Public Act 302 of 1982, as amended

2010
LAW ENFORCEMENT DISTRIBUTION GUIDELINES

MICHIGAN DEPARTMENT OF STATE POLICE

Michigan Commission on Law Enforcement Standards

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Michigan Commission on Law Enforcement Standards
2010 Law Enforcement Distribution Guidelines

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I. INTRODUCTION

Statutory Authority

In October of 1982, two laws were enacted that initiated a statewide criminal justice in-service training effort in Michigan.

Public Act 301 of 1982, created the Michigan Justice Training Fund and the vehicle to collect revenue for the fund. Each District Court levies an assessment of $5.00 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. This revenue is transmitted by the court to the state treasury for deposit into the justice training fund. The Michigan Justice Training Fund is a *restricted fund*, which means these dollars may be used by recipient agencies only for the criminal justice in-service training of eligible trainees.

Public Act 302 of 1982, (referred to as 'the Act' throughout these guidelines) created the Michigan Justice Training Commission and set forth the responsibilities of that board for the administration of the Michigan Justice Training Fund.

Executive Order

Under Executive Order 2001-5, Governor John Engler combined the Michigan Justice Training Commission and the Commission on Law Enforcement Standards creating the Michigan Commission on Law Enforcement Standards (MCOLES). This Commission is a Type I board within the Department of State Police. Effective November 1, 2001, all the statutory authority, powers, duties, functions and responsibilities of the Michigan Justice Training Commission were transferred to the reconstituted MCOLES.

The Commission's responsibilities under the Act are to: a) annually distribute 60% of the Justice Training Fund to eligible entities under the law enforcement distribution (LED), and b) annually distribute, through a competitive grant process, the balance of the fund after administrative costs have been deducted. These guidelines will focus on the LED program.

II. PURPOSE

As mandated by the Act, the purpose of the LED program is to annually distribute Justice Training Funds to eligible agencies for in-service criminal justice training of their MCOLES licensed law enforcement officers.

For the purposes of the LED program, ***in-service criminal justice training*** means a criminal justice educational program presented by an agency or entity eligible to receive funds pursuant to the Act or by a contractual service provider hired by the agency or entity eligible to receive funds pursuant to the 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 audiovisual 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.

These definitions provide the basis for the determination of training eligible for the expenditure of LED funds.

Eligibility

Any Michigan city, village, township, county, junior college, community college, state supported college or university, or the Department of State Police is eligible to receive LED funding. Only MCOLES licensed law enforcement officers, employed by an eligible entity, are eligible trainees under this program.

The Act also requires that an eligible agency shall submit an annual registration to establish or maintain eligibility to receive a distribution of justice training funds. Annual eligibility is determined by several factors.

1) Registration. A complete and accurate registration shall be submitted, in the manner prescribed by the Commission, on or before the established deadline.

2) Report of Expenditures. A complete accounting of expenditures, charged to LED funds during the prior calendar year, shall accompany the annual registration in the manner prescribed by the Commission.

3) Maintenance of Effort (MOE). It is the intent of the Act to provide supplemental funding, not replace local funding, for in-service criminal justice training. To ensure compliance with this intent, the amount of **local** funds budgeted annually by the local unit of government for in-service training shall be equal to, or greater than, the amount budgeted for in-service training on October 12, 1982, or the first year of program participation. This initial figure is referred to as the agency's "base year" amount. A new agency applying for LED funds for the first time must show current local effort and this shall be documented by submission of the budget page(s) showing local funds budgeted for in-service training of law enforcement officers during the agency's fiscal year which contains October 12, 2002.

In accord with the Administrative Rules, the Commission shall review and act upon an eligible entity's request to reduce the maintenance of effort base year amount when such a reduction would otherwise cause that agency to be ineligible to receive the annual law enforcement distribution. The Commission shall take into consideration 1) the rationale provided for the reduction of local funds budgeted for in-service training of law enforcement officers, and 2) the eligible entity's overall economic condition. If sufficient documentation is provided to support the request, the Commission may authorize a reduction in the MOE base year amount contingent upon annual review of the entity's economic condition. At such time as conditions permit, the eligible entity shall reinstate the MOE base year amount to the level established prior to the authorized reduction.

4) Roster of Officers. The law enforcement agency shall employ a minimum of one full-time equated (FTE) officer for the calendar year prior to which the registration is submitted. Effective with the 1995 registration, a roster of licensed officers shall be provided in a manner prescribed by the Commission.

Licensure is issued by the Commission under 1965 P.A. 203, as amended. Any officer found not to be in compliance with the requirements shall be ineligible for the law enforcement distribution. Therefore, it is the law enforcement agency's responsibility to verify that each law

enforcement officer registered for the law enforcement distribution meets the requirements of Act 203 in one of the following manners:

- election to the office of sheriff;
- employment by a law enforcement agency as a fully empowered law enforcement officer prior to January 1, 1977, with no break in employment in excess of two years, since January 1, 1977; or
- employment by a law enforcement agency as a fully empowered law enforcement officer after January 1, 1977, having complied with all the selection, employment, training, or waiver of training standards of Public Act 203 of 1965, as amended, which were in place at the time of initial employment, and with no break in employment in excess of the time periods permitted under section 9 of Act 203.

5) Two-year Expenditure Period. Effective with the 1990 distribution, recipient agencies are required to expend their entire annual distribution within two calendar years of the year of distribution. For example, LED funds received during 2004 must be expended prior to December 31, 2006. If the distribution is not expended within this time frame, the agency will be ineligible to receive any additional LED funding until the balance is expended, and reported to the Commission.

Non-Discrimination

Government units 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 Act 220 of the Public Acts of 1976, as amended.

Upon certification of the Michigan Civil Rights Commission that a violation of these nondiscrimination requirements 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.

Non-Compliance

Non-compliance with the provisions of these guidelines shall result in a forfeiture of law enforcement distribution funding.

Funding Requirements

Under the LED provisions of the Act, sixty percent (60%) of the Michigan Justice Training Fund is distributed annually, in two installments, to eligible entities on a per-capita basis. Each eligible agency shall report the number of full-time MCOLES licensed law enforcement officers, the number of part-time MCOLES licensed officers, and the number of paid hours actually worked by all licensed officers in an annual registration. Each 2,080 hours worked by part-time and full-time licensed officers shall be treated as one full-time equated (FTE) officer. The number of FTEs for each eligible agency is determined by dividing the total number of paid hours worked during the year by 2,080, rounded down to the nearest whole number.

The per-capita amount is then calculated as available funds divided by the total number of FTEs. Each eligible agency employing FTEs equal to or greater than a pre-determined cutoff figure shall receive a per-capita distribution. Those eligible agencies employing fewer FTEs than the cutoff shall receive the minimum payment of $250 per semi-annual distribution.

A second mandate of the Act, which has particular significance in the LED program, pertains to the use of Michigan Justice Training Funds to procure out-of-state training. It is the intent of the legislation 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 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.

In addition, the Commission will not fund any criminal justice training conducted by a training provider not based in this state unless the training event has first been approved by the Commission. It is the applicant agency's responsibility to make every reasonable effort to locate a Michigan based provider prior to application for funding of an out-of-state vendor. At a minimum, the applicant shall contact a statewide provider (e.g. the Michigan State Police or the Michigan Municipal League), local or regional providers (e.g. community colleges or universities), <u>and</u> the MCOLES Schedule of Training Courses. If it is found that the required in-service training is not available in Michigan, the applicant shall obtain Commission approval through the Special Use Request process, giving an explanation of the contacts made and justification for selection of the out-of-state vendor or training program.

The Schedule of Training Courses is a compilation of course information and schedules for in-service criminal justice training programs offered in Michigan. The Schedule of Training Courses is published on the Internet by the Commission and can be found on the MCOLES web site (www.michigan.gov/mcoles).

Expenditure Policies

There are several Commission policies related specifically to the expenditure of LED funds.

- **<u>Mandated MCOLES Course Approval</u>** - Effective January 1, 2004, <u>all</u> training courses being provided to in-service law enforcement officers in Michigan shall be approved by the Michigan Commission on Law Enforcement Standards (MCOLES) and registered in the MCOLES Information and Tracking Network prior to training being conducted. All training, whether provided by a Michigan based or out-of-state private or public vendor, as well as training offered by an agency for specific, in-house agency purposes shall be approved. MCOLES Information and Tracking Network registration shall be completed through the MCOLES Information and Tracking Network system in accordance with procedures established in the vendor guidelines.

- **<u>LED Training Expenditure Restriction</u>** – Effective January 1, 2004, the only allowable expenditure of LED funds is for MCOLES approved and MCOLES Information and Tracking Network registered in-service training courses. This includes all agency specific training registered in the MCOLES Information and Tracking Network as described by the agency.

- LED funds distributed under the authority of the Act may be expended only for direct costs of in-service criminal justice training of law enforcement officers.

- In public safety departments (combined police and fire), funds may be utilized for the in-service training of sworn personnel when the training is substantially directed toward the law enforcement portion of their duties. Training programs for the duties of firefighters are not eligible for funding with Michigan Justice Training Funds.

- Reserve officers and non-sworn personnel of a law enforcement agency, in law enforcement related jobs, may attend training programs paid for with Law Enforcement Distribution (LED) funds only if no additional costs are incurred by their attendance.

- The following expenditures are eligible for LED funding in accordance with the mandate, effective January 1, 2004, requiring that all training courses being provided to in-service law enforcement officers in Michigan be approved by the MCOLES and registered in the MCOLES Information and Tracking Network **prior** to training being conducted, whether being provided by a Michigan based or out-of-state private or public vendor, as well as training offered by an agency for specific, in-house agency purposes:

    - Hourly **salaries of instructors** for actual time spent preparing for and presenting training;

    - Actual cost of **purchasing or leasing training materials**, or salaries and materials expended in creating training materials used for in-service training, including all of the following: texts, bulletins, tests, writing materials, slides, films, video tapes, and other materials used to assist the trainees in understanding training topics;

    - Reasonable **rental cost or the purchase price of equipment** used exclusively for in-service training, not to exceed $5,000 per item or a total of 10%, whichever is less, of the funds received in any year without the prior written approval of the Commission;

    - Reasonable **rental costs for the use of training facilities** owned or occupied by law enforcement agencies, whenever possible. The use of outside facilities is allowable if multi-department training will be more efficient and such training requires the use of outside facilities or departmental facilities are inappropriate due to the nature of the training;

    - Flat rate **fee or tuition** paid to a provider independent of a recipient department;

    - **Travel expenses**, paid at the standard rate established by the Commission, are allowable, **IF** the program is for the sole purpose of training or offers not less than 6 hours of qualifying training within any 24 hour period;

    - **Subscription training programs** based solely on passive television viewing. Funding is limited to $1,000 or 10% of the annual distribution, whichever is greater. For those agencies receiving an annual distribution less than $1,000, funding is limited to the annual distribution; and

    - Lease or purchase of an **automated firearms training** system.

- The following expenditures are **not** eligible for LED funding:
    - Expenditures for salaries of trainees;
    - The purchase of firearms;
    - Criminal justice training conducted by a training provider not based in Michigan, nor the costs of a training event not located in Michigan without the prior, written approval of the Commission. Requests for approval shall be made on an Out-of-State Special Use Request form (MJT-511);
    - Criminal justice training in another country;
    - Purchase of alcoholic beverages; or
    - The publication of a newsletter.

Review and Determination of Eligibility

Each agency's registration is reviewed for compliance with all of the eligibility criteria. Non-compliance with any one of these criteria will cause an agency to be ineligible for the annual distribution. Of special note are the items listed below regarding the review of the roster and reported expenditures.

- The roster of officers is verified to ensure that each officer is in compliance with the MCOLES licensure requirements. Any officer found not to be in compliance will be removed from the roster and eliminated from the per capita calculation.

- If a distribution is made to an agency and it is later determined that one or more officers claimed by the agency and used in calculating the distribution, were not MCOLES licensed during the calendar year upon which the calculation was based, then the amount of the next distribution to that agency shall be adjusted to recover the amount of the ineligible distribution. If the amount would exceed the next distribution in a given year, the agency will be asked to return the funds to MCOLES to be deposited in the Justice Training Fund.

- Reported expenditures found to be ineligible will be deducted from the expenditure totals and unexpended balances will be adjusted accordingly. Whenever possible, balances will be adjusted to avoid ineligibility due to the two-year expenditure requirement.

Semi-Annual Distributions

The semi-annual distributions of the LED funds are calculated based upon the amount in the Michigan Justice Training Fund as of March 31 and September 30. The payments are released after these dates pending the calculation of available funds.

III. FISCAL RESPONSIBILITIES

Accounting and Reporting Requirements

All recipients of LED funds agree to maintain records documenting ***annual calendar year*** LED expenditures in compliance with generally accepted accounting principles, to permit inspection of these records, and to cooperate with any audit requested or authorized by the local unit of government or the Commission.

A separate accounting of LED funding and expenditures independent of local in-service training funds, must be maintained and reported for each calendar year. Beginning with the 1990 distribution, amendments to the Act require that each agency expend the entire annual distribution within ***two calendar years*** of the year of distribution. Therefore, training costs, supplies, and equipment purchases SHALL be assigned to the calendar year from which they are paid. Expenditures for each year shall be reported until the unexpended balance equals zero.

The amended Act requires that, if funds remain unexpended after the end of the second calendar year, the agency shall be ineligible for future funds until the remaining balance has been expended and reported.

An agency receiving funds under this Act shall report annually to the Commission on the forms and in the manner prescribed by the Commission. Failure to report the required information shall result in ineligibility to receive LED funds.

Effective with the 2000 distributions, the Commission conducts annual random inspections of a sample of fund recipients to verify the accuracy of reported expenditures.

Disposition of Equipment

For the purposes of LED funding, to be defined as “equipment” an item shall: 1) be directly involved in the delivery of in-service criminal justice 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; 4) not become a fixed part of a building or structure; and 5) have a purchase price of $300 or more.

Equipment purchases approved by the Commission may be retained by the recipient 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 recipient agency shall notify the Commission to request disposition. The Commission may select one of the following actions:

a. Transfer of the equipment to another training program. Costs of the transportation of the equipment will be borne by the receiving agency.

b. 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.

c. Dispose of the property in any other manner consistent with the purposes of the Act, as amended.

Travel Regulations

The Commission has established these travel regulations for the use of Michigan Justice Training Funds under the Law Enforcement Distribution program.

LED Travel Expenditure Restriction – Effective January 1, 2004, the following is imposed:

1. The expenditure of LED funds for all out-of-state student travel is prohibited unless:
   - the travel is for the purpose of attending a training course meeting the definition of "criminal justice education program" (as defined in Appendix A), and
   - the travel is required to obtain or maintain, either specialty skills or a certification in a specialty that meets the definition of "direct delivery of criminal justice services" (as defined in Appendix A), and
   - the certification is not available in Michigan, and
   - the course cannot be brought to Michigan, and
   - the approval of the course through the MCOLES Information and Tracking Network (as required in "Training Expenditure Restriction" section above) has been completed **prior** to travel.

2. Continue to allow the expenditure of LED funds for instructor travel at the established state of Michigan travel rates in compliance with existing restrictions as published in the LED Guidelines.

3. Continue to allow the expenditure of LED funds for payment of student travel in Michigan only for pre-approved MCOLES Information and Tracking Network registered training courses. The student travel rates will be at the state of Michigan rates as published in the LED Guidelines. Agencies shall verify compliance with this requirement each year at the time of expenditure reporting and verification documentation will be subject to MCOLES financial review.

4. Expenditure of LED funds for tuition costs for both in-state and out-of-state training courses is allowable if the course was MCOLES approved and registered through the MCOLES Information and Tracking Network **prior** to the training dates.

5. Continue to allow the expenditure of LED funds for **registration only** for out-of-state conferences or conventions providing the requesting law enforcement agency submits a Request for Special Use form to the Commission and is granted approval prior to attending the conference or convention. All other costs associated with the conference or convention must be covered by other funds.

Definitions

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.

Convention - A prearranged, periodic assembly of a group of people from an organization, association or profession, for the purpose of exchanging information

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

Regulations

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 airfare is achieved which is greater than the per diem for the extra days.

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.

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 airfare.

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

Toll Charges. Toll charges and bridge fees are allowable.

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

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

Meal Allowances. Reimbursement for lodging and meals shall conform to the published rates of the Commission as provided by the Act. In those cases where charges for lodging and meals exceed the allowable rate, the grantee may utilize other funding sources 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.

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 tax, are reimbursable. For attendance at a conference or convention conducted by an independent organization, either in-state or out-of-state, the actual lodging costs at the site may be claimed.

Tips. Reimbursement for tips is allowable 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.

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 quality for these rates, any neighboring cities/suburbs must border on these cities.

Michigan Commission on Law Enforcement Standards
Law Enforcement Distribution

Schedule of Travel Rates
Effective January 1, 2010

Michigan Select Cities	
Breakfast	$8.75
Lunch	$8.75
Dinner	$21.00
Lodging	$65.00 plus tax
In-State All Other Cities	
Breakfast	$7.25
Lunch	$7.25
Dinner	$16.50
Lodging	$65.00 plus tax
Out-of-State Select Cities	
Breakfast	$11.00
Lunch	$11.00
Dinner	$22.00
Lodging	$125.00 plus tax
Out-of-State All Other Cities	
Breakfast	$8.75
Lunch	$8.75
Dinner	$20.50
Lodging	$102.00 plus tax
Group Luncheons	$10.25
Conferences and Conventions	
Meals	See appropriate category above
Lodging	Actual cost plus tax
Standard Mileage Rate	$.362 per mile

SELECT HIGH COST CITY LIST

TRAVEL RATE REIMBURSEMENT FOR CLASSIFIED AND UNCLASSIFIED EMPLOYEES
EFFECTIVE JANUARY 1, 2010

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

OUT-OF-STATE SELECT CITIES			
STATE	**SELECT CITY OR COUNTY AS DEFINED**	**STATE**	**SELECT CITY OR COUNTY AS DEFINED**
Arizona	Sedona/Yavapai	New Jersey	Cape May / Ocean City
California	Los Angeles (Los Angeles, Orange & Ventura Counties and Edwards AFB)/Monterey/Napa/ San Diego/San Francisco/Santa Monica/Santa Rosa/Yosemite National Park	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, and the counties of Arlington, Loudoun, and Fairfax, in Virginia; and the counties of Montgomery and Prince George County in Maryland	Pennsylvania	Philadelphia
Florida	Key West/Naples/Palm Beach	Rhode Island	Jamestown/Middletown Newport (Newport County)
Illinois	Chicago (Cook and Lake counties)		
Massachusetts	Boston (Suffolk County)/Cambridge Martha's Vineyard/Nantucket	Utah	Park City (Summit County)
		Vermont	Stowe (Lamoille County)
Maryland	See District of Columbia Annapolis/Ocean City		
Minnesota	Minneapolis/St. Paul/Hemmepin County/Ramsey County	Washington	Seattle
		Wisconsin	Wisconsin Dells

Select Cities 05-06

IV. SPECIAL USE REQUESTS

Out-of-State Special Use Requests

The Act contains specific mandates relative to the expenditure of Justice Training Funds for out-of-state training and the use of out-of-state training providers. The intention is, of course, that justice training funds be expended primarily within the state of Michigan to purchase services and materials from Michigan vendors whenever possible. To ensure compliance with these mandates, the Commission adopted the out-of-state special use request approval policy.

The policy states that the Commission will not fund any out-of-state criminal justice training program, nor any training conducted by a training provider not based in this state, unless all reasonable efforts to locate a similar training program in this state have been exhausted, and the Commission is satisfied that a similar training program is not available in this state.

It is the eligible entity's responsibility to make every reasonable effort to locate a Michigan based provider prior to requesting special use approval. At a minimum, the applicant shall contact a statewide provider (e.g., the Michigan State Police or the Michigan Municipal League), local or regional providers (e.g., community colleges or universities), and consult the MCOLES Schedule of Training Courses. The Schedule contains information about in-service criminal justice training programs offered in Michigan and is published on the MCOLES web site (www.michigan.gov/mcoles).

If it is found that the required in-service training is not available in Michigan, the agency shall submit an Out-of-State Special Use Request which includes an explanation of the contacts made and justification for selection of the out-of-state vendor or training program. Requests must also meet all new requirements found in the Expenditure Policies section. Out-of-state requests are categorized into three groups for Commission action as indicated below.

- **Agency Approval**. An individual agency requests approval to send eligible trainees to out-of-state training, or to bring an out-of-state trainer into the agency to provide the training. These requests will be acted upon individually.

- **Host Approval**. An agency requests host approval to bring an out-of-state trainer into Michigan to provide training that is available to the eligible trainees of several agencies; typically a regional effort sponsored by one department. Host approval by the Commission authorizes attendance for all participating agencies. It is the responsibility of the host agency and the trainer (vendor) to publicize the approval using specific language provided by the Commission staff.

- **Blanket Approval**. The Commission will give blanket approval, when requirements are met, for attendance by all agencies at annual conferences, e.g., NSA, IACP, MSA, and MACP. It is the responsibility of the Commission staff to publicize these approvals, and to monitor compliance with the policy regarding the 1:15 ratio for national conference attendance and the 6:24 ratio for actual hours of training. These approvals will be for the payment of **registration fees only**. All other costs associated with the conference or convention must be paid by other funds.

Equipment Special Use Requests

The Administrative Rules for Public Act 302 of 1982, as amended, state that the expenditure of funds under this Act for the purpose of equipment purchases must be approved by the Commission when total equipment purchases exceed 10% of the agency's annual distribution, or when the purchase price of a single equipment item equals or exceeds $5,000.

Special Use Request Approval Process

The forms used to request Commission approval for the special use of LED funds, as outlined above, are the *Out-of-State Special Use Request* (MJT-511) and the *Equipment Special Use Request* (MJT-512). These forms are available on the MCOLES web site. Both types of requests require **PRIOR** approval. Written notification of Commission action will be returned to the requesting agency.

Each approval is assigned a unique special use request processing number. This number is noted on the written notification and is also required as proof of approval on the annual LED expenditure report. All host approval numbers are published for reference on the MCOLES web site.

APPENDIX A - DEFINITIONS

"**Act**" means Act No. 302 of the Public Acts of 1982, as amended.

"**Commission**" means the Michigan Commission on Law Enforcement Standards (MCOLES).

"**Criminal justice education program**" means a learning experience produced through reading, listening, observing, performing problem-solving, or interacting with others, the object of which is the introduction or enhancement of knowledge, skills, and judgment related directly to the performance of professional criminal justice tasks currently assigned or assignable.

"**Direct delivery of criminal justice services**" means the execution of the duties of line law enforcement officers provided to the general public (e.g., traffic enforcement, first aid, investigation, or community policing and problem solving) and the execution of administrative tasks which enhance the abilities of line officers to provide direct delivery of criminal justice services.

"**Distribution**" means the amount distributed to law enforcement agencies, in two payments, from the Fund within one calendar year, under the provisions of Section 3(a) of the Act.

"**Equipment**" means, for the purposes of the Act, an item that is used only for the delivery of in-service training, <u>and</u> is personal property (as distinguished from real property), such as machines, audio/video and computer hardware, etc., <u>and</u> has a normal useful life of more than one year, <u>and</u> has a purchase price of $300 or more.

"**Fund**" means the Michigan Justice Training Fund.

"**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 audiovisual 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.

"**Law enforcement officer**" means an individual who is continuously employed and paid by a police force as a law enforcement officer who is responsible for the prevention and detection of crime and empowered to enforce all of the general criminal laws of this State.

"**MCOLES licensed officer**" means a person who has met all of the selection, employment, training, or recognition of prior training and experience standards of Public Act 203 of 1965, as amended, and who is licensed by the Michigan Commission on Law Enforcement Standards.

"**Paid**" means monetary compensation at not less than the federal minimum wage established in the Fair Labor Standards Act of 1938, as amended; 29 U.S.C. §206.

"**Report period**" means the calendar year, beginning January 1, through December 31, during which reported activity occurred.