job.

MCOLES encourages grant applicants to design structured plans to determine to what extent the training has made a real difference in the profession. For example, use follow-up questionnaires or initiate phone calls to participant agencies, supervisors, and the participants themselves to help determine the usefulness of the training. This will become increasingly important as funding shrinks and requests for continuation grants are considered.

In general, the MCOLES suggests using a combination of assessment strategies to determine the effectiveness of the training. Performance exercises or role-play scenarios can be used both as training tools and as assessment tools. In that way, the instructors can gauge the progress of the participants as the training experience unfolds, not just at the end of the session. In general, grant applicants are being asked to determine the best fit between the selected training methodology and the most appropriate classroom assessment or evaluation technique.

If the grant request is for a **computer-based training** application, there must be an evaluation instrument to measure the participant's competency, preferably through a demonstration of abilities. Describe the methods or tools that will be used to objectively measure training outcomes. Link the training objectives to the training content.

### **Section 3 - Cost Justification**

- **Grant Funded Budget**

The cost justification section is the bridge between the project narrative and the grant funded budget detail. Explain the proposed expenditures for **each course offering or topic**. Provide a rationale for individual items and explain the relationship between the cost and the proposed training.

The cost justification must describe: a) the topic, b) the number of sessions, c) the number of students per session (including minimum and maximum), and d) an itemized summary of costs per topic or course. The summary of costs must be categorized by expenditures for personnel, contractual services, travel, supplies/operating, and equipment. Please follow the sequence outlined in the budget detail and, verify that the total dollar value of all topic areas equals the total amount requested in the budget detail.

Specify the responsibilities of personnel and contractors and justify their need. Consultants must be justified in detail. Clearly distinguish between expenditures for instructor preparatory time and course development time. Instructors shall be allowed time to prepare for their teaching assignments. Existing training content often needs to be reviewed, updated, and refined each time it is delivered. Similarly, development time shall also be allowed, but developing a program or training session is not the same thing as preparing for the session. Development refers primarily to creating new training content or creating new training components for an existing training series.

Provide justification for any out-of-state travel, and/or the use of an out-of-state vendor. Explain how all reasonable efforts have been exhausted to locate a similar training program in Michigan and, if a similar program is being offered in Michigan, why it does not meet the training need.

Describe any equipment to be purchased or rented, and explain how it will be used to provide direct in-service training.

A specific course may in fact include “fixed” costs for training regardless of the number of offerings. For example, an applicant may need traffic cones for emergency vehicle operations (EVO) training, whether the course is offered once or several times during the grant year. Effectively communicate the details of such costs in this section.

Take care when writing the cost justification and attend to the details. Provide enough information to support the level of commitment to the proposal. Applications that do not break down the individual budgets and provide a cost justification for each topic will not be considered for funding.

- **Matching Share Budget**

Give a clear description of the matching share. Identify the source of cash match and describe in-kind contributions in sufficient detail to support the calculations shown in the budget detail. If a student fee is charged, specify the amount per student and identify the project costs that will be covered by the fees.

## **Section 4 – Budget Detail**

The budget detail section of the grant application consists of two separate line item budgets, one for grant funded costs (Section 4A) and another for costs paid from the matching contribution (Section 4B). The same five categories are used in both budgets: personnel, contractual services, travel, supplies and operating, and equipment.

Commission policy clearly defines allowable costs and also imposes restrictions that apply to each of the budget categories. ***Carefully review Part 3, Chapter 6: Allowable Costs, prior to the development of your budget, to ensure requested costs are acceptable.***

Begin by developing the total project budget including all costs from all sources of funding. Then use the Excel worksheet provided with the application form to split the costs into the separate budgets. The grant funded portion cannot exceed 75% of the total and the matching contribution must be at least 25% of the total. The two budgets must equal the total project costs both in the details and on the application face page.

Round costs to the nearest whole dollar and be sure to double check your calculations. If mathematical errors are found during the budget review, the recalculation that results in the lowest number will be accepted.

## **Section 4A – Grant Funded Budget**

### **Personnel**

The personnel category includes the salaries/wages and fringe benefits paid to ***employees of the applicant agency*** for development, preparation, instruction, or administration related to the direct delivery of the training program(s). Be careful to differentiate between employees and

contractors. If the individual is employed by the applicant agency and is compensated through their normal payroll system, identify them under personnel. Employees shall be compensated at their normal salary rate. Overtime rates are not allowed.

- **Salaries and Wages**

Create one row for each employee. Enter their name and the assignment they will perform within the project. Enter their actual hourly salary rate and the number of hours devoted to each applicable task. The total will equal the sum of the hours times the hourly rate.

- **Fringe Benefits**

Provide a description of each fringe benefit and show the formula/method used to make the calculation.

- **Administrative Costs**

Administrative costs may fall under personnel or contractual, depending on the individual's relationship with the applicant agency. A maximum of 8% of the grant funded budget may be charged for salaries and fringes (personnel) or fees (contractual) of the project administrator, persons assigned to provide administrative services or, clerical support. Travel costs associated with project administration are allowable, but shall be included in the 8% maximum and documented separately in the travel category.

Use the following formulas to determine maximum allowable administrative costs:

- [requested amount] – [administrative costs] = [total training costs]
- [total training costs ] X 0.08 = [maximum allowable administrative costs]

If total administrative costs are greater than the 8% maximum, decrease the percentage by reducing costs or moving costs from the grant detail to the matching share.

- **Total Personnel**

Add the Salaries & Wages Subtotal to the Fringe Benefits Subtotal and enter the sum on the Total Personnel line.

### **Contractual Services**

The contractual services category is for compensation paid to **contractors** hired by the applicant agency for development, preparation, instruction, or administration related to the direct delivery of the training program(s). Again, be careful to differentiate between employees and contractors. Individual contractors are hired by the applicant agency through a contractual agreement and are not compensated through the applicant agency's normal payroll system.

If a contractual provider/vendor (an organization rather than an individual) is hired to provide project services, a **full disclosure** of their costs must be provided under contractor fees.

- **Contractor Fees**

Create one row for each contractor. Enter their name and the assignment they will perform within the project. Enter their current hourly rate and the number of hours devoted to all applicable tasks. The total will equal the sum of the hours times the hourly rate.

If the contractor is charging a fixed price or **flat rate** for a training program, identify the contractor and a brief description of the rate structure in the first column. Skip the hourly columns and put the fixed price in the total column. Be sure to include a complete description of the contractual services to be provided in Section 3 - Cost Justification.

- **Tuition**

Enter the name of the training provider, course title, number of students and, the tuition cost per student for each course. The total is calculated as the number of students times the cost per student.

- **Total Contractual Services**

Add the Contractor Fees Subtotal to the Tuition Subtotal and enter the sum on the Total Contractual Services line.

### **Travel**

Commission policy clearly defines allowable costs and also imposes restrictions that apply specifically to travel. ***Carefully review Part 3, Chapter 6: Allowable Costs to ensure requested travel costs are acceptable.***

The travel category is subdivided into three sections; one each for personnel, contractual and trainee travel. Enter the travel costs for individuals in the appropriate section based on their responsibilities within the grant project. Provide the individual's name in the first column. If individuals cannot be identified by name at the writing of the grant application, provide an accurate description by title or function. Describe the type of travel cost (lodging, meals, etc.) and show the calculation for determining the total cost. For example: 2 nights of lodging at \$65 per night.

Calculate the subtotal for each section and enter the Total Travel cost at the bottom of the page as the sum of the three subtotals.

### **Supplies & Operating**

The supplies and operating category is for non-equipment items required for the ***direct delivery*** of the training program, such as handout materials, ammunition or facility rental. Each cost must be itemized. A generic entry for 'miscellaneous' supplies or indirect costs as a percentage of the budget total will not be accepted.

Give a clear description of the item or expense, the quantity to be purchased, and the unit price. Calculate the total cost as quantity X unit price. Enter the sum of all costs on the Total Supplies & Operating line.

### **Equipment**

In order for a piece of equipment to be eligible for grant funding, it must be directly involved in the delivery of in-service training. It must be personal property (as distinguished from real property) such as machines, audio/video, and computer hardware, have a normal useful life of more than one year, and not become a fixed part of a building or structure.

Give a clear description of the equipment item, the quantity to be purchased and, the unit price. Calculate the total cost as quantity X unit price. Enter the sum of all costs on the Total Equipment line.

## **Total Grant Funded Budget**

Enter the sum of the category totals on the Total Grant Funded Budget line.

### **Section 4B – Matching Share Budget Detail**

Using the same budget categories and detail descriptions, show all project costs that will be funded from the 25% matching share. Enter the sum of all matching costs on the Total Matching Share Budget line. Calculate the Total Project Budget (grant funded plus matching share) and enter it on the appropriate line.

### **Section 5 – Applicant Priorities**

The Commission shall ensure that the applicant's list of priorities for funding and reductions is followed to the highest degree possible even though reductions or denials of grant requests will be necessary due to a lack of available funding. Specify which initiatives are the most important to your agency or consortium and, likewise, suggest where cuts can be made with the least amount of impact. Clearly define your priorities in Section 5.

Prioritize your funding request(s) in descending order (highest to lowest). At a minimum, each application shall contain a prioritized list and recommended reductions of components within the application. If the applicant agency submits more than one request, or is acting as the applicant for a consortium, additional prioritizations shall be included as indicated below.

- **Application Priorities**

Rank order the courses/topics, or if the request is for a single topic, prioritize budget items. In those cases where multiple offerings of the same course are planned, specify the minimum number of offerings required.

- **Applicant Agency Priorities**

If an agency submits more than one application for funding, a prioritized list of all agency applications shall be included in Section 5 of each application.

- **Consortium Priorities**

Applications submitted on behalf a **formal** consortium shall be prioritized by the membership. The prioritized list shall be included in Section 5 of each application.

Individual agency applications, submitted by members of an **informal** consortium, shall be prioritized by the entire membership together with all applications submitted by the consortium members. This prioritized list shall be included in Section 5 of each application.

## **SUBMISSION**

Only **complete** applications will be considered. Submit one printed copy of the entire application, with original signatures, and one electronic copy, saved to a CD-ROM or flash drive, in MSWord (application) and Excel (budget details). **No facsimile copies will be accepted.**

Mail the completed application packet to:  
Michigan Commission on Law Enforcement Standards  
Attention: Grant Applications  
Suite 600  
106 W. Allegan  
Lansing, Michigan 48909

***Applications must be postmarked on or before the published due date.*** Applications received after the established deadline will not be considered. Please note that appeals must be supported by a receipt from an approved express mail carrier. Approved carriers include the U.S. Postal Service, United Parcel Service (UPS), Federal Express (FedEx), and Airborne Express.

## **APPLICATION REVIEW**

Each application for justice training grant funds will undergo multiple reviews. The Commission staff will first conduct a preliminary review to ensure the:

- application is complete,
- application was received by the established application deadline,
- proposed training falls within the applicable criminal justice discipline on the Commission's Prioritized Training List and,
- application complies with Commission policies.

A detailed review of the application will then be conducted by the staff, which includes an analysis of the proposed training, the need for the proposed training, the accuracy and reasonableness of the budget, the relative merits of the proposal, and compliance with the program requirements.

Written notification detailing the status of each request will be sent to grant applicants in early November. Questions and concerns that arise from the staff review should be directed to the Grant Coordinator prior to the Commission's December meeting. Any supplemental information will be forwarded to the full Commission for their consideration.

The second review will be done by the full Commission and final action will be taken at the December meeting. Contract documents will be delivered at the grant contract workshops held in mid January.

## **Chapter 2: Conditions of Award and Acceptance**

### Chapter Highlights:

- Award Documents
- Award Notification and Acceptance Procedures
- Grant Contract Conditions
- Grant Award Workshops
- MITN and MAIN Requirements

## **AWARD DOCUMENTS**

Grant awards are issued in the form of a contract between the state of Michigan and the recipient agency (grantee) for a twelve (12) month period effective January 1. The contract documents consist of the signature page, the approved budget detail and any contract special conditions. The contract also incorporates the approved application and this manual by reference.

## **SPECIAL CONDITIONS**

The Commission and the grantee understand and agree that the grant contract is subject to and incorporates any contract special conditions, which may be unique to the grant contract and are included in the contract documents

## **GRANT AWARD WORKSHOPS**

Grant contract workshops are conducted annually by the Commission staff in January. Contract documents will be distributed and a thorough review of the contract conditions will be conducted. Special attention will be given to reporting requirements and contract adjustments. Attendance at these workshops is **mandatory** for all grant project administrators and at least one financial officer from each grantee agency.

## **AWARD NOTIFICATION AND ACCEPTANCE PROCEDURES**

One original copy of the contract documents will be provided to the grantee at the grant award workshop. To accept the contract, the grantee's Authorized Official, Project Administrator and Financial Officer shall sign the original signature page and return it to the Commission for the signature of the Executive Director. A copy of the executed contract will be returned to the grantee. No grant costs shall be incurred prior to execution of the contract.

## **Chapter 3: Standards for Financial Management**

### Chapter Highlights:

- Accounting System
- Total Cost Budgeting and Accounting
- Commingling of Funds
- Recipient Accounting Responsibilities
- Procurement/Purchasing

## **ACCOUNTING SYSTEM**

The grantee is responsible for establishing and maintaining an adequate system of accounting and internal controls. All expenditures from the grant contract shall be made in accordance with standard accounting and purchasing procedures.

Accounting records shall be maintained and must follow generally accepted accounting principles, for the expenditure of funds for the purpose identified in the approved grant application. Adequate expenditure documentation, including receipts for actual purchases, must be maintained for at least three (3) years after the expiration of the contract period.

The Commission, the Michigan Department of Treasury, and the State Auditor General, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the grantee which are related to the contract for purpose of inspection, audit, and examination.

Any expenditure of grant funds that is determined by the State Auditor General or the Commission to be unreasonable or duplicative shall result in the forfeiture of the grant funds.

## **TOTAL COST BUDGETING AND ACCOUNTING**

The grantee shall account for program costs on a "total program cost" basis. Total program costs, including state funds and grantee matching shares and any other fund sources included in the approved project budget or received as program income, shall be the foundation for fiscal administration, accounting, and audit.

## **COMMINGLING OF FUNDS**

The grantee's accounting system must ensure that justice training funds are not commingled with any other funds. All grant revenue and expenditures shall be recorded in a fund or account separate from the grantee's other funds or accounts.

## **Part 3: Post-Award Requirements**

- Chapter 1: MITN and MAIN Registration
- Chapter 2: Period of Availability of Funds
- Chapter 3: Payments
- Chapter 4: Grantee Match
- Chapter 5: Adjustment to Award
- Chapter 6: Allowable Costs
- Chapter 7: Program Responsibilities
- Chapter 8: Reporting Requirements
- Chapter 9: Retention and Access Requirements for Records
- Chapter 10: Sanctions
- Chapter 11: Termination

## **Chapter 1: MITN and MAIN Registration**

### Chapter Highlights

- MCOLES Information and Tracking Network
- Michigan Administrative Information Network

## MITN AND MAIN REQUIREMENTS

### MCOLES Information and Tracking Network (MITN)

All grant-funded in-service training delivered to Michigan law enforcement officers shall be registered in the *MCOLES Information and Tracking Network* prior to the delivery of training. The training provider, whether the grantee agency or a contractual provider, must first register in MITN as an in-service training provider and appoint authorized operators. It is the responsibility of the **provider** to register each grant-funded training **course** and the attendance of MCOLES licensed law enforcement officers into the system.

Instructions for the MITN training provider registration process are available on the MCOLES Web site at [www.michigan.gov/mcoles](http://www.michigan.gov/mcoles). A complete user guide, with step-by-step instructions for registering a course and reporting attendance, is available on the MITN Web site. Access to the MITN Web site is granted to authorized operators through the provider registration process.

### Michigan Administrative Information Network (MAIN)

All recipients of state funds must be registered as a payee in the state's accounting system, the *Michigan Administrative Information Network*. Once registered, the grantee's operator can:

- access or change account information 24 hours a day,
- sign-up to receive state of Michigan payments via Direct Deposit (Electronic Funds Transfer) which is the preferred method of payment and,
- view payment details on Direct Deposit (Electronic Funds Transfer) payments.

All of these features, and a slideshow tutorial, are available on the Department of Technology, Management & Budget, Contract & Payment Express Web site at:

[http://www.michigan.gov/budget/0,1607,7-157-13404\\_37161-179392--,00.html](http://www.michigan.gov/budget/0,1607,7-157-13404_37161-179392--,00.html)

## **Chapter 2: Period of Availability of Funds**

### Chapter Highlights

- Obligation of Funds
- Expenditure of Funds
- Extension Criteria

## OBLIGATION OF FUNDS

An obligation occurs when funds are encumbered, such as in a valid purchase order or requisition to cover the cost of purchasing an authorized item on or after the begin date and up to the last day of the contract period stipulated in the contract. Any funds not properly obligated by the grantee within the grant contract period will lapse and revert to the Commission. The obligation deadline is the last day of the grant contract period unless otherwise approved by the Commission.

## EXPENDITURE OF FUNDS

Grant funds, which have been properly obligated by the end of the contract period, shall be liquidated (expended) within 60 days of the project end date. Any funds not liquidated at the end of the 60 day period will lapse and revert to the Commission, unless a grant adjustment notice extending the liquidation period has been approved.

## EXTENSION CRITERIA

Requests for a no-cost extension of a grant contract must be submitted to the Commission a minimum of 30 days prior to the current contract end date. The request for extension must state the need for the extension and indicate the additional time required.

The maximum extension allowable for any project period is 12 months and requests for retroactive extension of project periods will not be considered. Generally, only one extension per contract will be permitted.

Extension requests will be considered only if the following criteria are met by the grantee at the time of the request to the Commission:

- **Reports.** Current Financial and Program reports (as required by the schedule of reports) must be on file with the Commission and all identified financial issues must be satisfactorily resolved.
- **Special Conditions.** All special conditions attached to the contract must be satisfied, except for those conditions that must be fulfilled in the remaining period of the contract.
- **Extraordinary Circumstances Justification.** A narrative justification must be included in the extension request. Complete details must be provided, including the justification and the extraordinary circumstances that require the proposed extension. Explain the effect of a denial of the request on the project or program.
- **Approval.** The Commission is expected to take action on any proposed extension request within 15 working days after receipt of the request.
- **Extension Avoidance.** To avoid the need to make a request to extend the obligation or expenditure deadline of a grant program, all subcontracts should be made at least 6 months prior to the end of the obligation deadline for the contract.

## **Chapter 3: Payments**

### Chapter Highlights:

- Cash Advance
- Payment Method
- Withholding of Funds
- Returning Funds

## PAYMENT METHOD

Requests for payment are initiated by the grantee through the quarterly expenditure reporting procedure. The *Expenditure Report and Request for Funds* serves as the reporting mechanism and the request for reimbursement of allowable expenditures. Payments for allowable expenditures are made on a **reimbursement basis** through the state's accounting system (MAIN).

The grantee understands that if the Commission receives an *Expenditure Report and Request for Funds* on or before the due date, the funds will normally be released to the grantee within the next 30 days. This is the general rule and exceptions may occur.

The grantee understands that the final release of grant funds will not be made until the *Final Expenditure Report* and the *Final Program Report* have been received and approved by the Commission.

## CASH ADVANCE

Grant contracts of \$10,000 or less may receive a maximum of 50% of the total amount in the first release of funds. Grant contracts of more than \$10,000 may receive a maximum of 25% of the total amount in the initial release or advance of funds. Subsequent releases will be made on a **reimbursement basis** for costs reported on the quarterly expenditure reports.

## WITHHOLDING OF FUNDS

The Commission may withhold the release of funds if the grantee demonstrates any of the following:

1. Failure to adhere to requirements or special conditions;
2. Failure to submit reliable and timely reports;
3. Failure to attain project goals and;
4. Failure to inform the Commission of all scheduled grant funded training programs **before** the training occurs or;
5. Failure to provide to the Commission, in writing, the identification of all program developers and/or instructors who were not identified in the grant application.

## RETURNING FUNDS

The grantee agrees to return all unexpended grant funds to the Michigan Commission on Law Enforcement Standards together with the *Final Expenditure Report* within 60 days after the grant project is complete. Checks are to be made payable to the State of Michigan.

All income generated as a direct result of a grant-funded project (such as student fees) shall be deemed program income and shall be used to further program objectives. If the income collected exceeds the **total project costs**, the excess shall be used to reduce grant-funded costs. This reduction will be reflected in the *Final Expenditure Report* if a final reimbursement is due for expenditures incurred during the fourth quarter. Only in the event that the final reimbursement for a grant is zero, will the grantee return the unspent balance of program income to the Commission.

## **Chapter 4: Grantee Match**

### Chapter Highlights

- Match Requirements
- Types of Match
- Source and Type of Funds
- Timing of Matching Contributions
- Records for Match

## MATCH REQUIREMENTS

Funds provided for the matching share must be used to support the grant funded project and must be in addition to (and therefore supplement) funds that would otherwise be made available for the stated program purpose.

The grantee may charge a supplemental fee, such as a student fee, to contribute to the matching share. If revenue is collected above and beyond the amount necessary to cover project costs, the grantee agrees that all excess revenue shall be deducted from the total costs charged to grant funds.

## TYPES OF MATCH

- **Cash Match** (hard) includes cash spent for project-related costs. Allowable cash match may include those costs that are allowable with grant funds as well as costs that are not allowable but are related to the training project.
- **In-kind Match** (soft) includes the valuation of in-kind services. For example, time spent by the grantee's staff while they are working on the project may be used to comply with the match requirement.

## SOURCE AND TYPE OF FUNDS

Cash match may be applied from the following sources:

1. Funds from state and local units of government, such as LED or local training funds.
2. Program income, such as student fees, provided they are identified and approved as part of the grant application.

## TIMING OF MATCHING CONTRIBUTIONS

Matching contributions need not be applied at the exact time or in proportion to the obligation of the grant funds. However, the full matching share must be obligated by the end of the contract period. The full matching share provided (both cash and in-kind) must be reported on the *Final Expenditure Report* submitted at the end of the contract period. If the matching share is not reported, the Commission will assume that the grantee did not meet the required match and will initiate collection of a cash match from the grantee.

## RECORDS FOR MATCH

The grantee shall maintain records that clearly show the source, the amount, and the timing of all matching contributions. In addition, if a program or project has included within its approved budget contributions which exceed the required matching portion, the recipient must maintain records in the same manner as for the grant funds and required matching shares.

## **Chapter 5: Grant Adjustments**

### Chapter Highlights

- Grant Adjustment Request
- Notification

## GRANT ADJUSTMENT REQUEST

The grantee agrees not to expend funds obtained under this agreement for any purpose other than those specified in the approved grant application and only during the period covered by the grant contract, unless *prior* written approval is received from the Commission.

The ***Grant Contract Adjustment Request*** form is used to request Commission approval for any programmatic, administrative, or financial change associated with the grant contract. Regardless of the purpose for the adjustment, the request must be complete and must include current expenditure data. A thorough explanation of the proposed modification must be provided.

- **Program Adjustments**

A contract adjustment is required for any of the following program modifications to:

- alter specific actions made by the Commission,
- change program content,
- change project administrator or financial officer,
- identify/change instructors or program developers,
- increase/decrease training sessions or class size or,
- extend the project period (not to exceed 12 months beyond the original end date).

- **Budget Adjustments**

Budget adjustments are required to transfer funds between categories or to make an adjustment within a budget category that exceeds 10% of the category total or \$500, whichever is less. Explain the rationale for both the increase and decrease in the appropriate budget categories.

All budget adjustments shall be made within the total approved grant amount. No increase in the total budget shall be allowed.

## NOTIFICATION

A written response, in the form of a ***Grant Contract Adjustment***, will be mailed to the grantee following Commission action.

## **Chapter 6: Allowable Costs**

### Chapter Highlights

- Compensation for Personal Services
- Travel
- Supplies & Operating
- Equipment

## BACKGROUND

Allowable costs are costs identified in the Act, Administrative Rules, and Commission policy that may be included in the approved application and subsequent grant contract. In addition, costs must be reasonable, allowable, and necessary to the project. The following paragraphs describe allowable costs and restrictions that apply to each of the budget categories.

## COMPENSATION FOR PERSONAL SERVICES

**Administrative costs** include the salaries and fringes for the project administrator, persons assigned to provide administrative services, and clerical support, plus any associated travel costs for these individuals. The current limit is eight percent (8%).

**Commission members**, or any former member who served on the Commission at the time a grant was awarded, shall be reimbursed only for actual expenses incurred to teach or consult for a grant funded program.

**Contractual fees** shall be limited to \$50 per hour for actual time spent in preparation or instruction, not to exceed eight hours per day; however, fees in excess of the Commission limit may be charged to the matching contribution. Contractual fees shall not be paid for travel time.

**Contractual instructors or developers** shall not be compensated with grant funds to also act as the on-site training coordinator of the same training program.

**Employees** of the grantee shall be paid under the grant at their standard salary rate.

**Instructors** shall not be paid for more than:

- three (3) hours of preparation for each hour of presentation for new programs which the instructor has not previously developed or taught, or
- one (1) hour of preparation for every four (4) hours of presentation for existing programs, taught to a similar audience.
- If a program is repeated, the instructor shall only be paid for preparation of the program the first time it is taught.

**Tuition** will be allowed as an eligible expense on a per-student basis when the tuition is paid directly to the vendor by the grantee, on behalf of an employee of the grantee agency, for a non-customized training program that is otherwise open to the general public. Tuition is not an eligible expense where the sole purpose is attainment of an academic credential or continuing education credits. Full disclosure is required for all other contractual service provider fees which do not qualify as tuition.

## TRAVEL

**Administrator Travel** - Travel costs associated with project administration are allowable, but must be included in the 8% maximum and shown separately in the travel category.

**Air Travel** - The use of commercial airlines is permitted when it is advantageous based on comparative travel costs and the time of the traveler. Justice Training Funds may not be used to purchase first-class air fare.

**Instructor Travel** - Travel costs for instructors will be allowed at the current state of Michigan travel rates.

**Lodging Rates** - The maximum daily lodging allowances are indicated in the current Rate Schedule. Actual lodging expenses paid, not to exceed the maximum, plus any applicable sales or use taxes, are reimbursable.

Actual lodging costs at the site may be claimed for attendance at a conference or convention put on by an independent organization, either in-state or out-of-state.

**Meal Allowances** - Reimbursement for lodging and meals shall conform to the current Rate Schedule of the Commission as provided by the Act. In those cases where charges for lodging and meals exceed the allowable rate, the grantee may assess a registration fee or use other non-grant resources to cover the additional charge. The maximum daily meal allowances are indicated in the current Rate Schedule.

Trainee meals will only be allowed when training occurs both before and after the meal or the trainee is otherwise eligible for meals due to lodging.

Refreshments offered during training sessions shall be the responsibility of the training provider or grantee and will not be an eligible expense under the grant.

**Mileage Restriction** - Travel expenses shall not be charged for mileage or lodging where training occurs within 50 miles, by standard mileage charts, of the home or work site, whichever is closer. An exception may be allowed for those persons who work or reside within a radius exceeding 25 miles of the training site when a minimum of two hours of training occurs following the evening meal.

Mileage costs for trainees employed by the grantee are not allowable.

**Out-of-State Travel Restrictions** - The expenditure of grant funds for out-of-state travel is prohibited unless the training:

- meets the definition of “Criminal Justice Education Program”,
- is necessary to obtain or maintain certification of a specialty that meets the definition of “Direct Delivery of Criminal Justice Services”,
- is not available in Michigan,
- cannot be brought to Michigan and,
- is registered in MITN prior to the training taking place.

**Parking** - Reimbursement for parking charges at the most economical rate available is allowable.

**Qualifying Training** - The Commission will not authorize the use of Justice Training Funds for travel costs to participate in criminal justice training unless the criminal justice training program is for the sole purpose of training or offers not less than 6 hours of qualifying training within any 24-hour period. If any day of the training program qualifies, the Commission will authorize the use of Justice Training Funds for travel costs and registration. For those days that do not qualify, the Commission will not allow the expenditure of Justice Training Funds for meals and lodging. Travel days may include an extra day to and from the training site if a savings in air fare, greater than the per diem for the extra days, is achieved.

**Select Cities** - Specific travel rates have been established for “select” cities. The rates outlined in the Schedule of Travel Rates for these areas apply to both the specified cities and the adjoining areas. In order to qualify for these rates, any neighboring cities/suburbs must border on these cities.

**Taxi** - Necessary taxicab fares between work station, terminal, and meeting site are allowable.

**Tips** - Reimbursement for tips is allowed only where porter service is regularly provided and necessary to handle multiple bags and equipment. All other fees and tips to waiters, porters, and bellboys, charges for cleaning and pressing clothing, and similar personal expenses are not allowable as reimbursable expenses.

**Toll Charges** - Toll charges and bridge fees are allowable.

**Unallowable Trainee Travel** – Trainee travel is not allowed in law enforcement or local corrections grants. Trainee travel costs will be the responsibility of the employing law enforcement or corrections agency, where P.A. 302 Law Enforcement Distribution or Booking Fees are available.

**Vehicle Mileage** - Reimbursement for mileage will be made at a rate not to exceed the maximum allowable rate specified in the current Rate Schedule.

**SCHEDULE OF TRAVEL RATES**  
**Effective January 1, 2010**

<u>In-State (except Select Cities)</u>	
Breakfast	\$ 7.25
Lunch	\$ 7.25
Dinner	\$16.50
Lodging (supported by actual receipts)	\$65.00
 <u>In-State Select Cities*</u>	
Breakfast	\$ 8.75
Lunch	\$ 8.75
Dinner	\$21.00
Lodging (supported by actual receipts)	\$65.00
 <u>Out-of-State (except Select Cities)*</u>	
Breakfast	\$8.75
Lunch	\$8.75
Dinner	\$20.50
Lodging (supported by actual receipts)	\$83.50 plus taxes
 <u>Out-of-State Select Cities</u>	
Breakfast	\$11.00
Lunch	\$11.00
Dinner	\$22.00
Lodging (supported by actual receipts)	\$115 plus taxes
 <u>Group Meetings</u>	
Lunch	\$10.25
 <u>Standard Mileage Rate</u>	
	\$0.362 per mile

\* See select cities listing

## SELECT CITIES

MICHIGAN SELECT CITIES AND COUNTIES	
CITIES	COUNTIES
Benton Harbor Charlevoix Detroit Mackinac Island Petoskey St. Joseph	All of Wayne All of Oakland

OUT-OF-STATE SELECT CITIES			
STATE	SELECT CITY OR COUNTY	STATE	SELECT CITY OR COUNTY
Arizona	Sedona Yavapai	Minnesota	Minneapolis / St. Paul Hennepin County Ramsey County
California	Los Angeles (Los Angeles, Orange & Ventura Counties, and Edwards AFB) / Monterey Napa / San Diego / San Francisco / Santa Monica Santa Rosa / Yosemite National Park	New Jersey	Cape May / Ocean City
Colorado	Aspen / Vail	Nevada	Las Vegas Stateline (Douglas County)
Connecticut	Bridgeport / Danbury Lakeville / Salisbury New Haven / New London Groton	New York	Floral Park / Garden City Glen Cove / Great Neck Roslyn (Nassau County) Manhattan (the borough of, Manhattan, Brooklyn, Queens, Staten Island) / River Head Ronkonkoma / Melville / Smithtown / Huntington Station Suffolk
District of Columbia	Washington DC (Also the cities of Alexandria, Falls Church, Fairfax & Counties of Arlington, Loudoun & Fairfax in Virginia and the Counties of Montgomery and Prince George in Maryland)	Pennsylvania	Philadelphia
Florida	Key West / Naples Palm Beach	Rhode Island	Jamestown / Middletown Newport (Newport County)
Illinois	Chicago (Cook and Lake Counties)	Utah	Park City (Summit County)
Massachusetts	Boston (Suffolk County) Cambridge / Martha's Vineyard / Nantucket	Virginia	See District of Columbia
Maryland	See District of Columbia Annapolis / Ocean City	Vermont	Stowe (Lamoille County)
		Washington	Seattle
		Wisconsin	Wisconsin Dells

## SUPPLIES & OPERATING

**Overhead** or operating costs shall be itemized and included in the appropriate budget category. These costs shall not be allowed as a percentage.

**Rental** of any applicant-owned facility or equipment is prohibited.

**Training Materials** – The grantee understands and agrees that any contract executed for the marketing or sale of a grant-funded product shall be subject to Commission approval. If, as a result of such a contract, revenue is generated in excess of direct costs, the excess revenue shall be returned to the Justice Training fund to offset the grant funds. If additional revenue is generated beyond the grant award, a royalty shall be returned to the Commission in an amount to be negotiated on a case-by-case basis.

Any training materials (e.g., printed materials, video tapes, or audio tapes) produced with funds distributed under P.A. 302 of 1982, as amended, shall contain a statement that Michigan Justice Training Funds were used to produce the training material.

The grantee agrees that all training manuals, videotapes, films, computer software, and similar materials produced using Michigan Justice Training funds shall be made available to other criminal justice agencies in Michigan upon request. The grantee may charge other criminal justice agencies the reasonable direct costs incurred for reproduction and transportation of the training materials. No charges may be made for development or production of the training materials paid for with Michigan Justice Training funds.

Grant funds shall **not** be used for the duplication or dissemination of training materials produced for the grant program to individuals who did not partake in the direct delivery of the training.

A complete list of all training materials developed under this grant is to be included as a supplement to the Final Program Report and, unless major costs are involved, one copy of each of the training materials shall be submitted to the Commission.

Original material may be copyrighted, but is subject to the right of the Michigan Commission on Law Enforcement Standards to reproduce and publish the materials at cost and to authorize others to do so.

## EQUIPMENT

For the purposes of this grant program, to be defined as “equipment” an item shall:

- Be directly involved in the delivery of in-service criminal justice training;
- Be personal property (as distinguished from real property) such as machines, audio/video and computer hardware, etc;
- Have a normal useful life of more than one year; and
- Not become a fixed part of a building or structure.

**Disposition of Equipment** - Equipment purchases approved by the Commission may be retained by the grantee agency as long as the equipment is used for the provision of in-service criminal justice training.

When equipment is no longer used for the provision of in-service criminal justice training, the grantee shall contact the Commission to request disposition. The Commission may select one of the following actions:

- Transfer of the equipment to another training program. Costs of the transportation will be borne by the receiving agency.
- Approve the sale of the equipment, with the arrangements for the sale to be made by the agency possessing the equipment. The agency will be allowed to retain 10% of the receipts from the sale; the remainder shall be returned to the Commission.
- Dispose of the property in any other manner consistent with the purposes of P.A. 302 of 1982, as amended.

## **Chapter 7: Program Responsibilities**

### Chapter Highlights

- Program Notification
- Operational Numbers
- Program Materials
- Program Evaluation
- Reschedule or Cancel Training Sessions

## **PROGRAM NOTIFICATION**

The grantee agrees to give **prior** written notification to the Commission of all grant funded training events. The grantee also agrees that Commission members and the staff may attend such training events without cost to the Commission. The release of grant funds will be contingent upon receipt of the training schedule.

The grantee agrees to provide to the Commission, in writing, the identification of all program developers and/or instructors who were not identified in the grant application. The identification of each individual and a description of his/her qualifications shall be received before grant funds will be released.

## **OPERATIONAL NUMBERS**

The operational number is the minimum number of trainees projected for each grant funded training session/program. This number shall be specified in the application for each training session and is approved or adjusted by the Commission during the review process. Commission policy stipulates that if **documented enrollment** does not meet or exceed the minimum operational number, it is the grantee's responsibility to cancel or reschedule the training. Without prior Commission approval, any sessions that are held with enrollment below the minimum operational number will be ineligible for grant funding.

## **RESCHEDULE OR CANCEL TRAINING SESSIONS**

The grantee agrees to reschedule or cancel any training session for which enrollment does not meet or exceed the minimum operational number specified in the approved grant application. Any adjustment to this minimum number shall require prior Commission approval. All costs associated with any session that is run with enrollment below the minimum number will be disallowed.

## **PROGRAM MATERIALS**

Training materials and products are an integral part of criminal justice in-service training programs. The production and distribution of training materials and products with grant funds must comply with the following conditions.

- All training materials, audio/video tapes, films, computer software, and similar materials produced using grant funds shall contain a statement that Michigan Justice Training Funds were used to produce the material.
- All training materials, as mentioned above, shall be made available to other criminal justice agencies in Michigan upon request. The grantee may charge other criminal justice agencies the reasonable direct costs incurred for reproduction and transportation of the training materials. No charge may be made for development or production of the training materials paid for with Justice Training Funds.
- A complete list of all training materials developed under a grant is to be included as a supplement to the final program report and, unless major costs are involved, one copy of

each of the training materials shall be maintained by the grantee for future inspection/review by the Commission.

- Original material may be copyrighted, but it is subject to the right of the Michigan Commission on Law Enforcement Standards to reproduce and publish the materials at cost and to authorize others to do so.

## **PROGRAM EVALUTION**

There are three separate evaluations required of each grant funded project. The results of these assessments shall be compiled and reported to the Commission in the Final Program Report.

***Participant Evaluation*** – The grantee shall design a participant evaluation form appropriate to its training program which includes, but is not limited to, the questions outlined in the sample form provided by the Commission (Appendix C). Participants in all training sessions shall complete the evaluation form. The grantee shall compile a summary of participant responses and submit the summary as a part of the Final Program Report.

***Program Evaluation*** – The grantee shall conduct an evaluation of the training as specified in the approved application. The evaluation shall assess the acquisition of knowledge and/or skills by the trainee in the funded program. The findings of the evaluation shall be reported to the Commission in the Final Program Report.

***Program Assessment*** – The grantee shall conduct an assessment of the project as a whole, measuring the success of the program based on the goals of the approved application. This assessment shall include, but is not limited to, the following:

- the number of training sessions planned, conducted and cancelled;
- the number of attendees projected (per session/location) and the actual number trained and;
- the number of sessions rescheduled due to failure to meet minimum operational number.

## **Chapter 8: Reporting Requirements**

### Chapter Highlights

- Background
- Expenditure Reports and Requests for Funds
- Program Reports
- Additional Reporting Requirements

## BACKGROUND

The Commission requires grant recipients to report the results of each training program, financed in part or whole with justice training grant funds, in the format and in the manner prescribed by the Commission. The specific requirements, reporting periods, and submission deadlines are identified below.

**Reporting forms** are available on the MCOLES Web site for use by grantees throughout the contract period. All expenditure and program reports shall be submitted to the Commission on the designated forms:

- MJT-222 *Expenditure Report and Request for Funds*
- MJT-526 *Final Expenditure Report*
- MJT-525 *Interim Program Report*
- MJT-527 *Final Program Report*

Required expenditure and program reports shall be submitted on or before the specified due dates to ensure the timely release of funds. Failure to submit the required reports by the due date will result in the withholding of grant funds to the grantee agency, for **all** active grant contracts until the required reports have been received and accepted. Delinquent reports from a prior grant year may result in the withholding of funds for the current grant year.

The grantee understands that, when a delinquent report is past due for a period of three (3) months, the grant contract will be subject to termination for noncompliance with these conditions.

## EXPENDITURE REPORTS AND REQUESTS FOR FUNDS

The grantee shall submit regular expenditure reports to the Commission in accordance with the schedule provided below. In addition to reporting expenditures, the *Expenditure Report and Request for Funds* is also used as the vehicle for the release of funds. These reports are due on or before the due date specified, whether or not funds are requested. The expenditure reporting periods correspond to calendar quarters. The quarterly reports are due twenty (20) days following the end of the quarter. Expenditure reports will be accepted monthly if the grantee requires more frequent fund releases.

The *Final Expenditure Report* is due 60 days following the end of the contract period. This report must include the detail of all expenditures for the entire contract period. If the grantee has received funds in excess of the total final expended amount, the unexpended balance must be returned to the state of Michigan with the final expenditure report.

Report	Report Period	Due Date
1 <sup>st</sup> Qtr Expenditure Report	January – March	April 20
2 <sup>nd</sup> Qtr Expenditure Report	April – June	July 20
3 <sup>rd</sup> Qtr Expenditure Report	July – September	October 20
Final Expenditure Report	January – December	March 1

## PROGRAM REPORTS

As a major component of the overall evaluation of a grant funded program, the grantee shall submit program reports which outline grant activity, or lack thereof, for the specified report period in accordance with the schedule provided below. The *Interim Program Report* is due twenty (20) days following the end of the second quarter (first six months) of the contract period.

The *Final Program Report* is due 60 days following the end of the contract period. This final report covers activity throughout the entire contract period and incorporates the evaluation methodology designed as a component of the original grant application. As a component of the *Final Program Report*, a participant evaluation summary and project assessment are also due 60 days following the end of the contract period.

Report	Report Period	Due Date
Interim Program Report	January – June	July 20
Final Program Report	January – December	March 1

## ADDITIONAL REPORTING REQUIREMENTS

In the event the grant project is ***completed prior to the contract end date***, the grantee shall submit the final reports as soon as possible following the conclusion of the project.

For those Grant Contracts that are ***extended*** by the Commission beyond the original contract period, additional reports are required as follows:

- Quarterly expenditure reports shall be submitted 20 days following the end of each additional, complete calendar quarter, beginning with the fourth quarter of the original grant year.
- An interim program report will be due for each additional, complete six month period, beginning with the last two calendar quarters of the original contract year.

## **Chapter 9: Record Retention & Access**

### Chapter Highlights

- Retention of Records
- Maintenance of Records
- Access to Records

## **RETENTION OF RECORDS**

All financial records, supporting documents, statistical records, and all other records pertinent to the grant contract shall be retained by the grantee for at least 3 years following notification by the Commission that the grant has been programmatically and fiscally closed or at least 3 years following the closure of its audit report covering the entire contract period, whichever is later. Retention is required for purposes of state examination or audit. Records may be retained in an automated format. State or local governments may impose record retention and maintenance requirements in addition to those prescribed.

## **MAINTENANCE OF RECORDS**

Recipient agencies shall identify and maintain grant records separately by contract year so that information desired may be readily located. Recipients are also obligated to protect records adequately against fire or other damage. When records are stored away from the recipient's principal office, a written index of the location of records stored should be on hand and ready access should be assured.

## **ACCESS TO RECORDS**

The Commission, the Michigan Department of Treasury, and the State Auditor General, or any of their duly authorized representatives, shall have access, for purpose of inspection, audit, and examination, to any books, documents, papers, and records of the grantee which are related to the grant contract.

## **Chapter 10: Sanctions**

### Chapter Highlights

- Sanctions

## **SANCTIONS**

If the grantee materially fails to comply with the terms and conditions of the grant contract, the Commission may take one or more of the following actions, as appropriate in the circumstances.

- Temporarily withhold cash payments pending correction of the deficiency by the grantee;
- Disallow all or part of the cost of the activity or action not in compliance;
- Wholly or partly suspend or terminate the current contract;
- Withhold further awards for the project, program or organization; or
- Take other remedies that may be legally available.

## **Chapter 11: Termination**

### Chapter Highlights

- Grant Contract Termination

## **GRANT CONTRACT TERMINATION**

The grant contract may be terminated if the Commission determines that the grantee is not in compliance with the conditions and provisions of the grant contract. The Commission will extend an opportunity for the grantee to demonstrate compliance. Notification of termination will be in writing.

The grantee also has the option to terminate the grant contract if it is determined the project cannot be completed as approved or the conditions of the grant contract cannot be met. The grantee shall notify the Commission, in writing, of their intent within 30 days of the decision.

## **Part 4: Appendices**

- Appendix A - Glossary of Terms
- Appendix B - Certification of Consortium Membership
- Appendix C - Participant Evaluation Template
- Appendix D - Commission Membership
- Appendix E - Public Act 302 of 1982, as amended
- Appendix F - Justice Training Administrative Rules
- Appendix G - Executive Order 2001-5
- Appendix H - Commission Resolution 2010-03

## Appendix A – Glossary of Terms

**Act** - P.A. 302 of 1982, as amended

**Authorized Official** - The individual authorized by the applicant agency's unit of government, college, or university to enter into a grant contract for the purpose of criminal justice in-service training. The Authorized Official may not serve as the Project Administrator or the Financial Officer.

**Commission** - The Michigan Commission on Law Enforcement Standards (MCOLES)

**Computer-Based Training** - any training course with part or all of the training conducted via computer, including a “blended learning” environment, a CD-ROM based program, or an Internet based platform.

- Blended learning refers to training courses where some or all of the material is presented via a computer-based platform, but there is also direct contact with an instructor. This instructor contact may include: physical classroom participation, instructor review of course assignments, instructor feedback to each student, live interactive discussions with other students and/or the instructor, discussion board, or other means by which there is interaction during the course of training between students and instructors.
- CD\_ROM and Internet-based training refers to training courses where all course materials and competency testing are provided via electronic media, with no direct instructor presence or interaction. All aspects of the course are completed independently by the student, via a computer.

**Conference** - A prearranged, formal meeting of a group of people from an organization, association or profession, for the purpose of discussion or consultation of a specific topic.

**Consortium** - A formal or informal organization of eligible agencies based on mutual agreement established to provide criminal justice training to its membership. This agreement includes the financial and human resources necessary to administer the training that would otherwise be cost prohibitive for any single member.

**Contractor** - Any person not paid a salary or wage by the applicant agency, who is paid a fee to serve as an instructor or a developer of a program or product, or to perform administrative, clerical, or other support services in connection with the development and/or delivery of the training program or product.

**Convention** - A prearranged, periodic assembly of a group of people from an organization, association, or profession for the purpose of exchanging information, exhibiting products and services, and participating in pre-planned social activities.

**Criminal Justice Education Program** - A learning experience that generates competency through reading, listening, observing, performing, problem-solving or interacting with others. The goal is to introduce or enhance knowledge, skills, or judgment related directly to the performance of professional criminal justice tasks currently assigned or assignable.

**Criminal Justice Training** - Training that is designed and intended to enhance the direct delivery of criminal justice services by employees of state or local agencies, which is not required minimum basic training for law enforcement officers or initial training for other employees, and which is any of the following:

- a criminal justice education program presented by the state or local agency or by a contractual training provider hired by the agency;
- a criminal justice course or package of instruction provided to an eligible trainee for the payment of a fee or tuition; or
- self education presented through the use of audio-visual materials.

**Direct Delivery of Criminal Justice Services** - Duties of line law enforcement officers that are provided to the general public, (e.g. traffic enforcement, first aid, investigation, community policing, problem solving) and administrative tasks that enhance the abilities of line officers to provide direct delivery of criminal justice services (e.g. law enforcement supervision and personnel management).

**Eligible Agency** - An agency, department, division, bureau, board, commission, council, or authority of the state or of a city, village, township, or county; a state supported college or university; a community college; a training consortium consisting of eligible agencies; or any agency or entity of the judicial branch of government.

**Equipment** - To be defined as equipment, an item must: 1) be directly involved in the delivery of in-service training; 2) be personal property (as distinguished from real property) such as machines, audio/video, and computer hardware, etc.; 3) have a normal useful life of more than one year; and 4) not become a fixed part of a building or structure.

**Financial Commitment** – An established agreement by members to pay a consortium to support consortium’s training activities. The financial commitment is independent of any **student** or course registration fees. Member agencies may meet their membership obligation to the consortium by paying the established amount or may negotiate with the consortium to provide services or equipment of equal value.

**Financial Officer** - The individual assigned by the applicant agency's unit of government, college, or university to be responsible for fiscal matters relating to the in-service training project, including management of funds, verification of expenditures, and grant financial reporting. The Financial Officer may not serve as the Authorizing Official or Project Administrator.

**Fund** - The Michigan Justice Training Fund

**Grantee Match** – A cash (hard) or in-kind (soft) contribution made by the grantee in support of the non-grant funded portion of the project budget. **Cash match** may come from sources such as student fees, consortium fees, non-member fees, or funds from state and local units of government. **In-kind match** is a contribution other than cash that adds real value to the project but does not require an actual cash outlay. A familiar in-kind contribution is the use of grantee employees to accomplish project tasks as a part of their regular employment. The value of their agency-paid salary for the hours worked on the program is contributed to project budget.

**Group Meeting** - A prearranged meeting of a group of people for the purposes of conducting training, workshops, or seminars.

**Instructor** - A person who teaches in a training program.

**Participant** - An individual who receives instruction.

**Personnel** - Persons paid a salary or wage by the grant applicant agency.

**Product** - Any tangible instructional item resulting from the project (e.g. written materials, videos, and computer programs).

**Professional Association** - A national, state, or local union or association of criminal justice professionals.

**Program Developer** - An individual who develops or revises the instructional content of a training program or product.

**Program** - The sequence of activities necessary to accomplish specific training objectives.

**Project** - The overall scope of the grant request, which may include more than one program.

**Project Administrator** - The individual who has been assigned by the applicant agency's unit of government, college, or university to manage the in-service training project and represent the applicant agency before the Commission. The Project Administrator may not serve as the Authorizing Official or Financial Officer.

**Supplies and Operating** - Consumable items and services used to deliver training (e.g. office supplies, driving cones, postage, telephone, and copying).

**Training Coordinator** - An individual who makes logistical arrangements necessary for the delivery of a training program.

## Appendix B - Certification of Consortium Membership

### Michigan Commission on Law Enforcement Standards Justice Training Competitive Grant Program

#### Identification:

1. Applicant Agency:
2. Consortium:

#### Consortium:

3. Consortium Structure:
4. Geographic Region Served by the Consortium:
5. Member Agencies:
6. Financial Commitment from Member Agencies:

#### Certification:

I certify, on behalf of the consortium, the information contained in this document is complete, accurate and, in compliance with the requirements of the Michigan Commission on Law Enforcement Standards.

Printed Name of Certifying Official	Title of Certifying Official
Signature of Certifying Official	Date

## **Appendix B – Certification of Consortium Membership Instructions**

### **Identification**

1. Enter the full name of the applicant agency as it appears on the application face page.
2. Enter the full name of the consortium as it appears on the application face page and any formal documentation generated as a result of the creation of the consortium.

### **Consortium**

3. Identify whether the consortium is a formal or informal organization. Describe how it was formed and how member agencies are collaborating to provide cost effective training opportunities.
4. Describe the geographic region served by the consortium.
5. List the member agencies.
6. Describe the financial commitment being made by each member agency. The financial commitment must be independent of any student or individual training session fees.

### **Certification**

The Certifying Official shall be the individual who administers consortium activities and has the authority to act on behalf of the consortium.

## Appendix C – Participant Evaluation Template

**Program Title:** \_\_\_\_\_ **Date:** \_\_\_\_\_

1. Overall, I thought that the program was:

Poor                  Fair                  Good                  Very Good                  Excellent

2. To what degree will the information be helpful to you in your job?

Not helpful                  Some Help                  Very Helpful

3. Was the program what you expected it to be?

Not at all                  Somewhat                  As Expected

4. How would you rate the overall effectiveness of the instructors?

Name of Instructor	Poor	Fair	Good	Very Good	Excellent

5. Were there any parts of the program you would change? If so, please specify.

6. Other comments regarding this program:

7. What other kinds of in-service training would you like to have available?

## Appendix D - Commission Membership

The Michigan Commission on Law Enforcement Standards consists of seventeen members:

1. The Attorney General or the designated representative of the Attorney General;
2. The Director of the Department of State Police or the Director's designated representative who is a Michigan State Police Officer;
3. The Chief of the Police Department located in a city with a population of more than 750,000, or the Chief's designated representative who is a command officer with that department;
4. Fourteen (14) members appointed by the governor, with the advice and consent of the Senate, as follows:
  - a. Three (3) individuals selected from a list of nine (9) elected chiefs submitted by the Michigan Association of Chiefs of Police or its successor organization;
  - b. Three (3) individuals selected from a list of nine (9) elected sheriffs submitted by the Michigan Sheriffs' Association or its successor organization;
  - c. One (1) individual selected from a list of three (3) individuals submitted by the Prosecuting Attorneys' Association of Michigan or its successor organization;
  - d. One (1) individual selected from a list of three (3) individuals submitted by the Criminal Defense Attorneys of Michigan or its successor organization;
  - e. One (1) individual selected from a list of three (3) individuals submitted by the Michigan State Police Troopers Association or its successor organization;
  - f. One (1) individual selected from a list of three (3) individuals submitted by the Michigan Chapter of the Fraternal Order of Police or its successor organization;
  - g. One (1) individual selected from a list of three (3) individuals submitted by the Police Officers Association of Michigan or its successor organization;
  - h. One (1) individual selected from a list of three (3) individuals submitted by a police association representing officers employed by one police agency employing more than 15 percent of the police officers in this state or their successor organizations.
  - i. One (1) individual selected from a list of three (3) individuals submitted by the Michigan Association of Police or its successor organization;
  - j. One (1) individual selected from a list of three (3) individuals submitted by the Police Officers Labor Council or its successor organization;

## Appendix E – Public Act 302 of 1982, as amended

An act to create the Michigan justice training commission and the Michigan justice training fund; to provide the powers and duties of certain state agencies; to provide for the documentation and expenditure of funds; and to provide for the promulgation of rules.

*The People of the State of Michigan enact:*

### **18.421 Definitions.**

Sec. 1.

As used in this act:

(a) "Alcoholic liquor" means that term as defined in section 2 of the Michigan liquor control act, Act No. 8 of the Public Acts of the Extra Session of 1933, being section 436.2 of the Michigan Compiled Laws.

(b) "Eligible entity" means a city, village, township, county, junior college, community college, state supported college or university, or the department of state police.

(c) "Fund" means the Michigan justice training fund created in section 5.

(d) "In-service criminal justice training" means a criminal justice educational program presented by an agency or entity eligible to receive funds pursuant to this act or by a contractual service provider hired by the agency or entity eligible to receive funds pursuant to this act, including a course or package of instruction provided to an eligible trainee for the payment of a fee or tuition, or education or training presented through the use of audio-visual materials, which program, education, or training is designed and intended to enhance the direct delivery of criminal justice services by eligible employees of the agency or entity.

(e) "MLEOTC certified police officer" means an individual certified as a police officer under the Michigan law enforcement officers training council act of 1965, Act No. 203 of the Public Acts of 1965, being sections 28.601 to 28.616 of the Michigan Compiled Laws.

(f) "Professional association" means a national, state, or local police union, or an association or fraternal organization of police officers, correctional officers, or prosecuting attorneys.

(g) "State or local agency" means any of the following:

(i) An agency, department, division, bureau, board, commission, council, or authority of the state or of a city, village, township, or county.

(ii) A state supported college or university.

(iii) A community college or junior college.

(iv) Any agency or entity of the judicial branch of government of this state.

History: 1982, Act 302, Imd. Eff. Oct. 12, 1982; -Am. 1989, Act 158, Imd. Eff. July 28, 1989.

Compiler's note: For transfer of authority, powers, duties, functions, and responsibilities of the Michigan Justice Training Commission and the Michigan Justice Training Fund from the Department of Management and Budget to the Department of State Police, see E.R.O. No. 1993-5, compiled at MCL 18.431 of the Michigan Compiled Laws.

For transfer of statutory authority, powers, duties, functions, and responsibilities of the Michigan justice training commission, the Michigan justice training fund, the commission on law enforcement standards, and the law enforcement officers training fund to the new Michigan commission on law enforcement standards by type III transfer, see E.R.O. No. 2001-2, compiled at MCL 28.621 of the Michigan compiled laws.

**18.422 Michigan justice training commission; creation; membership; election and term of chairperson; reimbursable expenses; conducting business at public meeting; notice; functions requiring affirmative votes of 5 members.**

Sec. 2.

(1) The Michigan justice training commission is created within the department of management and budget. The commission shall consist of the following members:

- (a) The director of the department of state police or his or her representative.
- (b) The president of the prosecuting attorneys' association of Michigan or his or her representative.
- (c) The president of the Michigan sheriffs' association or his or her representative.
- (d) The president of the Michigan association of chiefs of police or his or her representative.
- (e) One person appointed by the governor who is employed by a police agency employing at least 20% of the police officers in this state.
- (f) The president of the Michigan state police troopers association or his or her representative.
- (g) One person appointed by the governor who has been elected by police officers other than police officers in administrative or managerial positions, representing the interests of police officers other than police officers in administrative or managerial positions.
- (h) The president of the criminal defense attorneys of Michigan or his or her representative.

(2) The commission shall elect a chairperson annually from among the members of the commission. A person shall not serve more than 2 consecutive years as chairperson.

(3) The members of the commission shall be reimbursed for actual expenses, including travel expenses, from the fund. Members of the commission shall not be reimbursed for expenditures for alcoholic liquor, or for meal expenditures in excess of the per diem meal expenditures authorized for members of the state civil service.

(4) The business which the commission may perform shall be conducted at a public meeting of the commission held in compliance with the open meetings act, Act No. 267 of the Public Acts of 1976, as amended; being sections 15.261 to 15.275 of the Michigan Compiled Laws. Public notice of the time, date, and place of the meeting shall be given in the manner required by Act No. 267 of the Public Acts of 1976, as amended.

(5) The commission shall not perform any function authorized under section 3 without the affirmative votes of 5 members of the commission.

**18.423 Duties of commission; assistance.**

Sec. 3.

The commission shall do all of the following, with the assistance of the department of management and budget:

(a) Annually distribute 60% of the fund to eligible entities not including the money in the fund pursuant to section 5(2). An eligible entity receiving a distribution under this subdivision shall expend the distribution only for the in-service criminal justice training of its police officers. An eligible entity that uses money received under this subdivision shall maintain detailed records of the actual costs associated with the preparation for, the administration of, and the actual conducting of the training program. Use of money received under this subdivision for the payment of unreasonable or duplicative costs, as determined by the commission, shall result in the forfeiture of the money received by the eligible entity under this subdivision. Money distributed to an eligible entity which is not expended in the fiscal year of the distribution shall only be expended by the eligible entity for the in-service criminal justice training of its police officers in future fiscal years. An eligible entity receiving a distribution pursuant to this subdivision shall use the entire distribution for the in-service criminal justice training of its police officers within 2 years after receiving the distribution. If the eligible entity fails or refuses to use the entire distribution for the in-service criminal justice training of its police officers within 2 years after receiving the distribution, the

eligible entity shall not be eligible to receive additional distributions pursuant to this subdivision until the prior distribution is used for the in-service criminal justice training of its police officers. A distribution made under this subdivision shall serve as a supplement to, and not as a replacement for, the funds budgeted on October 12, 1982, by an eligible entity for the in-service criminal justice training of its police officers. The distribution shall be made in 2 semiannual installments on dates determined by the commission and shall be expended only for the direct costs of the in-service criminal justice training of police officers. The funds shall be distributed on a per capita basis to eligible entities based upon the number of full-time equated sworn MLEOTC certified police officers employed. Each eligible entity shall receive a minimum distribution of \$500.00. For purposes of this subdivision, the number of full-time equated sworn MLEOTC certified police officers shall be determined by dividing the total number of paid work hours actually worked by sworn MLEOTC certified police officers in the eligible entity's fiscal year by 2,080 hours, rounded down to the nearest whole number. For each year, the percentage of police officers who provide direct police service receiving training under this act shall be equal to or greater than the percentage of police officers who are in full-time administrative positions receiving training under this act.

(b) Annually distribute through a competitive grant process the balance of the fund after making the distributions required in subdivisions (a) and (d) and the expenditures required under section 2(3). In distributing money from the fund, the commission shall consider the quality and cost effectiveness of the training programs of applicants for funds and the criminal justice needs of this state. Money shall not be distributed under this subdivision to a professional association. In distributing money from the fund, the commission shall attempt to provide equity in funding for training programs for prosecutors and assigned criminal defense counsel. A state or local agency that uses money received under this subdivision shall maintain detailed records of the actual costs associated with the preparation for, the administration of, and the actual conducting of the training program. Use of money received under this subdivision for the payment of unreasonable or duplicative costs, as determined by the auditor general or the commission shall result in the forfeiture of the money received by the state or local agency under this subdivision. Grants under this subdivision shall be distributed only to the following:

(i) State or local agencies for the purpose of providing in-service criminal justice training programs to employees of those state or local agencies. A distribution made under this subparagraph shall serve as a supplement to, and not as a replacement for, the funds budgeted on October 12, 1982, by a state or local agency for in-service criminal justice training.

(ii) State or local agencies providing criminal justice training to the employees or the contractual service providers of other state or local agencies. A distribution made under this subparagraph shall be used to enhance and increase, but not supplant, the amount of local, federal, and other state funds that, in the absence of money from the Michigan justice training fund, are available for criminal justice training. As used in this subparagraph, "criminal justice training" means training which is designed and intended to enhance the direct delivery of criminal justice services by employees of state or local agencies; which is not required minimum basic training for police officers or initial training for other employees; and which is any of the following:

(A) A criminal justice educational program presented by the state or local agency or by a contractual training provider hired by the agency.

(B) A criminal justice course or package of instruction provided to an eligible trainee for the payment of a fee or tuition.

(C) Self-education presented through the use of audio-visual materials.

(c) Promulgate rules pursuant to the administrative procedures act of 1969, Act No. 306 of the Public Acts of 1969, as amended, being sections 24.201 to 24.328 of the Michigan

Compiled Laws, which prescribe the procedures by which the commission shall distribute money from the fund.

(d) Annually distribute an amount from the fund to the department of management and budget to cover the reasonable expenses of providing staff services to the commission, and to cover the expense of maintaining a register of available criminal justice training programs in this state.

#### **18.424 Prohibited expenditures; approval of out-of-state training program.**

Sec. 4.

(1) Distributions of money under this act shall not be expended for any of the following:

(a) Criminal justice training conducted by a training provider not based in this state unless the training event has first been approved by the commission.

(b) Criminal justice training not located in this state, unless the training event has first been approved by the commission.

(c) Criminal justice training in another country.

(d) Meal expenditures in excess of the per diem meal expenditures authorized for civil service employees.

(e) Purchasing alcoholic liquor.

(f) Travel costs to participate in criminal justice training, unless the criminal justice training program is for the sole purpose of training or offers not less than 6 hours of qualifying training within any 24-hour period.

(g) The publication of a newsletter.

(2) The commission shall not approve any out-of-state training program unless the eligible entity requesting approval of the training program has exhausted all reasonable efforts to locate a similar training program in this state, and the commission is satisfied that a similar training program is not available in this state.

#### **18.424a Printed materials; statement.**

Sec. 4a.

Any material printed from funds distributed under this act shall contain a statement that Michigan justice training funds were used to print that material.

#### **18.425 Michigan justice training fund; creation; disposition of certain money and investment earnings.**

Sec. 5.

(1) The Michigan justice training fund is created in the state treasury.

(2) Money in the fund which is not distributed in a fiscal year and which was to be distributed under section 3(b) shall remain in the fund for distribution in future fiscal years only for the purposes described in section 3(b).

(3) Investment earnings from the Michigan justice training fund assets shall be deposited in the Michigan justice training fund.

#### **18.426 Annual reports.**

Sec. 6.

Each eligible entity and state or local agency receiving a distribution under this act shall report annually to the commission on the results of its training programs. Each training program financed in whole or in part by a distribution from the Michigan justice training fund shall be separately identified. The commission shall report annually to the appropriating committees of the legislature on the results of the expenditure of the amount distributed.

#### **18.427 Repealed. 1984, Act 364, Eff. Mar. 29, 1985.**

**18.428 Conditional effective date.**

Sec. 8.

This act shall not take effect unless House Bill No. 5520 of the 81st Legislature is enacted into law.

**18.429 Audit of books, records, and accounts.**

Sec. 9.

The books, records, and accounts of the Michigan justice training commission shall be audited by the auditor general every 2 years.

**18.430 Repealed. 1992, Act 104, Imd. Eff. June 25, 1992.**

## Appendix F – Justice Training Administrative Rules

DEPARTMENT OF STATE POLICE  
MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS  
JUSTICE TRAINING FUND PROGRAMS

*Filed with the Secretary of State on January 19, 2006*

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the Michigan Commission on Law Enforcement Standards by section 3 of 1982 PA 302, by section 9 of 1965 PA 380, and by Executive Reorganization Order 2001-2, MCL 18.423, 16.109, and 28.621.)

### **R 18.14901 Definitions.**

Rule 901. (1) As used in these rules:

- (a) "Act" means 1982 PA 302, MCL 18.421.
  - (b) "Commission" means the Michigan commission on law enforcement standards.
  - (c) "Equipment" means an item of personal property of major value as established by the commission, which has a useful life of more than 1 year, which is used in direct in-service criminal justice training, and which is not a fixed part of a building or structure.
  - (d) "Officer cutoff" means the number of Michigan commission on law enforcement standards licensed full-time equated officers established by the commission, below which an eligible entity shall receive the minimum distribution under the provisions of section 3(a) of the act.
- (2) "Distribution" as used in section 3(a) of the act and these rules, means the 2 semiannual payments made from the fund to eligible entities.
- (3) Terms defined in the act have the same meanings when used in these rules.

### **R 18.14902 Distribution of 60% of fund.**

Rule 902. (1) The commission shall make distributions of 60% of the fund based upon the amount in the fund as of March 31 and September 30.

(2) The commission shall conduct an annual registration of MCOLES licensed law enforcement officers to determine the per capita basis for the distribution. The registration shall include each eligible entity designated in section 3(a) of the act. Each eligible entity shall verify the identity and status of each licensed officer and report the number of paid hours actually worked by each full-time and part-time commission licensed officer during the eligible entity's most recent complete calendar year. The verification of employed commission licensed officers shall be made on a form or in a manner prescribed by the commission and completed by the published due date. An eligible entity that does not comply with the submission requirements of this rule shall not be eligible for funding for the pending distribution year.

(3) Payments shall be determined in the following manner:

- (a) Payments to eligible entities receiving a minimum distribution shall be calculated first and deducted from the available revenue.
- (b) Payments to eligible entities receiving a per capita distribution shall be calculated from the balance of the 60% funds using the total number of FTEs from the eligible entities as determined under the provisions of section 3(a) of the act.

(4) The eligible entity shall affirmatively verify on the application compliance with the provisions of the act and rules, including the prohibition against supplanting. The commission may deny 1 or both payments to an eligible entity during a distribution year based upon the eligible entity's compliance with the provisions of section 3(a) of the act and these rules.

**R 18.14903 Law enforcement distribution funds; restrictions.**

Rule 903. Funds distributed under the authority of section 3(a) of the act shall be expended only for direct costs of in-service criminal justice training of commission licensed law enforcement officers. Only the following expenses are allowable, unless otherwise restricted by the commission:

(a) The hourly salaries of instructors for the actual time spent preparing and presenting training, subject to the supplanting restrictions of the act.

(b) The actual cost of purchasing or leasing training materials used to assist trainees in understanding in-service training topics. The cost may include either the purchase price or salaries and materials expended in creating training materials.

(c) The reasonable rental cost or the purchase price of equipment used during in-service training; however, expenditures for purchase shall not be more than a total of 10% of the funds received in any year nor may any single item be more than \$5,000.00, without the prior approval of the commission.

(d) Reasonable rental costs for the use of training facilities for in-service training, if facilities owned or occupied by an eligible entity are either not available or are inappropriate.

(e) A flat rate or tuition paid to a contractual training provider hired by an eligible entity. The payment shall be in compliance with policies established by the commission.

(f) Compact disks (CDs), digital versatile disks (DVDs), videotapes, web-based programs or other such instructional media that are based upon passive or interactive learning.

(g) Automated firearms training systems that simulate deadly force decision-making circumstances.

(h) Training outside Michigan or training provided by a vendor from outside Michigan, if the recipient has determined that similar training is not available in Michigan or that a Michigan vendor is not available. If an eligible entity chooses to use out-of-state training or an out-of-state vendor, then the entity shall request authorization from the commission, in writing, in advance, and in a manner prescribed by the commission.

(i) The commission may establish reasonable caps on allowable costs.

**R 18.14904 Accounting and audit requirements; sanctions for noncompliance.**

Rule 904. A recipient of funds under section 3(a) or (b) of the act shall comply with the following accounting and audit requirements:

(a) Account for justice training fund revenues and expenditures separate from other funding sources.

(b) Maintain records documenting financial transactions and program activities according to generally accepted accounting principles, permit program and fiscal inspections, and cooperate with any audit required or authorized by the commission.

(c) The commission may conduct an audit, at will, of justice training fund revenues and expenditures of any agency receiving justice training funds. The commission shall pay for the audit.

(d) If the commission determines that justice training funds were not spent in compliance with commission requirements, then the recipient agency shall be ineligible to receive commission funds until the commission is satisfied that the recipient agency complies with commission requirements.

**R 18.14905 Distribution of fund balance through competitive grant process.**

Rule 905. (1) The commission shall annually make a distribution of the balance of the fund to state and local agencies pursuant to the provisions of section 3(b) of the act.

(2) Agencies shall submit applications for grant funding to the commission on the forms and in the manner prescribed by the commission. The completed application shall contain all of the required information.

(3) Application forms, requirements, instructions, and a timetable for submission are available at the Michigan Commission on Law Enforcement Standards, 7426 North Canal Road, Lansing, Michigan 48913.

(4) A grantee may request a time extension of a grant contract. The extension may not be more than 1 year beyond the end date of the initial contract. At the conclusion of a contract, a grantee shall return any unexpended balances to the Michigan justice training fund or the balance of the obligated funds shall be liquidated for future distribution in accordance with the purposes described in section 3(b) of the act.

(5) A grantee shall notify the commission in writing of funded training programs before the program begins. A grantee shall permit commission members or staff to monitor training programs without charge to the commission.

**R 18.14906 Restrictions on grant funds.**

Rule 906. (1) Funds distributed under the provisions of section 3(b) of the act are restricted as follows:

(a) Funds may be expended for any of the following:

(i) The purchase or lease of training materials or equipment that is used exclusively for the direct delivery of in-service training.

(ii) Instructional preparation and development time and compensation as established by the commission.

(iii) Salaries of instructors or developers employed by the grant recipient at the instructor's or developer's regular hourly personnel rate.

(iv) Out-of-state travel for training or an out-of-state vendor presenting in Michigan with the prior approval of the commission. An out-of-state vendor shall be registered with the commission before the expenditure of grant funds.

(v) Consultant fees at an hourly rate established by the commission.

(b) Funds shall not be expended for any of the following:

(i) Duplication of compensation to instructors or staff.

(ii) Consultant fees for travel time.

(iii) A consultant to act as an on-site coordinator.

(iv) Overhead or operating costs as a percentage of the total grant request.

(v) A request that is for 100% equipment acquisition.

(vi) Construction of a firearms range or for the purchase of a firearm training system that simulates deadly force decision-making circumstances.

(2) The commission may approve a multiyear training project conceptually if an extended time frame is determined by the commission to be appropriate. However, the grant applicant shall annually compete for funding and a multiyear project shall be awarded as annual grants.

(3) The commission shall interact only with an applicant agency on questions related to a grant application.

(4) A current or former commission member shall not be paid with grant funds to participate in a commission-funded program that was awarded while the commission member held office; however, a member may be reimbursed for actual expenses.

**R 18.14907 Nondiscrimination.**

Rule 907. (1) A government unit receiving money distributed under the act and any person or contractor performing services funded by such money shall not discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment; or a matter directly or indirectly related to employment because of race, color, religion, national origin, age, sex, height, weight, or marital status in violation of 1976 PA 453, MCL 37.2101.

(2) A government unit receiving money distributed under the act and any person or contractor performing services funded by such money shall not discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment; or a matter directly or indirectly related to employment because of a disability or genetic information that is unrelated to the person's ability to perform the duties of a particular job or position in violation of 1976 PA 220, MCL 37.1101.

(3) Upon certification of the Michigan civil rights commission that a violation of subrule (1) or (2) of this rule has occurred, a government unit's right to receive money under the act may be suspended, terminated, or conditioned in any appropriate way that is consistent with the circumstances of the case.

**R 18.14908 Compliance with rules.**

Rule 908. Failure to comply with the provisions of these rules may result in the denial of funds by the commission.

**R 18.14909 Travel regulations.**

Rule 909. Allowable expenses for travel shall conform to the rates and conditions approved by the commission. The approved rates shall not exceed the approved travel rates for state of Michigan civil service employees.

**R 18.14910 Requirements; registration of courses; reporting training and expenditures.**

Rule 910. (1) Justice training funds may be expended only for in-service training courses that are registered, pursuant to R 28.14501, et seq., in the MCOLES information and tracking network.

(2) An expenditure of justice training funds shall be reported to the commission, consistent with R 28.14501, et seq., as follows:

(a) Attendance and all associated costs for training funded in whole or part with justice training funds, except as provided in subrule (2)(b) of this rule.

(b) Expenditures solely for equipment or supplies in support of training shall be reported separately.

## Appendix G – Executive Order 2001-5

### EXECUTIVE REORGANIZATION ORDER (EXCERPT) E.R.O. No. 2001-2

**28.621 Creation of new Michigan commission on law enforcement standards within department of state police as type I agency; transfer of powers and duties of Michigan justice training commission, Michigan justice training fund, and commission on law enforcement standards and law enforcement officers training fund to the new Michigan commission on law enforcement standards by type III transfer.**

WHEREAS, Article V, Section 1, of the Constitution of the state of Michigan of 1963 vests the executive power in the Governor; and

WHEREAS, Article V, Section 2, of the Constitution of the State of Michigan of 1963 empowers the Governor to make changes in the organization of the Executive Branch or in the assignment of functions among its units which he considers necessary for efficient administration; and

WHEREAS, the Michigan Justice Training Commission and the Michigan Justice Training Fund were created within the Department of Management and Budget by Act No. 302 of the Public Acts of 1982, as amended, being Section 18.421 et seq. of the Michigan Compiled Laws; and subsequently transferred to the Department of State Police by Executive Order 1993-11, being Section 18.431 of the Michigan Compiled Laws; and

WHEREAS, the Michigan Law Enforcement Officers Training Council (later renamed the Commission on Law Enforcement Standards by Act No. 237 of the Public Acts of 1998, which amended Section 28.601 et seq. of the Michigan Compiled Laws) and the Law Enforcement Officers Training Fund were created under Act No. 203 of the Public Acts of 1965, as amended, being section 28.601 et seq. of the Michigan Compiled Laws; and subsequently transferred by a Type I transfer to the Department of State Police by Act No. 407 of the Public Acts of 1965, being Section 16.257 of the Michigan Compiled Laws; and

WHEREAS, the powers, functions, duties and responsibilities assigned to the Michigan Justice Training Commission, the Michigan Justice Training Fund, the Commission on Law Enforcement Standards, and the Law Enforcement Officers Training Fund can be more effectively carried out by a new Michigan Commission on Law Enforcement Standards; and

WHEREAS, it is necessary in the interests of efficient administration and effectiveness of government to effect changes in the organization of the Executive Branch of government.

NOW, THEREFORE, I, John Engler, Governor of the State of Michigan, pursuant to the powers vested in me by the Constitution of the State of Michigan of 1963 and the laws of the State of Michigan, do hereby order the following:

## I. NEW MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS

A. The new Michigan Commission on Law Enforcement Standards is hereby created as a Type I agency within the Department of State Police.

B. All the statutory authority, powers, duties, functions and responsibilities of the Michigan Justice Training Commission, the Michigan Justice Training Fund, the Commission on Law Enforcement Standards and the Law Enforcement Officers Training Fund including those involving rulemaking, grant awards and annual distributions and including, but not limited to, the statutory authority, powers, duties, functions and responsibilities set forth in:

1. The Commission on Law Enforcement Standards Act, Act No. 203 of the Public Acts of 1965, as amended, being Section 28.601 et seq. of the Michigan Compiled Laws;

2. The Michigan Justice Training Commission and Michigan Justice Training Fund Act, Act No. 302 of the Public Acts of 1982, as amended, being Section 18.421 et seq. of the Michigan Compiled Laws;

are hereby transferred to the new Michigan Commission on Law Enforcement Standards by a Type III transfer, as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

C. The Michigan Commission on Law Enforcement Standards shall consist of 17 members, including all of the following:

1. The Attorney General, or his or her designee from within the Department of Attorney General.

2. The Director of the Department of State Police, or his or her designee who is a police officer within the Department of State Police.

3. The chief of a police department located in a city with a population of more than 750,000, or his or her designee who is a command officer within that department.

4. Fourteen individuals appointed by the Governor, subject to disapproval by the Michigan Senate under Section 6 of Article V of the Michigan Constitution of 1963, including all of the following:

a. Three individuals selected from a list of not less than 9 active voting members of the Michigan Association of Chiefs of Police nominated by the Michigan Association of Chiefs of Police.

b. Three individuals selected from a list of not less than 9 elected county sheriffs nominated by the Michigan Sheriffs' Association.

c. One individual selected from a list of not less than 3 prosecuting attorneys nominated by the Prosecuting Attorneys Association of Michigan.

d. One individual selected from a list of not less than 3 criminal defense attorneys nominated by the Criminal Defense Attorneys of Michigan.

e. One individual selected from a list of not less than 3 individuals nominated by the Michigan State Police Troopers Association.

f. One individual selected from a list of not less than 3 individuals nominated by the Michigan Chapter of the Fraternal Order of Police.

g. One individual selected from a list of not less than 3 individuals submitted by the Police Officers Association of Michigan.

h. One individual selected from a list of not less than 3 individuals nominated by a police association representing police officers employed by a police agency employing more than 15 percent of the police officers in this state.

i. One individual selected from a list of not less than 3 individuals nominated by the Police Officers Labor Council of Michigan.

j. One individual selected from a list of not less than 3 individuals nominated by the Michigan Association of Police.

5. The Governor may appoint any individual meeting the membership requirements of the groups or organizations listed under Section I.C.4.a through I.C.4.j if an organization required to submit a list fails to submit a complete list of qualified nominees at least 30 days prior to a vacancy created by the expiration of a term, or not less than 30 days after the effective date of any other vacancy.

6. An individual appointed under Section I.C.4.a to I.C.4.j shall serve as a Commission member only while serving as a member of the organization that nominated the individual.

7. Members of the Commission appointed or reappointed under Section I.C.4.a to I.C.4.h after December 31, 2008 shall be appointed for a term of four years.

8. Of the members of the Commission initially appointed by the Governor under Sections I.C.4.i and I.C.4.j, one member shall be appointed for a term expiring on November 1, 2009, and one member shall be appointed for a term expiring on November 1, 2010. After the initial appointments, members of the Commission appointed under Sections I.C.4.i and I.C.4.j shall be appointed for a term of four years.

9. A vacancy on the Commission occurring other than by expiration of a term shall be filled by the Governor in the same manner as the original appointment for the balance of the unexpired term.

D. The new Michigan Commission on Law Enforcement Standards, in addition to exercising the statutory authority, powers, duties, functions and responsibilities transferred to it by this order, shall focus its activities in order to accomplish the following objectives involving law enforcement organizations and officers:

1. Increase professionalism;

2. Increase the number of law enforcement organizations that offer formal in-service training and increase the number of law enforcement officers who receive formal in-service training;

3. Institute law enforcement in-service training standards applicable to all law enforcement in-service training in Michigan;
4. Implement a web-based information system that will allow the Commission to accomplish its goals and communicate with Michigan law enforcement organizations in a more efficient manner, and;
5. Ensure that grants awarded by the Commission to Michigan law enforcement organizations advance the objectives listed in subparagraphs D.1. through D.3.

## II. MISCELLANEOUS

- A. The Director of the Department of State Police shall provide executive direction and supervision for the implementation of all transfers of authority made under this Order.
- B. The Executive Director of the new Michigan Commission on Law Enforcement Standards shall administer the assigned functions transferred by this Order in such ways as to promote efficient administration and shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities prescribed by this Order.
- C. The Director of the Department of State Police and the Executive Director of the new Michigan Commission on Law Enforcement Standards shall immediately initiate coordination to facilitate the transfer and shall develop a memorandum of record identifying any pending settlements, issues of compliance with applicable federal and State laws and regulations, or obligations to be resolved by the Michigan Justice Training Commission, the Michigan Justice Training Fund, the Commission on Law Enforcement Standards and the Law Enforcement Officers Training Fund.
- D. All records, personnel, property and unexpended balances of appropriations, allocations and other funds used, held, employed, available or to be made available to the Michigan Justice Training Commission, the Michigan Justice Training Fund, the Commission on Law Enforcement Standards and the Law Enforcement Officers Training Fund for the activities, powers, duties, functions and responsibilities transferred by this Order are hereby transferred to the new Michigan Commission on Law Enforcement Standards.
- E. The State Budget Director shall determine and authorize the most efficient manner possible for handling financial transactions and records in the state's financial management system for the remainder of the fiscal year.
- F. All rules, orders, contracts and agreements relating to the assigned functions lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended or repealed.
- G. Any suit, action or other proceeding lawfully commenced by, against or before any entity affected by this Order shall not abate by reason of the taking effect of this Order. Any suit, action or other proceeding may be maintained by, against or before the appropriate successor of any entity affected by this Order.
- H. The invalidity of any portion of this Order shall not affect the validity of the remainder thereof.

In fulfillment of the requirement of Article V, Section 2, of the Constitution of the state of Michigan of 1963, the provisions of this Executive Order shall become effective November 1, 2001.

**History:** 2001, E.R.O. No. 2001-2, Eff. Nov. 1, 2001 ;-- Am. 2008, E.R.O. No. 2008-3, Eff. Dec. 28, 2008

**Compiler's Notes:** Section I.C. of MCL 28.261, as enacted by E.R.O. No. 2001-2, was amended by E.R.O. No. 2008-3. The text of I.C. reflects this amendment; all other text remains as originally enacted.

## Appendix H – Commission Resolution 2010-03

### Commission Resolution 2010-03 to Provide Policy Direction for the Michigan Justice Training Fund Competitive Grant Program Mandated by Public Act 302 of 1982

**WHEREAS**, Public Act 301 of 1982 (MCL 257.907) levied an assessment of \$5.00 for each civil infraction for traffic offenses to be deposited into the Michigan Justice Training Fund; and

**WHEREAS**, Public Act 302 of 1982 (MCL 18.421) created the Michigan Justice Training Commission to make annual distributions of the justice training funds to eligible criminal justice entities; and,

**WHEREAS**, Executive Reorganization Order 2001-5 (MCL 28.621) consolidated the former Michigan Justice Training Commission and the former Commission on Law Enforcement Standards into the Michigan Commission on Law Enforcement Standards; and,

**WHEREAS**, the Michigan Commission on Law Enforcement Standards is the duly appointed body to: 1) annually distribute 60% of the Justice Training Fund to eligible entities under the law enforcement distribution, and 2) annually distribute, through a competitive grant process, the balance of the fund after administrative costs have been deducted; and,

**WHEREAS**, the amount of revenue collected for the Justice Training Fund has steadily decreased annually for a cumulative decline of over 30% since 2007; and,

**WHEREAS**, the Michigan Commission on Law Enforcement Standards was legislatively mandated in 2009 to use the Justice Training Funds for broader operational needs to fulfill all of its statutorily mandated responsibilities; and

**WHEREAS**, the available revenue for the competitive grant program for fiscal year 2011 is projected to have declined by 45% from the funds available for award in 2010; approximately \$1.3 million available for award down from \$2.3 million; and,

**WHEREAS**, the Michigan Commission on Law Enforcement Standards has sought ways to ensure that the Criminal Justice Community, and grant applicants specifically, will continue to benefit from the Competitive Grant Program to the greatest degree possible; now,

**THEREFORE BE IT RESOLVED**, that the Michigan Commission on Law Enforcement Standards shall restructure the existing competitive grant process and shall:

- a. Determine an equitable distribution of grant funding for all types of criminal justice needs: law enforcement, prosecution, defense, courts, corrections, specialized, and cross-disciplinary;
- b. Identify and distribute a reduced list of training topics which will be given priority consideration in grant awards;
- c. Ensure that needs as identified by constituent consortia are followed as the basis for awarding available funding to the highest degree possible;

- d. Ensure, where reductions or denials of grant requests are necessary due to a lack of available funding, that the applicant's list of priorities for funding and reductions is followed to the highest degree possible;
- e. Provide to grant applicants detailed and specific instructions for grant application completion, submission and reporting requirements through written instructions and mandated regional workshops;
- f. Consider as low priorities grant applications and/or training segments of an application that could be supported by other training funds in a more cost effective manner through the direct scheduling of, and payment to the training vendor;
- g. Require a 25% match across all grant applications;
- h. Enforce the statutory mandate that in-state training and in-state vendors will be given funding priority over out-of-state vendors and training;
- i. Enforce the Commission's long-standing policy that grants to support out-of state training attendance will only be funded for the purpose of obtaining or maintaining specialized certifications that are bona-fide job qualifications for the individuals requesting the travel and training;
- j. Enforce the requirement that applicants provide specific, detailed written justification in advance for requests for out-of-state training detailing how the training being requested meets the requirement of obtaining or maintaining specialized certifications that are bona-fide job qualifications for the individuals requesting the travel and training, and;
- k. Ensure the fair and equitable competitive nature of the Competitive Grant Program by enforcing compliance with completion, submission, and reporting requirements.

***Adopted by the Michigan Commission on Law Enforcement Standards on April 21, 2010***