MCOLES
Michigan Commission on Law Enforcement Standards

LICENSING STANDARDS FOR MICHIGAN LAW ENFORCEMENT OFFICERS

The chart below outlines the licensing standards published by the Michigan Commission on Law Enforcement Standards (MCOLES). Employment of law enforcement officers is subject to compliance with these standards. Agencies may set standards more stringent than these; however, the burden is upon the agency to demonstrate that a more stringent standard is related to the ability to perform the essential job functions and is otherwise in compliance with applicable law.

All preservice and agency employed recruits must be screened to all the academy enrollment standards, and all applicants of the Recognition of Prior Training and Experience (RPTE) program being considered for employment must be screened for compliance with all applicable standards.

The licensing standards are published under the authority of 1965 PA 203 as amended.

Category	Standard	Comments and Proofs
Age	Not less than 18 years.	No maximum age.
Citizenship	United States Citizenship.	Birth Certificate; Certificate of Naturalization; Valid United States Passport.
Education	High school diploma or GED is the minimum for an employed recruit**.** Pre-service recruits must have a minimum of an associate's degree upon completion of the basic training academy.	A college degree from an accredited institution is evidence of complying with the minimum standard.
Prohibited Criminal Adjudications of Guilt	An applicant with an "adjudication of guilt" for a violation or attempted violation of a penal law of this state or another jurisdiction that is punishable by imprisonment for more than 1 year (includes all felonies) will be denied a license. An applicant with an "adjudication of guilt" for a violation or attempted violation of certain misdemeanors (listed in the accompanying comments) will also be denied a license. An "adjudication of guilt" includes a judgment or verdict of guilty, or guilty but mentally ill, following a trial or a plea of guilty or nolo contendere (no contest), even if the conviction was subsequently expunged, set aside or dismissed by virtue of a delayed sentence or diversion program. This includes delayed sentences under MCL 771.1; adjudications in conjunction with assignment to the status of youthful trainee under the Holmes Youthful Trainee Act; dismissals after probation for first-time drug offenses under MCL 333.7411; and dismissals under MCL 769.4a of first-time aggravated domestic violence offenses (MCL 750.81a(2)).	Disqualifying offenses include adjudications of guilt for a violation or attempted violation of a penal law of this state or another jurisdiction that is punishable by imprisonment for more than 1 year (includes all felonies). Disqualifying offenses also include adjudications of guilt for violations or attempted violations of any of the following misdemeanors under Michigan law or substantially corresponding laws of another jurisdiction: **Operating While Intoxicated, 2nd Offense** (MCL 257.625(1), (8), (9)(b), (25)); **Possession of Controlled Substances** (MCL 333.7403(2)(c)) (does not include marijuana); **Use of Controlled Substances** (MCL 333.7404(2)(a), (b), or(c)); **Domestic Violence, 2nd Offense** (MCL 750.81(4)); **Aggravated Assault** (MCL 750.81a(1)), **Aggravated Domestic Violence** (MCL 750.81a(2)); and, **Stalking** (MCL 750.411h).
Character Fitness	Character fitness, as determined by a background investigation supported by a written authorization and release executed by the individual.	Includes arrest and expunged convictions, all previous law violations, personal protection orders, traffic and civil infractions and ordinance and code violations.
Driver's License	Possess a valid operators or chauffeur's license. (all 50 states, DC, territories of the US, and Canada).	May not be in a state of suspension or revocation.

Physical Ability	Be free from any physical defects or chronic diseases which may impair the performance of a law enforcement officer or which may endanger the lives of others or the law enforcement officer.	This includes, but is not limited to, diseases such as diabetes, seizures and narcolepsy. Each case shall be investigated to determine its extent and effect on job performance. The evaluation should include the expert opinion of a licensed physician specializing in occupational medicine.
Hearing	Initial unaided testing involving pure tone air conduction thresholds for each ear, as shown on the pure tone audiogram, shall not exceed a hearing level of 25 decibels at any of the following frequencies: 500, 1000, 2000, 3000 Hertz; and 45 decibels at 4000 Hertz.	Initial testing may be performed by a certified hearing conservationist, a licensed hearing aid specialist or a licensed audiologist. See Note for individuals requiring additional unaided or aided testing requirements by a licensed audiologist. *
Psychological Fitness	Be free from mental or emotional instabilities which may impair the performance of essential job functions of a law enforcement officer or which may endanger the lives of others or the law enforcement officer.	Mental and emotional stability may be assessed by a licensed physician, or a licensed psychologist or psychiatrist. MCOLES may require the examination be conducted by a licensed psychologist or psychiatrist. **
Vision, Color	Possess normal color vision without the assistance of color enhancing lenses.	The unaided eye shall be tested using pseudoisochromatic plates. The Farnsworth Dichotomous D-15 panels shall be used for any candidate who fails the pseudoisochromatic plates.
Vision, Corrected	Possess 20/20 corrected vision in each eye.	Acuity may be corrected with glasses or contacts.
Vision, Normal Functions	Possess normal visual functions in each eye.	Includes peripheral vision, depth perception, stereopsis, etc.
Reading and Writing (Academy enrollment)	Pass the MCOLES reading and writing examination or an MCOLES approved agency equivalent examination.	Does not apply to Recognition Prior Training & Experience Program applicants.
Physical Fitness (Academy enrollment)	Pass the MCOLES physical fitness pre-enrollment examination. This does not apply to Recognition of Prior Training & Experience Program applicants.	Pre-enrollment testing is required for admittance to an approved basic training program.
Training Requirements	Successfully complete the MCOLES mandatory basic training curriculum.	This may be done by successfully completing an approved college preservice program or a basic training academy. Candidates seeking reciprocity from other states may apply for the Recognition of Prior Training and Experience Program.
Licensing Examination	Pass the MCOLES licensing examination upon the completion of mandatory basic training.	For Recognition of Prior Training and Experience (RPTE) candidates, successfully complete the RPTE Program and pass the licensing examination.
Fingerprinting	Employing agencies must fingerprint the applicant with a search of state and Federal fingerprint files to disclose criminal record, personal protection orders, mental health orders, firearms possession prohibitors, expungements and dismissals based on a diversion program. Academies require fingerprinting using the CHRISS system.	
Oral Interview	Conduct an oral interview to determine the applicant's suitability for a law enforcement officer position.	
Drug Testing	Cause the applicant to be tested for the illicit use of controlled substances.	Must use a Commission certified laboratory and comply with Commission procedures.

* Agencies with an applicant who fails the initial hearing standard should contact the MCOLES Standards Compliance Section for additional unaided and aided hearing criteria as well as testing protocols.

** Agencies are encouraged to request the assistance of the Standards Compliance Section of MCOLES when their employment process reveals that a candidate may not comply with a state standard. This is particularly true with medical conditions which may involve circumstances unfamiliar to the agency and which require medical opinions. Please call (517) 636-7864 with any questions.

Table of Contents

Chapter 1
Statutory Authority, Rules, Mission, Values and Organizational Concepts

Unit 1 Public Act 203 of 1965……..…….. 3
Unit 2 Administrative Rules……..…….. 33
Part 1 Definitions……... 33
Part 2 Selection and Employment Standards……. 35
Part 3 Basic Recruit Law Enforcement Training Program…… 42
Part 4 Recognition of Prior Basic Law Enforcement Training and Experience…… 51
Unit 3 MCOLES Mission, Values and Role……..….. 56
Unit 4 Commission Philosophy on Adult Learning in the Basic Training Program……..... 57

Chapter 2
Basic Law Enforcement Training Program Administration

Unit 1 Establishing a Basic Law Enforcement Training Academy……..……..…… 66
Unit 2 Academy Annual Operating Plan; Standard Form Contract; Approval to Continue Operations; Revocation, Suspension, or Probationary Status of an Approved Basic Law Enforcement Training Academy…….……..... 68
Unit 3 Training and Education Advisory Committee……..... 71
Unit 4 Responsibilities of the Program Administrator……..…..…..…….. 73
Unit 5 Responsibilities and Duties of the Training Director……...……..... 75
Unit 6 Enrollment in an Approved Session…..……..…..…..… 82
Unit 7 Injury Reporting to MCOLES……..……..……... 85
Unit 8 Documentation of Academy Completion……..... 87

Chapter 3
Basic Law Enforcement Training

Unit 1 Basic Police Training Requirements……... 90
Unit 2 Instructor Responsibilities and Qualifications……..….. 94
Unit 3 Facilities and Equipment……..…..…….. 98
Unit 4 Training Safety Guidelines.……..... 102
Unit 5 Recruit Discipline Policy……..…….... 112
Unit 6 Disciplinary Action for Rule & Academic Violation……. 114
Unit 7 Recruit Dismissal and Appeal Procedures……..… 118

Chapter 4
MCOLES Medical Accommodation Policy

Unit 1 Medical Investigations……..….. 120

Chapter 5
MCOLES Outstanding Performance Award Policy – Basic Law Enforcement Training Program

Unit 1 Outstanding Performance Award…….. 125

Table of Contents Continued

Chapter 6
MCOLES Mandatory In-service Training Standards

Unit 1 Mandatory In-service Training Standards…….…….. 129
Unit 2 Active Duty Firearms……. 131

Chapter 7
Recognition of Prior Law Enforcement Training and Experience Program

Unit 1 Establishing a Recognition of Prior Training and Experience Program and Test Site ...…… 134
Unit 2 Program Administration……...……. 137
Unit 3 Mandatory Program Curriculum and Qualifications for Exemptions; Remedial Training for Failed Skill Assessment……..……..... 139
Unit 4 Minimum Qualifications and Application Requirements; Enrollment and Attendance; Completion Requirements; and Eligibility for Licensing Exam and Timeframes……..... 142

Chapter 1

Statutory Authority, Rules, Mission, Values and Organizational Concepts

Unit 1	**Public Act 203 of 1965, as amended……..……**	**3**
Unit 2	**Administrative Rules……...……**	**33**
Unit 3	**MCOLES Mission, Values and Role…….**	**56**
Unit 4	**Commission Philosophy on Adult Learning in the Basic Training Program……...…….**	**57**

Chapter 1 – Unit 1

Public Act 203 of 1965, as amended

COMMISSION ON LAW ENFORCEMENT STANDARDS ACT
Act 203 of 1965

AN ACT to provide for the creation of the commission on law enforcement standards; to prescribe its membership, powers, and duties; to prescribe the reporting responsibilities of certain state and local agencies; to provide for additional costs in criminal cases; to provide for the establishment of the law enforcement officers training fund; and to provide for disbursement of allocations from the law enforcement officers training fund to local agencies of government participating in a police training program.

History: 1965, Act 203, Eff. Jan. 1, 1966;¾Am. 1998, Act 237, Imd. Eff. July 3, 1998.
The People of the State of Michigan enact:

28.601 Short title.
Sec. 1. This act shall be known and may be cited as the "Michigan commission on law enforcement standards act".

History: 1965, Act 203, Eff. Jan. 1, 1966;¾Am. 1998, Act 237, Imd. Eff. July 3, 1998;¾Am. 2016, Act 289, Eff. Jan. 2, 2017.
Compiler's note: 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.
Transfer of powers: See MCL 16.257.

28.602 Definitions.
Sec. 2. As used in this act:
(a) "Adjudication of guilt" means any of the following:
(i) Entry of a judgment or verdict of guilty, or guilty but mentally ill, following a trial.
(ii) Entry of a plea of guilty or nolo contendere.
(iii) Entry of any of the adjudications specified in subparagraph (*i*) or (*ii*), in conjunction with an order entered under section 1 of chapter XI of the code of criminal procedure, 1927 PA 175, MCL 771.1, or any other order delaying sentence.
(iv) Entry of any of the adjudications specified in subparagraph (*i*) or (*ii*), in conjunction with an assignment to the status of youthful trainee under the Holmes youthful trainee act, as provided in section 11 of chapter II of the code of criminal procedure, 1927 PA 175, MCL 762.11.
(v) Entry of any of the adjudications specified in subparagraph (*i*) or (*ii*), in conjunction with probation under section 7411 of the public health code, 1978 PA 368, MCL 333.7411.

(vi) Entry of any of the adjudications specified in subparagraph (*i*) or (*ii*), in conjunction with probation under section 4a of chapter IX of the code of criminal procedure, 1927 PA 175, MCL 769.4a.
(b) "Commission" means the Michigan commission on law enforcement standards created in this act or, by express delegation of the Michigan commission on law enforcement standards, its executive director and staff.
(c) "Contested case" means that term as defined in section 3 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.203.
(d) "Executive director" means the executive director of the commission appointed under this act.
(e) "Law enforcement agency" means an entity that is established and maintained in accordance with the laws of this state and is authorized by the laws of this state to appoint or employ law enforcement officers.
(f) "Law enforcement officer" means:
(i) Except as provided in subparagraph (*ii*), an individual employed by a law enforcement agency as 1 or more of the following:
(A) An individual authorized by law, including common law, to prevent and detect crime and enforce the general criminal laws of this state. This subdivision does not include an individual employed solely because he or she occupies any other office or position.
(B) An individual employed as a Michigan tribal law enforcement officer by a federally recognized Indian tribe that has trust lands located within this state, subject to a written instrument authorizing the individual to enforce the laws of this state.
(C) The sergeant at arms or any assistant sergeant at arms of either house of the legislature who is commissioned as a police officer by that respective house of the legislature as provided by the legislative sergeant at arms police powers act, 2001 PA 185, MCL 4.381 to 4.382.
(D) A law enforcement officer of a law enforcement agency created by a public body under section 3 of the public body law enforcement agency act, 2004 PA 378, MCL 28.583.
(E) A county prosecuting attorney's investigator sworn and fully empowered by the sheriff of that county as provided under article VII of the state constitution of 1963 and section 70 of 1846 RS 14, MCL 51.70.
(F) A fire arson investigator from a fire department within a village, city, township, or county who is sworn and fully empowered by the chief of police of that village, city, township, or county.
(G) Officers and investigators appointed by state departments represented on the Michigan highway reciprocity board as provided under section 15 of 1960 PA 124, MCL 3.175.
(H) A superintendent, watchperson, or guard appointed or chosen as provided under sections 1 and 3 of 1905 PA 80, MCL 19.141 and 19.143.
(I) A commissioner or officer of the department of state police as described under section 6 of 1935 PA 59, MCL 28.6.
(J) A conservation officer appointed by the department of state police as provided under section 6a of 1935 PA 59, MCL 28.6a.
(K) A general law township constable elected or appointed to perform both statutory criminal and civil duties as provided under section 82 of 1846 RS 16, MCL 41.82.

(L) An officer appointed to a general law township police department as provided under section 6 of 1951 PA 33, MCL 41.806.
(M) A marshal, policeman, watchman, or officer appointed to a charter township police force as provided under section 12 of the charter township act, 1947 PA 359, MCL 42.12.
(N) A park ranger appointed by a county or regional parks and recreation commission as provided under section 14 of 1965 PA 261, MCL 46.364.
(O) A sheriff elected as provided under section 4 of article VII of the state constitution of 1963 or appointed as provided under section 11 of article V of the state constitution of 1963.
(P) An undersheriff or deputy sheriff appointed as provided under section 70 of 1846 RS 14, MCL 51.70.
(Q) A police officer appointed by a general law village as provided under section 13 of the general law village act, 1895 PA 3, MCL 70.13.
(R) A police officer of a home rule village with the authority described in sections 22 and 22b of the home rule village act, 1909 PA 278, MCL 78.22 and 78.22b.
(S) A marshal serving as chief of police of a fourth class city as provided under section 16 of chapter VII of the fourth class city act, 1895 PA 215, MCL 87.16.
(T) A constable of a fourth class city as authorized under section 24 of chapter VII of the fourth class city act, 1895 PA 215, MCL 87.24.
(U) A police chief, policeman, or night watchman appointed under section 1 of chapter XII of the fourth class city act, 1895 PA 215, MCL 92.1.
(V) A police officer or constable as authorized under sections 3 and 32 to 34a of the home rule city act, 1909 PA 279, MCL 117.3 and 117.32 to 117.34a.
(W) An airport law enforcement officer, guard, or police officer appointed by a public airport authority as provided under section 116 of the aeronautics code of the state of Michigan, 1945 PA 327, MCL 259.116.
(X) A conservation officer appointed by the director of the department of natural resources as provided under section 1 of 1986 PA 109, MCL 300.21, and as authorized under sections 1501, 1601, and 1606(1) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.1501, 324.1601, and 324.1606.
(Y) A public safety officer granted law enforcement officer authority and employed by a department of public safety established under section 1606b of the revised school code, 1976 PA 451, MCL 380.1606b.
(Z) A public safety officer authorized by a community college as provided under section 128 of the community college act of 1966, 1966 PA 331, MCL 389.128.
(AA) A public safety officer of a public safety office established by the board of control of Saginaw Valley State University as provided under section 5a of 1965 PA 278, MCL 390.715a.
(BB) A public safety officer of a higher education institution authorized under section 1 of 1990 PA 120, MCL 390.1511.
(CC) An investigator appointed by the attorney general as provided under section 10 of the Medicaid false claim act, 1977 PA 72, MCL 400.610.
(DD) An investigator appointed by the attorney general under section 35 of 1846 RS 12, MCL 14.35, as described in the opinion of the attorney general, OAG, 1977 No. 5236 (October 20, 1977).

(EE) An investigator appointed by the attorney general as provided under section 8 of the health care false claim act, 1984 PA 323, MCL 752.1008.
(FF) A railroad police officer appointed, commissioned, and acting as provided under section 367 of the railroad code of 1993, 1993 PA 354, MCL 462.367.
(GG) An inspector appointed under section 13 of the motor carrier act, 1933 PA 254, MCL 479.13.
(HH) A law enforcement officer licensed under this act whose duties are performed in conjunction with a joinder of 2 or more municipal corporations under 1951 PA 35, MCL 124.1 to 124.13.
(II) A law enforcement officer licensed under this act whose duties are performed in conjunction with an interlocal agreement entered into under the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512.
(JJ) A law enforcement officer licensed under this act whose duties are performed in conjunction with a transfer of functions or responsibilities under 1967 (Ex Sess) PA 8, MCL 124.531 to 124.536. (KK) A law
enforcement officer licensed under this act whose duties have been transferred to an authority and who is given a comparable position of employment with that authority as provided under 1988 PA 57, MCL 124.601 to 124.614.
(LL) A private college security officer appointed under section 37 of the private security business and security alarm act, 1968 PA 330, MCL 338.1087, who is licensed under section 9d.
(ii) "Law enforcement officer" does not include any of the following:
(A) An individual authorized to issue citations as a volunteer as provided under section 675d of the Michigan vehicle code, 1949 PA 300, MCL 257.675d.
(B) A security employee authorized by the director of the department of state police as provided under section 6c of 1935 PA 59, MCL 28.6c.
(C) A motor carrier enforcement officer appointed under section 6d of 1935 PA 59, MCL 28.6d, as qualified under section 5 of 1956 PA 62, MCL 257.955, or as authorized under section 73 of 1990 PA 187, MCL 257.1873.
(D) The director of the department of agriculture or his or her representative granted peace officer authority as provided in section 9h of the motor fuels quality act, 1984 PA 44, MCL 290.649h.
(E) An agent employed and authorized under section 27 of the private security business and security alarm act, 1968 PA 330, MCL 338.1077.
(F) An attendance officer granted the powers of a deputy sheriff as provided in section 1571 of the revised school code, 1976 PA 451, MCL 380.1571.
(G) A park and recreation officer commissioned under section 1606(2) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.1606.
(H) A volunteer conservation officer appointed by the department of natural resources under section 1607 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.1607.
(I) A state forest officer commissioned under section 83107 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.83107.
(J) A special deputy appointed under section 70 of 1846 RS 14, MCL 51.70.

(K) A limited enforcement officer appointed to conduct salvage vehicle inspections under section 217c of the Michigan vehicle code, 1949 PA 300, MCL 257.217c, who is not otherwise employed as a law enforcement officer.
(L) A private security guard or private security police officer licensed under the private security business and security alarm act, 1968 PA 330, MCL 338.1051 to 338.1092, or a private college security officer authorized under section 37 of the private security business and security alarm act, 1968 PA 330, MCL 338.1087, who is not licensed under section 9d.
(M) The attorney general.
(N) The secretary of state.
(O) A member of a sheriff's posse.
(P) A reserve officer.
(Q) An officer or investigator of the department of state designated under section 213 of the Michigan vehicle code, 1949 PA 300, MCL 257.213.
(R) An authorized agent of the state transportation department or a county road commission performing duties described under section 724 of the Michigan vehicle code, 1949 PA 300, MCL 257.724.
(S) An enforcement officer of the aeronautics commission authorized under section 55 of the aeronautics code of the state of Michigan, 1945 PA 327, MCL 259.55.
(T) A railroad conductor acting under section 3 of 1913 PA 68, MCL 436.203.
(U) An inspector authorized to enforce the Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1101 to 436.2303, and rules promulgated by the liquor control commission, under section 201 of the Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1201.
(V) An individual not licensed under this act whose law enforcement duties are performed in conjunction with a joinder of 2 or more municipal corporations under 1951 PA 35, MCL 124.1 to 124.13.
(W) An individual not licensed under this act whose law enforcement duties are performed in conjunction with an interlocal agreement entered into under the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512.
(X) An individual not licensed under this act whose law enforcement duties are performed in conjunction with a transfer of functions or responsibilities under 1967 (Ex Sess) PA 8, MCL 124.531 to 124.536.
(Y) An individual not licensed under this act whose law enforcement duties have been transferred to an authority and who is given a comparable position of employment with that authority as provided under 1988 PA 57, MCL 124.601 to 124.614.
(Z) A marshal appointed under section 11 of 1889 PA 39, MCL 455.61, or section 15 of 1929 PA 137, MCL 455.215.
(g) "Law enforcement training academy" means any of the following:
(i) An agency basic law enforcement training academy.
(ii) A preservice college basic law enforcement training academy.
(iii) A regional basic law enforcement training academy.
(h) "License" means documentation of licensure by the commission under this act. License includes a certificate issued under this act before the effective date of the amendatory act that added this definition.

(i) "Licensing standards" means the requirements with which a person must comply for licensure as a law enforcement officer under this act.
(j) "Licensure" means a determination by the commission that both of the following occurred in compliance with this act and rules promulgated under this act:
(i) The person to whom the license is issued commenced employment as a law enforcement officer, subject to a written oath of office or other written instrument conferring law enforcement authority.
(ii) The law enforcement agency employing the individual, or the law enforcement agency or other governmental agency conferring law enforcement authority upon the individual, attested to the commission that the individual complied with the licensing standards.
(k) "Michigan tribal law enforcement officer" means an individual employed as a law enforcement officer by a federally recognized Indian tribe that has trust lands located within this state, subject to a written instrument authorizing the individual to enforce the laws of this state.
(l) "Rule" means a rule promulgated under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

History: 1965, Act 203, Eff. Jan. 1, 1966;-Am. 1968, Act 220, Imd. Eff. June 24, 1968;-Am. 1970, Act 187, Imd. Eff. Jan. 1, 1971 ;-Am. 1994, Act 155, Eff. Mar. 30, 1995;-Am. 1995, Act 204, Imd. Eff. Nov. 29, 1995;-Am. 1998, Act 237, Imd. Eff. July 3, 1998; -Am. 2001, Act 186, Imd. Eff. Dec. 21, 001;-Am. 2004, Act 379, Imd. Eff. Oct. 12, 2004;-Am. 2013, Act 170, Imd. Eff. Nov. 18, 2013;-Am. 2016, Act 289, Eff. Jan. 2, 2017.
Compiler's note: 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.

28.603 Michigan commission on law enforcement standards; creation; membership; terms; appointment; vacancy.

Sec. 3. (1) The Michigan commission on law enforcement standards is created to carry out the intent of this act.
(2) The commission consists of the following members:
(a) The attorney general, or his or her designated representative from within the department of attorney general.
(b) The director of the department of state police, or his or her designated representative who is a police officer within the department of state police.
(c) The chief of a police department of a city that has a population of more than 600,000, or his or her designee who is a command officer within that department.
(d) The following members appointed by the governor, subject to the advice and consent of the senate under section 6 of article V of the state constitution of 1963, as follows:
(i) Three individuals nominated by the Michigan Association of Chiefs of Police.
(ii) Three individuals nominated by the Michigan Sheriffs' Association.
(iii) One individual nominated by the Prosecuting Attorneys Association of Michigan.
(iv) One individual nominated by the Criminal Defense Attorneys of Michigan.
(v) One individual nominated by the Michigan State Police Troopers Association.
(vi) One individual nominated by the Michigan chapter of the Fraternal Order of Police.

(vii) One individual nominated by the Police Officers Association of Michigan.
(viii) One individual nominated by a police association not otherwise represented on the commission representing law enforcement officers employed by a law enforcement agency employing more than 10% of the police officers in this state.
(ix) One individual nominated by the Police Officers Labor Council of Michigan.
(x) One individual nominated by the Michigan Association of Police.
(xi) One individual nominated by the Deputy Sheriff's Association of Michigan.
(xii) One non-law enforcement individual representing the public.
(3) The terms of the members of the commission who were previously appointed by the governor and serving on the commission on the effective date of the amendatory act that added this subsection expire on the effective date of the amendatory act that added this subsection.
(4) Not more than 90 days after the effective date of the amendatory act that added this subsection, the governor shall appoint members to the commission as provided in subsection (2)(d).
(5) The governor may appoint any individual meeting the membership requirements of the organizations listed in subsection (2)(d)(*i*) to (*xii*) if the organization permitted to nominate an individual to the commission fails to provide a nominee not less than 30 days before 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 selected under subsection (2)(d) shall serve as a commission member only while serving as a member of the organization that submitted his or her name to the governor for appointment.
(7) Members of the commission appointed or reappointed under subsection (2)(d)(*i*) to (*xii*) shall be appointed for a term of 4 years except that, of the members first appointed to the commission, 6 shall serve for 1 year, 5 shall serve for 2 years, and 5 shall serve for 3 years.
(8) The expiration dates of appointments under subsection (2)(d) shall be December 31 of the calendar year in which they expire.
(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.

History: 1965, Act 203, Eff. Jan. 1, 1966; -Am. 1996, Act 545, Imd. Eff. Jan. 15, 1997; -Am. 1998, Act 237, Imd. Eff. July 3, 1998 -Am. 2016, Act 289, Eff. Jan. 2, 2017.
Compiler's note: 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.

28.601 Repealed. 2016, Act 289, Eff. Jan. 2, 2017.

Compiler's note: The repealed section pertained to terms, vacancies, and reappointment of members of commission on law enforcement standards.

28.602 Commission; officers; terms; oath not required; disqualification from public office or employment.

Sec. 5. (1) The commission shall elect from among its members a chairperson and a vice-chairperson who shall serve for 1-year terms and who may be reelected.
(2) Membership on the commission does not constitute holding a public office, and members of the commission are not required to take and file oaths of office before serving on the commission.
(3) A member of the commission is not disqualified from holding any public office or employment by reason of his or her appointment or membership on the commission and shall not forfeit any public office or employment because of his or her appointment to the commission, notwithstanding any general, special, or local law, ordinance, or city charter.

History: 1965, Act 203, Eff. Jan. 1, 1966;¾Am. 1998, Act 237, Imd. Eff. July 3, 1998;¾Am. 2016, Act 289, Eff. Jan. 2, 2017.
Compiler's note: 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.

28.603 Commission; meetings; procedures and requirements; conducting business at public meeting; notice; voting.

Sec. 6. (1) The commission shall meet not less than 4 times in each year and shall hold special meetings
when called by the chairperson or, in the absence of the chairperson, by the vice-chairperson. A special meeting of the commission shall be called by the chairperson upon the written request of 5 members of the commission.
(2) The commission shall establish its own procedures and requirements with respect to quorum, place and conduct of its meetings, and other matters.
(3) The commission may establish other procedures and requirements governing its operations to carry out the intent of this act.
(4) The commission's business shall be conducted in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. Public notice of the time, date, and place of the meeting shall be given in the manner required by the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. The commission may take action at a meeting upon a vote of the majority of its members who are present at the meeting.

History: 1965, Act 203, Eff. Jan. 1, 1966;-Am. 1978, Act 185, Imd. Eff. June 4, 1978;-Am. 1998, Act 237, Imd. Eff. July 3, 1998; -Am. 2016, Act 289, Eff. Jan. 2, 2017.
Compiler's note: 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.

28.601 Commission; annual report to governor.

Sec. 7. The commission shall make an annual report to the governor that includes pertinent data regarding the law enforcement officer minimum standards and the degree of participation of municipalities in the training programs, and any other information the governor requests or the commission considers appropriate.

History: 1965, Act 203, Eff. Jan. 1, 1966;-Am. 1998, Act 237, Imd. Eff. July 3, 1998;-Am. 2016, Act 289, Eff. Jan. 2, 2017.
Compiler's note: 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.

28.602 Commission members; compensation; expenses.

Sec. 8. The members of the commission shall serve without compensation. The members of the commission are entitled to their actual expenses in attending meetings and in the performance of their official duties.

History: 1965, Act 203, Eff. Jan. 1, 1966;-Am. 1998, Act 237, Imd. Eff. July 3, 1998.
Compiler's note: 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.

28.603 Employment of law enforcement officers; licensing requirements and procedures; rules; licensure process; granting or denying license; duties of law enforcement agency upon administering oath of office; license rendered inactive; reactivation; lapsed or revoked license; prohibited authority.

Sec. 9. (1) This section applies to all law enforcement officers except individuals to whom sections 9a, 9b, 9c, and 9d apply. Employment of law enforcement officers to whom this section applies is subject to the licensing requirements and procedures of this section.
(2) The commission shall promulgate rules governing licensing standards and procedures for individuals licensed under this section. In promulgating the rules, the commission shall give consideration to the varying factors and special requirements of law enforcement agencies. Rules promulgated under this subsection shall pertain to the following:
(a) Training requirements that may be met by completing either of the following:
(i) Preenrollment requirements, courses of study, attendance requirements, and instructional hours at an agency basic law enforcement training academy, a preservice college basic law enforcement training academy, or a regional basic law enforcement training academy.
(ii) The recognition of prior basic law enforcement training and experience program for granting a waiver from the licensing standard specified in subparagraph (*i*).
(b) Proficiency on a licensing examination administered after compliance with the licensing standard specified in subdivision (a).
(c) Physical ability.
(d) Psychological fitness.
(e) Education.
(f) Reading and writing proficiency.
(g) Minimum age.
(h) Whether or not a valid operator's or chauffeur's license is required for licensure.

(i) Character fitness, as determined by a background investigation supported by a written authorization and release executed by the individual for whom licensure is sought.
(j) Whether or not United States citizenship is required for licensure.
(k) Employment as a law enforcement officer.
(l) The form and manner for execution of a written oath of office by a law enforcement agency with whom the individual is employed, and the content of the written oath conferring authority to act with all of the law enforcement authority described in the laws of this state under which the individual is employed.
(3) The licensure process under this section shall comply with the following procedures:
(a) Before executing the oath of office, an employing law enforcement agency verifies that the individual to whom the oath is to be administered complies with licensing standards.
(b) A law enforcement agency employing an individual licensed under this section authorizes the individual to exercise the law enforcement authority described in the laws of this state under which the individual is employed, by executing a written oath of office.
(c) Not more than 10 calendar days after executing the oath of office, the employing law enforcement agency shall attest in writing to the commission that the individual to whom the oath was administered satisfies the licensing standards by submitting an executed affidavit and a copy of the executed oath of office.
(4) If, upon reviewing the executed affidavit and executed oath of office, the commission determines that the individual complies with the licensing standards, the commission shall grant the individual a license.
(5) If, upon reviewing the executed affidavit and executed oath of office, the commission determines that the individual does not comply with the licensing standards, the commission may do any of the following:
(a) Supervise the remediation of errors or omissions in the affidavit and oath of office.
(b) Supervise the remediation of errors or omissions in the screening, procedures, examinations, testing, and other means used to verify compliance with the licensing standards.
(c) Supervise additional screening, procedures, examinations, testing, and other means used to determine compliance with the licensing standards.
(d) Deny the issuance of a license and inform the employing law enforcement agency.
(6) Upon being informed that the commission has denied issuance of a license, the employing law enforcement agency shall promptly inform the individual whose licensure was denied.
(7) An individual denied a license under this section shall not exercise the law enforcement authority described in the laws of this state under which the individual is employed. This subsection does not divest the individual of that authority until the individual has been informed that his or her licensure was denied.
(8) A law enforcement agency that has administered an oath of office to an individual under this section shall do all of the following, with respect to that individual:
(a) Report to the commission all personnel transactions affecting employment status in a manner prescribed in rules promulgated by the commission.
(b) Report to the commission concerning any action taken by the employing agency that removes the authority conferred by the oath of office, or that restores the individual's

authority to that conferred by the oath of office, in a manner prescribed in rules promulgated by the commission.
(c) Maintain an employment history record.
(d) Collect, verify, and maintain documentation establishing that the individual complies with the licensing standards.
(9) An individual licensed under this section shall report all of the following to the commission:
(a) Criminal charges for offenses for which that individual's license may be revoked as described in this section, upon being informed of such charges, in a manner prescribed in rules promulgated by the commission.
(b) The imposition of a personal protection order against that individual after a judicial hearing under section 2950 or 2950a of the revised judicature act of 1961, 1961 PA 236, MCL 600.2950 and 600.2950a, or under the laws of any other jurisdiction, upon being informed of the imposition of such an order, in a manner prescribed in rules promulgated by the commission.
(10) A license issued under this section is rendered inactive, and may be reactivated, as follows:
(a) A license is rendered inactive if:
(i) An individual, having been employed as a law enforcement officer for fewer than 2,080 hours in aggregate, is thereafter continuously not employed as a law enforcement officer for less than 1 year.
(ii) An individual, having been employed as a law enforcement officer for fewer than 2,080 hours in aggregate, is thereafter continuously subjected to a removal of the authority conferred by the oath of office for less than 1 year.
(iii) An individual, having been employed as a law enforcement officer for 2,080 hours or longer in aggregate, is thereafter continuously not employed as a law enforcement officer for less than 2 years.
(iv) An individual, having been employed as a law enforcement officer for 2,080 hours or longer in aggregate, is continuously subjected to a removal of the authority conferred by the oath of office for less than 2 years.
(b) An employing law enforcement agency may reactivate a license rendered inactive by complying with the licensure procedures described in subsection (3), excluding verification of and attestation to compliance with the licensing standards described in subsection (2)(a) to (g).
(c) A license that has been reactivated under this section is valid for all purposes described in this act.
(11) A license issued under this section is rendered lapsed, without barring further licensure under this act, as follows:
(a) An individual, having been employed as a law enforcement officer for fewer than 2,080 hours in aggregate, is thereafter continuously not employed as a law enforcement officer for 1 year.
(b) An individual, having been employed as a law enforcement officer for fewer than 2,080 hours in aggregate, is thereafter continuously subjected to a removal of the authority conferred by the oath of office for 1 year.

(c) An individual, having been employed as a law enforcement officer for 2,080 hours or longer in aggregate, is thereafter continuously not employed as a law enforcement officer for 2 years.
(d) An individual, having been employed as a law enforcement officer for 2,080 hours or longer in aggregate, is continuously subjected to a removal of the authority conferred by the oath of office for 2 years.
(12) The commission shall revoke a license granted under this section for any of the following circumstances and shall promulgate rules governing revocations under this subsection:
(a) The individual obtained the license by making a materially false oral or written statement or committing fraud in an affidavit, disclosure, or application to a law enforcement training academy, the commission, or a law enforcement agency at any stage of recruitment, selection, appointment, enrollment, training, or licensure application.
(b) The individual obtained the license because another individual made a materially false oral or written statement or committed fraud in an affidavit, disclosure, or application to a law enforcement training academy, the commission, or a law enforcement agency at any stage of recruitment, selection, appointment, enrollment, training, or licensure application.
(c) The individual has been subjected to an adjudication of guilt for a violation or attempted violation of a penal law of this state or another jurisdiction that is punishable by imprisonment for more than 1 year.
(d) The individual has been subjected to an adjudication of guilt for violation or attempted violation of 1 or more of the following penal laws of this state or laws of another jurisdiction substantially corresponding to the
penal laws of this state:
(i) Section 625(1) or (8) of the Michigan vehicle code, 1949 PA 300, MCL 257.625, if the individual has a prior conviction, as that term is defined in section 625(25)(b) of the Michigan vehicle code, 1949 PA 300, MCL 257.625, that occurred within 7 years of the adjudication as described in section 625(9)(b) of the Michigan vehicle code, 1949 PA 300, MCL 257.625.
(ii) Sections 7403(2)(c) and 7404(2)(a), (b), and (c) of the public health code, 1978 PA 368, MCL 333.7403 and 333.7404.
(iii) Sections 81(4) and 81a and a misdemeanor violation of section 411h of the Michigan penal code, 1931 PA 328, MCL 750.81, 750.81a, and 750.411h.
(13) The following procedures and requirements apply to license revocation under this section:
(a) The commission shall initiate license revocation proceedings, including, but not limited to, the issuance of an order of summary suspension and notice of intent to revoke, upon obtaining notice of facts warranting license revocation.
(b) A hearing for license revocation shall be conducted as a contested case under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.
(c) In lieu of participating in a contested case, an individual may voluntarily and permanently relinquish his or her law enforcement officer license by executing before a notary public an affidavit of license relinquishment prescribed by the commission.
(d) The commission need not delay or abate license revocation proceedings based on an adjudication of guilt if an appeal is taken from the adjudication of guilt.

(e) If the commission issues a final decision or order to revoke a license, that decision or order is subject to judicial review as provided in the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328. A summary suspension described in this section is not a final decision or order for purposes of judicial review.
(14) An individual licensed under this section shall not exercise the law enforcement authority described in the laws of this state under which the individual is employed if any of the following occur:
(a) The individual's license is rendered void by a court order or other operation of law.
(b) The individual's license is revoked.
(c) The individual's license is rendered inactive.
(d) The individual's license is rendered lapsed.

History: 1965, Act 203, Eff. Jan. 1, 1966;-Am. 1970, Act 187, Imd. Eff. Jan. 1, 1971;-Am. 1971, Act 31, Imd. Eff. May 26, 1971; -Am. 1976, Act 422, Imd. Eff. Jan. 11, 1977;-Am. 1985, Act 15, Imd. Eff. May 15, 1985;-Am. 1994, Act 155, Eff. Mar. 30, 1995;-Am. 1998, Act 237, Imd. Eff. July 3, 1998;-Am. 2004, Act 379, Imd. Eff. Oct. 12, 2004;-Am. 2005, Act 239, Imd. Eff. Nov. 22, 2005;-Am. 2016, Act 289, Eff. Jan. 2, 2017.

Compiler's note: 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.

Administrative rules: R 28.4101 et seq.; R 28.4201 et seq.; and R 28.4351 et seq. of the Michigan Administrative Code.

28.609a Individuals elected or appointed to office of sheriff; licensure; procedures; duty of licensed individual to report certain information; validity of license; revocation.

Sec. 9a. (1) This section applies only to individuals elected or appointed to the office of sheriff in this state. Employment of law enforcement officers to whom this section applies is subject to the licensing requirements and procedures of this section.
(2) The licensure process under this section shall comply with the following procedures:
(a) Not more than 10 calendar days after taking an oath of office for the office of sheriff in this state, an individual shall submit to the commission a copy of the executed oath of office.
(b) If, upon reviewing the executed oath of office, the commission determines that the individual has been elected or appointed to the office of sheriff in this state, the commission shall grant the individual a license.
(c) If, upon reviewing the executed oath of office, the commission determines that the individual has not been elected or appointed to the office of sheriff in this state, the commission may do either of the following:
(i) Verify, through other means, election or appointment to the office of sheriff in this state.
(ii) Deny the issuance of a license and inform the individual denied.
(3) An individual licensed under this section shall report all of the following to the commission:

(a) Criminal charges for offenses for which that individual's license may be revoked as described in this section, upon being informed of such charges, in a manner prescribed in rules promulgated by the commission.
(b) The imposition of a personal protection order against that individual after a judicial hearing under section 2950 or 2950a of the revised judicature act of 1961, 1961 PA 236, MCL 600.2950 and 600.2950a, or under the laws of any other jurisdiction, upon being informed of the imposition of such an order, in a manner prescribed in rules promulgated by the commission.
(4) A license granted under this section is valid until any of the following occur:
(a) A court order or other operation of law renders the license void.
(b) The individual's term of office as a sheriff in this state expires.
(c) The commission revokes the license as provided in this section.
(5) The commission shall revoke a license granted under this section for any of the following circumstances and shall promulgate rules governing revocations under this subsection:
(a) The individual obtained the license by making a materially false oral or written statement or committing fraud in an affidavit, disclosure, or application to a law enforcement training academy, the commission, or a law enforcement agency at any stage of recruitment, selection, appointment, enrollment, training, or licensure application.
(b) The individual obtained the license because another individual made a materially false oral or written statement or committed fraud in an affidavit, disclosure, or application to a law enforcement training academy, the commission, or a law enforcement agency at any stage of recruitment, selection, appointment, enrollment, training, or licensure application.
(c) The individual has been subjected to an adjudication of guilt for a violation or attempted violation of a penal law of this state or another jurisdiction that is punishable by imprisonment for more than 1 year.
(d) The individual has been subjected to an adjudication of guilt for violation or attempted violation of 1 or more of the following penal laws of this state or laws of another jurisdiction substantially corresponding to the penal laws of this state:
(i) Section 625(1) or (8) of the Michigan vehicle code, 1949 PA 300, MCL 257.625, if the individual has a prior conviction, as that term is defined in section 625(25)(b) of the Michigan vehicle code, 1949 PA 300, MCL 257.625, that occurred within 7 years of the adjudication as described in section 625(9)(b) of the Michigan vehicle code, 1949 PA 300, MCL 257.625.
(ii) Sections 7403(2)(c) and 7404(2)(a), (b), and (c) of the public health code, 1978 PA 368, MCL 333.7403 and 333.7404.
(iii) Sections 81(4) and 81a and a misdemeanor violation of section 411h of the Michigan penal code, 1931 PA 328, MCL 750.81, 750.81a, and 750.411h.
(6) The following procedures and requirements apply to license revocation under this section:
(a) The commission shall initiate license revocation proceedings, including, but not limited to, the issuance of an order of summary suspension and notice of intent to revoke, upon obtaining notice of facts warranting license revocation.
(b) A hearing for license revocation shall be conducted as a contested case under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

(c) In lieu of participating in a contested case, an individual may voluntarily and permanently relinquish his or her law enforcement officer license by executing before a notary public an affidavit of license relinquishment prescribed by the commission.
(d) The commission need not delay or abate license revocation proceedings based on an adjudication of guilt if an appeal is taken from the adjudication of guilt.
(e) If the commission issues a final decision or order to revoke a license, that decision or order is subject to judicial review as provided in the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328. A summary suspension described in this section is not a final decision or order for purposes of judicial review.

History: Add. 1998, Act 237, Imd. Eff. July 3, 1998;-Am. 2016, Act 289, Eff. Jan. 2, 2017.
Compiler's note: 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.

28.609b Individuals employed as Michigan tribal law enforcement officers; licensing requirements and procedures; rules; licensure process; granting or denying license; written instrument conferring authority; license rendered inactive; reactivation; lapsed or revoked license; prohibited authority.
Sec. 9b. (1) This section applies only to individuals who are employed as Michigan tribal law enforcement officers in this state and are subject to a written instrument authorizing them to enforce the laws of this state. Conferring authority to enforce the laws of this state to law enforcement officers to whom this section applies is subject to the licensing requirements and procedures of this section.
(2) The commission shall promulgate rules governing licensing standards and procedures, pertaining to the following:
(a) Training requirements that may be met by completing either of the following:
(i) Preenrollment requirements, courses of study, attendance requirements, and instructional hours at an agency basic law enforcement training academy, a preservice college basic law enforcement training academy, or a regional basic law enforcement training academy.
(ii) The recognition of prior basic law enforcement training and experience program for granting a waiver from the licensing standard specified in subparagraph (*i*).
(b) Proficiency on a licensing examination administered after compliance with the licensing standard specified in subdivision (a).
(c) Physical ability.
(d) Psychological fitness.
(e) Education.
(f) Reading and writing proficiency.
(g) Minimum age.
(h) Whether or not a valid operator's or chauffeur's license is required for licensure.
(i) Character fitness, as determined by a background investigation supported by a written authorization and release executed by the individual for whom licensure is sought.
(j) Whether or not United States citizenship is required for licensure.
(k) Employment as a Michigan tribal law enforcement officer.

(l) The form and manner for execution of a written instrument conferring authority upon the individual to enforce the laws of this state, consisting of any of the following:
(i) Deputation by a sheriff of this state, conferring authority upon the individual to enforce the laws of this state.
(ii) Appointment as a law enforcement officer by a law enforcement agency, conferring authority upon the individual to enforce the laws of this state.
(iii) Execution of a written agreement between the Michigan tribal law enforcement agency with whom the individual is employed and a law enforcement agency, conferring authority upon the individual to enforce the laws of this state.
(iv) Execution of a written agreement between this state, or a subdivision of this state, and the United States, conferring authority upon the individual to enforce the laws of this state.
(3) The licensure process under this section shall comply with the following procedures:
(a) A law enforcement agency or other governmental agency conferring authority upon a Michigan tribal law enforcement officer as provided in this section shall confer the authority to enforce the laws of this state
by executing a written instrument as provided in this section.
(b) Before executing the written instrument, a law enforcement agency or other governmental agency shall verify that the individual complies with the licensing standards.
(c) Not more than 10 calendar days after the effective date of the written instrument, the law enforcement agency or other governmental agency executing the written instrument shall attest in writing to the commission that the individual to whom the authority was conferred satisfies the licensing standards, by submitting an executed affidavit and a copy of the written instrument.
(4) If, upon reviewing the executed affidavit and the written instrument, the commission determines that the individual complies with the licensing standards, the commission shall grant the individual a license. (5) If, upon reviewing the executed affidavit and the written instrument, the commission determines that the individual does not comply with the licensing standards, the commission may do any of the following:
(a) Supervise the remediation of errors or omissions in the affidavit and oath of office.
(b) Supervise the remediation of errors or omissions in the screening, procedures, examinations, testing, and other means used to verify compliance with the licensing standards.
(c) Supervise additional screening, procedures, examinations, testing, and other means used to determine compliance with the licensing standards.
(d) Deny the issuance of a license and inform the law enforcement agency or other governmental agency conferring authority to enforce the laws of this state upon an individual to whom this section applies.
(6) Upon being informed that the commission has denied issuance of a license, a law enforcement agency or other governmental agency conferring authority to enforce the laws of this state upon an individual to whom this section applies shall promptly inform the individual denied.
(7) An individual denied a license under this section shall not exercise the law enforcement authority described in a written instrument conferring authority upon the individual to enforce the laws of this state.

This subsection does not divest the individual of that authority until the individual has been informed that his or her license was denied.
(8) A written instrument conferring authority to enforce the laws of this state upon an individual to whom this section applies shall include the following:
(a) A requirement that the employing Michigan tribal law enforcement agency report to the commission all personnel transactions affecting employment status in a manner prescribed in rules promulgated by the commission.
(b) A requirement that the employing Michigan tribal law enforcement agency report to the commission concerning any action it takes that removes the authority conferred by the written instrument conferring authority upon the individual to enforce the laws of this state or that restores the individual's authority to that conferred by the written instrument, in a manner prescribed in rules promulgated by the commission.
(c) A requirement that the employing Michigan tribal law enforcement agency maintain an employment history record.
(d) A requirement that the employing Michigan tribal law enforcement agency collect, verify, and maintain documentation establishing that the individual complies with the applicable licensing standards.
(9) A written instrument conferring authority to enforce the laws of this state upon an individual to whom this section applies shall include a requirement that the employing Michigan tribal law enforcement agency report the following regarding an individual licensed under this section:
(a) Criminal charges for offenses for which that individual's license may be revoked as described in this section, upon being informed of such charges, in a manner prescribed in rules promulgated by the commission.
(b) The imposition of a personal protection order against that individual after a judicial hearing under section 2950 or 2950a of the revised judicature act of 1961, 1961 PA 236, MCL 600.2950 and 600.2950a, or under the laws of any other jurisdiction, upon being informed of the imposition of such an order, in a manner prescribed in rules promulgated by the commission.
(10) A license issued under this section is rendered inactive, and may be reactivated, as follows:
(a) A license is rendered inactive if:
(i) An individual, having been employed as a law enforcement officer in aggregate for less than 2,080 hours, is thereafter continuously not employed as a law enforcement officer for less than 1 year.
(ii) An individual, having been employed as a law enforcement officer in aggregate for less than 2,080 hours, is thereafter continuously subjected to a removal of the authority conferred by the written instrument authorizing the individual to enforce the laws of this state for less than 1 year.
(iii) An individual, having been employed as a law enforcement officer in aggregate for 2,080 hours or longer, is thereafter continuously not employed as a law enforcement officer for less than 2 years.
(iv) An individual, having been employed as a law enforcement officer in aggregate for 2,080 hours or longer, is continuously subjected to a removal of the authority conferred by the written instrument authorizing the individual to enforce the laws of this state for less than 2 years.

(b) A law enforcement agency or other governmental agency conferring authority to enforce the laws of this state upon an individual to whom this section applies may reactivate a license rendered inactive by complying with the licensure procedures described in subsection (3), excluding verification of and attestation to compliance with the licensing standards described in subsection (2)(a) to (g).
(c) A license that has been reactivated under this section is valid for all purposes described in this act.
(11) A license issued under this section is rendered lapsed, without barring further licensure under this act, as follows:
(a) An individual, having been employed as a law enforcement officer in aggregate for less than 2,080 hours, is thereafter continuously not employed as a law enforcement officer for 1 year.
(b) An individual, having been employed as a law enforcement officer in aggregate for less than 2,080 hours, is thereafter continuously subjected to a removal of the authority conferred by the written instrument authorizing the individual to enforce the laws of this state for 1 year.
(c) An individual, having been employed as a law enforcement officer in aggregate for 2,080 hours or longer, is thereafter continuously not employed as a law enforcement officer for 2 years.
(d) An individual, having been employed as a law enforcement officer in aggregate for 2,080 hours or longer, is continuously subjected to a removal of the authority conferred by the written instrument authorizing the individual to enforce the laws of this state for 2 years.
(12) The commission shall revoke a license granted under this section for any of the following
circumstances and shall promulgate rules governing these revocations under this section:
(a) The individual obtained the license by making a materially false oral or written statement or committing fraud in an affidavit, disclosure, or application to a law enforcement training academy, the commission, or a law enforcement agency at any stage of recruitment, selection, appointment, enrollment, training, or licensure application.
(b) The individual obtained the license because another individual made a materially false oral or written statement or committed fraud in an affidavit, disclosure, or application to a law enforcement training academy, the commission, or a law enforcement agency at any stage of recruitment, selection, appointment, enrollment, training, or licensure application.
(c) The individual has been subjected to an adjudication of guilt for a violation or attempted violation of a penal law of this state or another jurisdiction that is punishable by imprisonment for more than 1 year.
(d) The individual has been subjected to an adjudication of guilt for violation or attempted violation of 1 or more of the following penal laws of this state or laws of another jurisdiction substantially corresponding to the penal laws of this state:
(i) Section 625(1) or (8) of the Michigan vehicle code, 1949 PA 300, MCL 257.625, if the individual has a prior conviction, as that term is defined in section 625(25)(b) of the Michigan vehicle code, 1949 PA 300, MCL 257.625, that occurred within 7 years of the adjudication as described in section 625(9)(b) of the Michigan vehicle code, 1949 PA 300, MCL 257.625.

(ii) Sections 7403(2)(c) and 7404(2)(a), (b), and (c) of the public health code, 1978 PA 368, MCL 333.7403 and 333.7404.
(iii) Sections 81(4) and 81a and a misdemeanor violation of section 411h of the Michigan penal code, 1931 PA 328, MCL 750.81, 750.81a, and 750.411h.
(13) The following procedures and requirements apply to license revocation under this section:
(a) The commission shall initiate license revocation proceedings, including, but not limited to, the issuance of an order of summary suspension and notice of intent to revoke, upon obtaining notice of facts warranting license revocation.
(b) A hearing for license revocation shall be conducted as a contested case under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.
(c) In lieu of participating in a contested case, an individual may voluntarily and permanently relinquish his or her law enforcement officer license by executing before a notary public an affidavit of license relinquishment prescribed by the commission.
(d) The commission need not delay or abate license revocation proceedings based on an adjudication of guilt if an appeal is taken from the adjudication of guilt.
(e) If the commission issues a final decision or order to revoke a license, that decision or order is subject to judicial review as provided in the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328. A summary suspension described in this section is not a final decision or order for purposes of judicial review.
(14) An individual licensed under this section shall not exercise the law enforcement authority described in a written instrument conferring authority upon the individual to enforce the laws of this state if any of the following occur:
(a) The individual's license is rendered void by a court order or other operation of law.
(b) The individual's license is revoked.
(c) The individual's license is rendered inactive.
(d) The individual's license is rendered lapsed.

History: Add. 1998, Act 237, Imd. Eff. July 3, 1998;-Am. 2016, Act 289, Eff. Jan. 2, 2017.
Compiler's note: 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.

28.609c Individuals employed as fire arson investigators; licensing requirements and procedures; rules; licensure process; granting or denying license; duties of chief of police administering oath of office; report of certain information; lapsed or revoked license; prohibited authority.

Sec. 9c. (1) This section applies only to individuals who are employed as fire arson investigators from fire departments within villages, cities, townships, or counties in this state, who are sworn and fully empowered by the chiefs of police of those villages, cities, townships, or counties. Conferring authority to enforce the laws of this state to law enforcement officers to whom this section applies is subject to the licensing requirements and procedures of this section.
(2) The commission shall promulgate rules governing licensing standards and procedures, pertaining to the following:

(a) Training requirements that may be met by completing either of the following:
(i) Preenrollment requirements, courses of study, attendance requirements, and instructional hours at an agency basic law enforcement training academy, a preservice college basic law enforcement training academy, or a regional basic law enforcement training academy.
(ii) The recognition of prior basic law enforcement training and experience program for granting a waiver from the licensing standard specified in subparagraph (*i*).
(b) Proficiency on a licensing examination administered after compliance with the licensing standard specified in subdivision (a).
(c) Physical ability.
(d) Psychological fitness.
(e) Education.
(f) Reading and writing proficiency.
(g) Minimum age.
(h) Whether or not a valid operator's or chauffeur's license is required for licensure.
(i) Character fitness, as determined by a background investigation supported by a written authorization and release executed by the individual for whom licensure is sought.
(j) Whether or not United States citizenship is required for licensure.
(k) Employment as a fire arson investigator from a fire department within a village, city, township, or county in this state, who is sworn and fully empowered by the chief of police of that village, city, township, or county.
(l) The form and manner for execution of a written oath of office by the chief of police of a village, city, township, or county law enforcement agency, and the content of the written oath conferring authority to enforce the laws of this state.
(3) The licensure process under this section shall comply with the following procedures:
(a) Before executing the oath of office, the chief of police shall verify that the individual to whom the oath is to be administered complies with the licensing standards.
(b) The chief of police shall execute an oath of office authorizing the individual to enforce the laws of this state.
(c) Not more than 10 calendar days after executing the oath of office, the chief of police shall attest in writing to the commission that the individual to whom the oath was administered satisfies the licensing standards by submitting an executed affidavit and a copy of the executed oath of office.
(4) If, upon reviewing the executed affidavit and executed oath of office, the commission determines that the individual complies with the licensing standards, the commission shall grant the individual a license.
(5) If, upon reviewing the executed affidavit and executed oath of office, the commission determines that the individual does not comply with the licensing standards, the commission may do any of the following:
(a) Supervise the remediation of errors or omissions in the affidavit and oath of office.
(b) Supervise the remediation of errors or omissions in the screening, procedures, examinations, testing, and other means used to verify compliance with the licensing standards.
(c) Supervise additional screening, procedures, examinations, testing, and other means used to determine compliance with the licensing standards.
(d) Deny the issuance of a license and inform the chief of police.

(6) Upon being informed that the commission has denied issuance of a license, the chief of police shall promptly inform the individual whose licensure was denied.
(7) An individual denied a license under this section shall not exercise the law enforcement authority described in the oath of office. This subsection does not divest the individual of that authority until the individual has been informed that his or her license was denied.
(8) A chief of police that has administered an oath of office to an individual under this section shall do all of the following, with respect to that individual:
(a) Report to the commission all personnel transactions affecting employment status in a manner prescribed in rules promulgated by the commission.
(b) Report to the commission concerning any action taken by the chief of police that removes the authority conferred by the oath of office, or that restores the individual's authority to that conferred by the oath of office, in a manner prescribed in rules promulgated by the commission.
(c) Maintain an employment history record.
(d) Collect, verify, and maintain documentation establishing that the individual complies with the applicable licensing standards.
(9) An individual licensed under this section shall report all of the following to the commission:
(a) Criminal charges for offenses for which that individual's license may be revoked as described in this section, upon being informed of such charges, in a manner prescribed in rules promulgated by the commission.
(b) Imposition of a personal protection order against that individual after a judicial hearing under section 2950 or 2950a of the revised judicature act of 1961, 1961 PA 236, MCL 600.2950 and 600.2950a, or under the laws of any other jurisdiction, upon being informed of the imposition of such an order, in a manner prescribed in rules promulgated by the commission.
(10) A license issued under this section is rendered lapsed, without barring further licensure under this act, as follows:
(a) The individual is no longer employed as a fire arson investigator from a fire department within a village, city, township, or county in this state, who is sworn and fully empowered by the chief of police of that village, city, township, or county, rendering the license lapsed.
(b) The individual is subjected to a removal of the authority conferred by the oath of office, rendering the license lapsed.
(11) The commission shall revoke a license granted under this section for any of the following circumstances and shall promulgate rules governing these revocations under this subsection:
(a) The individual obtained the license by making a materially false oral or written statement or committing fraud in an affidavit, disclosure, or application to a law enforcement training academy, the commission, or a law enforcement agency at any stage of recruitment, selection, appointment, enrollment, training, or licensure application.
(b) The individual obtained the license because another individual made a materially false oral or written statement or committed fraud in an affidavit, disclosure, or application to a law enforcement training academy, the commission, or a law enforcement agency at any

stage of recruitment, selection, appointment, enrollment, training, or licensure application.
(c) The individual has been subjected to an adjudication of guilt for a violation or attempted violation of a penal law of this state or another jurisdiction that is punishable by imprisonment for more than 1 year.
(d) The individual has been subjected to an adjudication of guilt for violation or attempted violation of 1 or more of the following penal laws of this state or laws of another jurisdiction substantially corresponding to the
penal laws of this state:
(i) Section 625(1) or (8) of the Michigan vehicle code, 1949 PA 300, MCL 257.625, if the individual has a prior conviction, as that term is defined in section 625(25)(b) of the Michigan vehicle code, 1949 PA 300, MCL 257.625, that occurred within 7 years of the adjudication as described in section 625(9)(b) of the Michigan vehicle code, 1949 PA 300, MCL 257.625.
(ii) Sections 7403(2)(c) and 7404(2)(a), (b), and (c) of the public health code, 1978 PA 368, MCL 333.7403 and 333.7404.
(iii) Sections 81(4) and 81a and a misdemeanor violation of section 411h of the Michigan penal code, 1931 PA 328, MCL 750.81, 750.81a, and 750.411h.
(12) The following procedures and requirements apply to license revocation under this section:
(a) The commission shall initiate license revocation proceedings, including, but not limited to, issuance of an order of summary suspension and notice of intent to revoke, upon obtaining notice of facts warranting license revocation.
(b) A hearing for license revocation shall be conducted as a contested case under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.
(c) In lieu of participating in a contested case, an individual may voluntarily and permanently relinquish his or her law enforcement officer license by executing before a notary public an affidavit of license relinquishment prescribed by the commission.
(d) The commission need not delay or abate license revocation proceedings based on an adjudication of guilt if an appeal is taken from the adjudication of guilt.
(e) If the commission issues a final decision or order to revoke a license, that decision or order is subject to judicial review as provided in the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328. A summary suspension described in this section is not a final decision or order for purposes of judicial review.
(13) An individual licensed under this section shall not exercise the law enforcement authority described in the oath of office if any of the following occur:
(a) The individual's license is rendered void by a court order or other operation of law.
(b) The individual's license is revoked.
(c) The individual's license is rendered lapsed.

History: Add. 1998, Act 237, Imd. Eff. July 3, 1998;-Am. 2016, Act 289, Eff. Jan. 2, 2017.
Compiler's note: 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.

28.609d Individuals employed as private college security officers; licensing requirements and procedures; rules; licensure process; granting or denying license; duties of chief of police or county sheriff administering oath of office; duties of private college or university; report of certain information; lapsed or revoked license; prohibited authority.

Sec. 9d. (1) This section applies only to individuals who meet all of the following:

(a) Are employed as private college security officers under section 37 of the private security business and security alarm act, 1968 PA 330, MCL 338.1087.

(b) Seek licensure under this act.

(c) Are sworn and fully empowered by a chief of police of a village, city, or township law enforcement agency, or are deputized by a county sheriff as a deputy sheriff, excluding deputation as a special deputy.

(2) The authority to enforce the laws of this state of private college security officers to whom this section applies is subject to the licensing requirements and procedures of this section.

(3) The commission shall promulgate rules governing licensing standards and procedures, pertaining to the following:

(a) Training requirements that may be met by completing either of the following:

(i) Preenrollment requirements, courses of study, attendance requirements, and instructional hours at an agency basic law enforcement training academy, a preservice college basic law enforcement training academy, or a regional basic law enforcement training academy.

(ii) The recognition of prior basic law enforcement training and experience program for granting a waiver from the licensing standard specified in subparagraph (*i*).

(b) Proficiency on a licensing examination administered after compliance with the licensing standard specified in subdivision (a).

(c) Physical ability.

(d) Psychological fitness.

(e) Education.

(f) Reading and writing proficiency.

(g) Minimum age.

(h) Whether or not a valid operator's or chauffeur's license is required for licensure.

(i) Character fitness, as determined by a background investigation supported by a written authorization and release executed by the individual for whom licensure is sought.

(j) Whether or not United States citizenship is required for licensure.

(k) Employment as a private college security officer as defined in section 37 of the private security business and security alarm act, 1968 PA 330, MCL 338.1087, who is sworn and fully empowered by the chief of police of a village, city, or township law enforcement agency, or deputized by a county sheriff as a deputy sheriff, excluding deputation as a special deputy.

(l) The form and manner for execution of a written oath of office by the chief of police of a village, city, or township law enforcement agency, or by a county sheriff, and the content of the written oath conferring the authority to enforce the general criminal laws of this state.

(4) The licensure process under this section shall comply with the following procedures:

(a) Before executing the oath of office, the chief of police of a village, city, or township law enforcement agency or the county sheriff shall verify that the private college security officer to whom the oath is administered complies with the licensing standards.
(b) The chief of police of a village, city, or township law enforcement agency or the county sheriff shall execute an oath of office authorizing the private college security officer to enforce the general criminal laws of this state.
(c) Not more than 10 calendar days after executing the oath of office, the chief of police of a village, city, or township law enforcement agency or the county sheriff shall attest in writing to the commission that the private college security officer to whom the oath was administered satisfies the licensing standards by submitting an executed affidavit and a copy of the executed oath of office.
(5) If upon reviewing the executed affidavit and oath of office the commission determines that the private
college security officer complies with the licensing standards, the commission shall grant the private college security officer a license.
(6) If upon reviewing the executed affidavit and oath of office the commission determines that the private college security officer does not comply with the licensing standards, the commission may do any of the following:
(a) Supervise remediation of errors or omissions in the affidavit or oath of office.
(b) Supervise the remediation of errors or omissions in the screening, procedures, examinations, testing, and other means used to verify compliance with the licensing standards.
(c) Supervise additional screening, procedures, examinations, testing, and other means used to determine compliance with the licensing standards.
(d) Deny the issuance of a license and inform the chief of police of a village, city, or township law enforcement agency or the county sheriff of the denial.
(7) Upon being informed that the commission has denied issuance of a license, the chief of police of a village, city, or township law enforcement agency or the county sheriff shall promptly inform the private college security officer seeking licensure that he or she has been denied issuance of a license under this section.
(8) A private college security officer denied a license under this section may not exercise the law enforcement authority described in the oath of office. This subsection does not divest the private college security officer of that authority until the private college security officer has been informed that his or her licensure was denied.
(9) A chief of police of a village, city, or township law enforcement agency or a county sheriff who has administered an oath of office to a private college security officer under this section shall, with respect to that private college security officer, do all of the following:
(a) Report to the commission concerning all personnel transactions affecting employment status, in a manner prescribed in rules promulgated by the commission.
(b) Report to the commission concerning any action taken by the chief of police of a village, city, or township law enforcement agency or the county sheriff that removes the authority conferred by the oath of office or that restores the private college security officer's authority conferred by the oath of office, in a manner prescribed in rules promulgated by the commission.
(c) Maintain an employment history record.

(d) Collect, verify, and maintain documentation establishing that the private college security officer complies with the applicable licensing standards.
(10) If a private college or university appoints an individual as a private college security officer under section 37 of the private security business and security alarm act, 1968 PA 330, MCL 338.1087, and the private college security officer is licensed under this section, the private college or university, with respect to the private college security officer, shall do all of the following:
(a) Report to the commission all personnel transactions affecting employment status in a manner prescribed in rules promulgated by the commission.
(b) Report to the chief of police of a village, city, or township law enforcement agency or the county sheriff who administered the oath of office to that private college security officer all personnel transactions affecting employment status, in a manner prescribed in rules promulgated by the commission.
(11) A private college security officer licensed under this section shall report all of the following to the commission:
(a) Criminal charges for offenses for which the private college security officer's license may be revoked as described in this section upon being informed of such charges and in a manner prescribed in rules promulgated by the commission.
(b) The imposition of a personal protection order against the private college security officer after a judicial hearing under section 2950 or 2950a of the revised judicature act of 1961, 1961 PA 236, MCL 600.2950 and 600.2950a, or under the law of any other jurisdiction, upon being informed of the imposition of such an order, in a manner prescribed in rules promulgated by the commission.
(12) A license granted under this section is rendered lapsed, without barring further licensure under this act, as follows:
(a) The private college security officer is no longer employed as a private college security officer appointed under section 37 of the private security business and security alarm act, 1968 PA 330, MCL 338.1087, who is sworn and fully empowered by the chief of police of a village, city, or township law enforcement agency, or deputized by a county sheriff as a deputy sheriff, excluding deputation as a special deputy, rendering the license lapsed.
(b) The private college security officer is subjected to a removal of the authority conferred by the oath of office, rendering the license lapsed.
(13) The commission shall revoke a license granted under this section for any of the following and shall
promulgate rules governing these revocations:
(a) The private college security officer obtained the license by making a materially false oral or written statement or committing fraud in the affidavit, disclosure, or application to a law enforcement training academy, the commission, or a law enforcement agency at any stage of recruitment, selection, appointment, enrollment, training, or licensure application.
(b) The private college security officer obtained the license because another person made a materially false oral or written statement or committed fraud in the affidavit, disclosure, or application to a law enforcement training academy, the commission, or a law enforcement agency at any stage of recruitment, selection, appointment, enrollment, training, or licensure application.

(c) The private college security officer has been subjected to an adjudication of guilt for a violation or attempted violation of a penal law of this state or another jurisdiction that is punishable by imprisonment for more than 1 year.
(d) The private college security officer has been subjected to an adjudication of guilt for a violation or attempted violation of 1 or more of the following penal laws of this state or another jurisdiction substantially corresponding to the penal laws of this state:
(i) Section 625(1) or (8) of the Michigan vehicle code, 1949 PA 300, MCL 257.625, if the individual has a prior conviction, as that term is defined in section 625(25)(b) of the Michigan vehicle code, 1949 PA 300, MCL 257.625, that occurred within 7 years of the adjudication as described in section 625(9)(b) of the Michigan vehicle code, 1949 PA 300, MCL 257.625.
(ii) Sections 7403(2)(c) and 7404(2)(a), (b), and (c) of the public health code, 1978 PA 368, MCL 333.7403 and 333.7404.
(iii) Sections 81(4) and 81a and a misdemeanor violation of section 411h of the Michigan penal code, 1931 PA 328, MCL 750.81, 750.81a, and 750.411h.
(14) The following procedures and requirements apply to license revocation under this section:
(a) The commission shall initiate license revocation proceedings, including, but not limited to, the issuance of an order for summary suspension and notice of intent to revoke a license upon obtaining notice of facts warranting license revocation.
(b) A hearing for license revocation shall be conducted as a contested case under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.
(c) In lieu of participating in a contested case, a private security college officer may voluntarily and permanently relinquish his or her law enforcement officer license under this section by executing before a notary public an affidavit of license relinquishment as prescribed by the commission.
(d) The commission need not delay or abate license revocation proceedings based on an adjudication of guilt if an appeal is taken from the adjudication of guilt.
(e) If the commission issues a final decision or order to revoke a license, that decision or order is subject to judicial review as provided in the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328. A summary suspension described in this section is not a final decision or order for purposes of judicial review.
(15) A private college security officer licensed under this section shall not exercise the law enforcement authority described in the oath of office he or she executed if any of the following occur:
(a) The private college security officer's license is rendered void by a court order or other operation of law.
(b) The private college security officer's license is revoked.
(c) The private college security officer's license is rendered lapsed.

History: Add. 1998, Act 237, Imd. Eff. July 3, 1998;-Am. 2016, Act 289, Eff. Jan. 2, 2017.
Compiler's note: 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.

28.610 Investigation of alleged violations.
Sec. 10. (1) The commission may investigate alleged violations of this act or rules promulgated under this act.
(2) In conducting an investigation, the commission may hold hearings, administer oaths, issue subpoenas, and order testimony to be taken at a hearing or by deposition. A hearing held under this section shall be conducted in accordance with chapter 4 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.271 to 24.287. A final decision or order issued by the commission is subject to judicial review as provided in chapter 6 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.301 to 24.306. A petition for judicial review of a final decision or order of the commission shall be adjudicated only in the court of claims.
(3) The commission may issue a subpoena to do either of the following:
(a) Compel the attendance of a witness to testify at a hearing or deposition and give testimony.
(b) Produce books, papers, documents, or other items.
(4) If a subpoena issued by the commission is not obeyed, the commission may petition the court of claims to require the attendance of a witness or the production of books, papers, documents, or other items. The court of claims may issue an order requiring an individual to appear and give testimony or produce books, papers, documents, or other items. Failure to obey an order of the court of claims may be punished by the court as a contempt of court.
(5) The commission has standing to commence an action in the court of claims to compel compliance with this act or 1982 PA 302, MCL 18.421 to 18.429, or an administrative rule promulgated under this act or 1982 PA 302, MCL 18.421 to 18.429.

History: 1965, Act 203, Eff. Jan. 1, 1966;-Am. 1998, Act 237, Imd. Eff. July 3, 1998;-Am. 2010, Act 67, Imd. Eff. May 13, 2010;
¾Am. 2016, Act 289, Eff. Jan. 2, 2017.
Compiler's note: 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.

28.611 Powers of commission; rules; law enforcement officers training fund.
Sec. 11. (1) The commission may do 1 or more of the following:
(a) Enter into agreements with colleges, universities, governmental agencies, and private entities to carry out the intent of this act.
(b) Issue certificates of approval to agency basic law enforcement training academies, preservice college basic law enforcement training academies, and regional basic law enforcement training academies.
(c) Authorize issuance of certificates of graduation or diplomas by agency basic law enforcement training academies, preservice college basic law enforcement training academies, and regional basic law enforcement training academies to students who have satisfactorily completed minimum courses of study.
(d) Cooperate with state, federal, and local agencies to approve programs of in-service instruction and training of law enforcement officers of this state and of cities, counties, townships, and villages.

(e) Make recommendations to the legislature on matters pertaining to qualification and training of law enforcement officers.
(f) Require a licensing examination.
(g) Establish a recognition of prior basic law enforcement training and experience program.
(h) Establish and charge a fee to recover the cost of screening, enrolling, evaluating, and testing individuals who are not employed by a law enforcement agency that shall be deposited in the law enforcement officers training fund created in this section.
(i) Establish and charge a fee to recover the cost of issuing licenses to persons licensed under this act that shall be deposited in the law enforcement officers training fund created in this section.
(2) The commission may promulgate rules with respect to any of the following:
(a) In-service training programs and minimum courses of study and attendance requirements for licensed law enforcement officers.
(b) The establishment and approval of agency basic law enforcement training academies, preservice college basic law enforcement training academies, and regional basic law enforcement training academies.
(c) The minimum qualifications for instructors for approved agency basic law enforcement training academies, preservice college basic law enforcement training academies, and regional basic law enforcement training academies.
(d) The minimum facilities and equipment for agency basic law enforcement training academies, preservice college basic law enforcement training academies, and regional basic law enforcement training academies.
(e) Minimum standards and procedures for reserve officers.
(3) The law enforcement officers training fund is created within the state treasury.
(4) The state treasurer may receive money or other assets from any source for deposit into the fund. The state treasurer shall direct investment of the fund. The state treasurer shall credit to the fund interest and earnings from fund investments.
(5) Money in the fund at the close of the fiscal year shall remain in the fund, shall not lapse into the general fund, and may be used by the commission, upon appropriation, in future fiscal years as prescribed in this section.
(6) The commission shall be the administrator of the fund for auditing purposes.
(7) The commission shall expend money from the fund, upon appropriation, to carry out its responsibilities under this act.

History: 1965, Act 203, Eff. Jan. 1, 1966;-Am. 1976, Act 422, Imd. Eff. Jan. 11, 1977;-Am. 1985, Act 15, Imd. Eff. May 15, 1985
;-Am. 1998, Act 237, Imd. Eff. July 3, 1998;-Am. 2016, Act 289, Eff. Jan. 2, 2017.
Compiler's note: 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.
Administrative rules: R 28.4301 et seq. and R 28.4351 et seq. of the Michigan Administrative Code.

28.609 Executive director; appointment; functions and duties; compensation.

Sec. 12. The commission shall appoint an executive director of the commission. The executive director shall be an employee of the commission and shall hold office at the

pleasure of the commission. The executive director shall perform the functions and duties that are assigned to him or her by the commission.
The executive director shall receive compensation and reimbursement for expenses from appropriations.

History: 1965, Act 203, Eff. Jan. 1, 1966;-Am. 1998, Act 237, Imd. Eff. July 3, 1998;-Am. 2016, Act 289, Eff. Jan. 2, 2017.

28.610 Inquiry as to compliance with licensing standards; response.

Sec. 13. (1) An individual law enforcement officer or law enforcement organization to whom an inquiry is made concerning an individual law enforcement officer's or law enforcement organization's compliance with the licensing standards established in this act shall respond to the inquiry within 45 calendar days.
(2) An individual law enforcement officer or law enforcement organization responding to an inquiry concerning an individual law enforcement officer's or law enforcement organization's compliance with the licensing standards established in this act may charge the inquiring party a reasonable fee to recover the actual cost of producing information, documents, and other items requested.

History: 1965, Act 203, Eff. Jan. 1, 1966;-Am. 1976, Act 422, Imd. Eff. Jan. 11, 1977;-Am. 2016, Act 289, Eff. Jan. 2, 2017.
Compiler's note: 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.

28.611 Secondary road patrol and training fund; use; limitation; reimbursement.

Sec. 14.
(1) Except as provided in subsection (2), the commission may use money granted to it by the department of state police from the secondary road patrol and training fund created in section 629e of the Michigan vehicle code, 1949 PA 300, MCL 257.629e, for the following:
(a) To reimburse law enforcement agencies for the reasonable costs the agencies incur in providing education to their employees who are enrolled in law enforcement training academies for the purpose of being employed by the agencies as law enforcement officers licensed under this act.
(b) For fiscal years 2016 and 2017 only, the commission may pay the reasonable expenses of performing its statutory functions authorized or required under this act.
(2) The commission shall not be granted and use, within a single fiscal year, more than 5.7% of the secondary road patrol and training fund created in section 629e of the Michigan vehicle code, 1949 PA 300, MCL 257.629e, for any purpose.
(3) Law enforcement agencies seeking reimbursement under subsection (1) shall apply using procedures and forms established by the commission.

History: 1965, Act 203, Eff. Jan. 1, 1966;-Am. 1976, Act 422, Imd. Eff. Jan. 11, 1977;-Am. 1998, Act 237, Imd. Eff. July 3, 1998 -Am. 2016, Act 289, Eff. Jan. 2, 2017.
Compiler's note: 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.

28.609 Application for reimbursement; contents.

Sec. 15. A training agency, city, county, township, or village or state agency that desires to receive reimbursement pursuant to section 14 shall apply to the commission for the reimbursement. The application shall contain information requested by the commission.

History: 1965, Act 203, Eff. Jan. 1, 1966;-Am. 1976, Act 422, Imd. Eff. Jan. 11, 1977;-Am. 1998, Act 237, Imd. Eff. July 3, 1998

C**ompiler's note:** 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.

28.610 Repealed. 2016, Act 289, Eff. Jan. 2, 2017.

Compiler's note: The repealed section pertained to effective date of act.

Unit 2 - Administrative Rules

MICHIGAN DEPARTMENT OF STATE POLICE

MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS

LAW ENFORCEMENT STANDARDS AND TRAINING

Filed with the Secretary of State on June 9, 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 9 of 1965 PA 203, by section 9 of 1965 PA 380, and by Executive Reorganization Order 2001-2, MCL 28.621.)

PART 1. DEFINITIONS

R 28.14101 Definitions; A to D.
Rule 101. As used in these rules:
(a) "Act" means 1965 PA 203, MCL 28.601.
(b) “Activate as a licensed law enforcement officer” means a recognized law enforcement agency complies with all of the requirements in R 28.14205 to R 28.14207.
(c) "Applicant" means a person seeking employment as a licensed law enforcement officer empowered to enforce all of the general criminal laws of this state.
(d) “Approved law enforcement training” means recruit or in-service law enforcement training conducted under the authority of either 1965 PA 203, MCL 28.601 et seq., or 1982 PA 302, MCL 18.421 et seq.
(e) "Basic law enforcement training academy" means a city, county, township, village, corporation, college, community college, university, or state agency that is approved by the commission to offer the basic law enforcement training program.
(f) "Basic law enforcement training program" means the entire commission approved process by which a person is screened, trained, and qualified for activation as a law enforcement officer.
(g) “Commission” means the 15 member Michigan commission on law enforcement standards or, by express delegation, its executive director and staff.
(h) “Contested case” means the same as the term is defined in section 3 of the Administrative Procedures Act of 1969, MCL 24.203.
(i) "Course of study" means the total instruction that a basic law enforcement training academy is approved to offer a recruit before qualifying the recruit for licensing.

R 28.14102 Definitions; E to L.

Rule 102. As used in these rules:

(a) "Employed recruit" means a law enforcement officer candidate who is employed by a recognized law enforcement agency and who is enrolled in an approved basic law enforcement training academy for the purpose of training in order to become eligible to be licensed as a law enforcement officer employed by the law enforcement agency.

(b) “Employing agency” means police departments, sheriff offices, the Michigan department of state police, or any law enforcement agency authorized and established pursuant to state statute.

(c) "Employment" means performing a service or labor as a law enforcement officer to a recognized law enforcement agency in exchange for monetary compensation for all hours worked at not less than the federal minimum wage established in the Fair Labor Standards Act of 1938, as amended; 29 U.S.C. §206.

(d) “Fully empowered law enforcement officer” means a law enforcement officer employed by a recognized law enforcement agency, who has full authority to enforce the general criminal laws of this state conferred by a sworn oath of office, and who is licensed by the commission.

(e) "General criminal laws" means laws that classify an action as a misdemeanor or felony punishable by fine or imprisonment and have general applicability as opposed to regulation of a particular class.

(f) “Law enforcement agency” or “agency” means an entity authorized and established pursuant to a state statute that conveys police authority of the state of Michigan to the entity. Police authority includes the responsibility for the prevention and detection of crime and the enforcement of the general criminal laws.

(g) “License” means the numbered certificate issued by the commission to a person who has received certification as a law enforcement officer under the act, as provided in MCL 28.602.

(h) "Licensing examination" means the examination administered by the commission at the completion of the basic law enforcement training academy and the recognition of prior basic law enforcement training and experience program to determine whether a person has attained the minimum competencies required for licensing.

R 28.14103 Definitions; M to Z.

Rule 103. As used in these rules:

(a) “MCOLES” means the 15 member Michigan commission on law enforcement standards.

(b) “MCOLES information and tracking network” means the commission’s web-enabled information system for the licensing, reporting, and tracking of personnel and training records for Michigan law enforcement officers.

(c) "Preservice recruit" means a person who complies with the requirements of R 28.14315 and enrolls at his or her own expense in an approved regional basic law enforcement training academy and who is not employed by a law enforcement agency.

(d) “Preservice college recruit” means a person who is enrolled in a preservice college basic law enforcement training academy.

(e) “Recognized law enforcement agency” means a law enforcement agency, as verified by the commission, that may activate a person as a law enforcement officer under the act.

(f) "Recruit" means a student or trainee who is enrolled in a basic law enforcement training academy.
(2) The terms defined in the act have the same meanings when used in these rules.

PART 2. SELECTION AND EMPLOYMENT STANDARDS

R 28.14201 Definitions.

Rule 201. As used in this part:
(a) "Licensing examination" means the mandated examination administered by the commission after the completion of the mandated basic recruit law enforcement training or the recognition of prior law enforcement training and experience program to determine competence required to practice law enforcement and developed in conformance with the following:

(i) The standards of the Society for Industrial and Organizational Psychology, Inc. that are in the publication entitled "Principles for Validation and Use of Personnel Selection Procedures," (3rd ed., 1987). Copies of these standards may be purchased from the Society for Industrial and Organization Psychology, Inc, P.O. Box 87, Bowling Green, Ohio 43402 at a cost, as of the time of adoption of these rules, of $7.50 each.

(ii) The standards of the American educational research association, the American psychological association, and the national council on measurement in education that are in the publication entitled "Standards for Educational and Psychological Testing" (1999). Copies of these standards may be purchased from Test Standards, P.O. Box 465, Hanover, Pennsylvania 17331, at a cost, as of the time of adoption of these rules, of $31.95 each.

(iii) The standards of the equal employment opportunity commission that are in the publication entitled "Uniform Guidelines on Employee Selection Procedures" (1978). These standards are found at CFR, title 41, chapter 60, part 60-3 and may be viewed and printed free of charge at the U. S. department of labor web site, www.dol.gov.

"Reading and writing examination" means a job-related reading comprehension and writing skills examination developed in conformance with the standards cited in (a) (i) and (iii) in subrule (a) of this rule.

R 28.14202 Adoption by reference

Rule 202. (1) The standards cited in this rule are adopted by reference and are available for inspection at the commission offices, 106 W. Allegan Street, Lansing, Michigan.

(a) The standards of the Society for Industrial and Organizational Psychology, Inc. that are in the publication entitled "Principles for Validation and Use of Personnel Selection Procedures," (3rd ed., 1987). Copies of these standards may be purchased from the Society for Industrial and Organization Psychology, Inc, P.O. Box 87, Bowling Green, Ohio 43402 at a cost, as of the time of adoption of these rules, of $7.50 each.

(b) The standards of the American educational research association, the American psychological association, and the national council on measurement in education that are in the publication entitled "Standards for Educational and Psychological Testing" (1999). Copies of these standards may be purchased from Test Standards, P.O. Box 465,

Hanover, Pennsylvania 17331, at a cost, as of the time of adoption of these rules, of $31.95 each.
(c)) The standards of the equal employment opportunity commission that are in the publication entitled "Uniform Guidelines on Employee Selection Procedures" (1978). These standards are found at CFR, title 41, chapter 60, part 60-3 and may be viewed and printed free of charge at the U. S. department of labor web site, www.dol.gov.

R 28.14203 Non-medical selection qualifications.
Rule 203. A person selected to become a law enforcement officer under the act shall meet all of the following requirements:
(a) Be a citizen of the United States.
(b) Have attained the minimum age as established by the employing agency, which shall not be less than 18 years of age or as otherwise provided by law.
(c) Have earned a high school diploma or have attained a passing score on the general education development test indicating a high school graduation level. Attainment of an associate or baccalaureate degree shall be evidence of having met this standard.
(d) Have no prior felony convictions, or felony expungements and set asides.
(e) Possess good moral character as determined by a favorable comprehensive background investigation covering school and employment records, home environment, and personal traits and integrity. Consideration shall be given to a history of, and the circumstances pertaining to, having been a respondent to a restraining or personal protection order. Consideration shall also be given to all law violations, including traffic and conservation law convictions, as indicating a lack of good moral character.
(f) Possess a valid motor vehicle operator's or chauffeur's license from 1 of the 50 states, the district of Columbia, a possession or territory of the United States, or Canada. Michigan driving privileges shall not be in a state of suspension, revocation, or denial at the time of entry into an academy or activation as a law enforcement officer.
(g) Read and write at a level necessary to perform the job of a law enforcement officer as determined by passing the commission's reading and writing examination designed to test these skills or by passing an agency-certified examination as specified in R 28.14209(c). The provisions of this subdivision do not apply to any of the following persons:
(i) Any person licensed under the act.
(ii) Any person qualifying for the recognition of prior basic law enforcement training and experience program under R 28.14403 to R 28.14406.
(h) Test negative for the illicit use of controlled substances under the following conditions:
(i) The process used to detect the presence of a controlled substance and the laboratory used to conduct the test shall be approved by the commission.
(ii) An applicant who tests positive, refuses to submit to a test, or fails to report for a test, shall not be eligible for training or licensing for 2 years after a positive test or the refusal to submit to the test. An applicant who tests positive may request an opportunity to show cause to the commission why the test results were not indicative of an illicit use of a controlled substance.
(i) Successfully complete the basic law enforcement course of study at a commission approved academy.

(j) Take and attain a passing score on the commission's licensing examination within 1 year of the completion of training. In the event of failure on the examination, 1 retest shall be allowed within the same 1-year period. Failure on the retest shall result in the need to repeat and successfully complete the basic course of study to again be eligible to take the licensing examination.
(k) If the commission denies a license, entry into a training program, or entry into the recognition of prior basic law enforcement training and experience program for cause, then that person is not eligible to reapply for 2 years, unless provided otherwise in these rules.
(l) The commission may establish time frames during which compliance with a standard in this rule by an applicant shall be valid.

R 28.14204 Medical selection qualifications.
Rule 204. A person selected to become a law enforcement officer pursuant to the provisions of the act shall meet all of the medical requirements in subdivisions (a) to (e) of this rule. A determination of compliance with the medical standards in this rule shall be made by a licensed physician, with the exception that a determination of compliance with subdivisions (a), (b), (c) and (e)(iii) of this rule shall be made as provided in each of the following:
(a) Possess normal visual functions at a level necessary to perform the job of a law enforcement officer as determined by complying with the provisions of this subdivision. All vision testing shall comply with the test manufacturer's specifications and protocols. The following determinations of compliance with this standard may be made by a licensed optometrist.
~~*(i)*~~ Far visual acuity complying with 1 of the following:
(A) Acuity in each eye uncorrected of 20/20 or better.
(B) Acuity in each eye corrected to 20/20 or better.
~~*(ii)*~~ Near visual acuity at a range of 10 to 20 inches complying with 1 of the following:
(A) Acuity in each eye uncorrected of 20/20 or better, reduced Snellen equivalent.
(B) Acuity in each eye corrected to 20/20, reduced Snellen equivalent.
~~*(iii)*~~ Normal color vision as determined by testing and passing either of the following 2 color vision tests. The use of refractive correction is permitted; however, the use of an x-chrom lens, or any other lens purported to enhance color perception, is prohibited.
(A) Pseudoisochromatic plates that have been approved by the commission.
(B) The Farnsworth dichotomous d-15 panel test.
~~*(iv)*~~ The pseudoisochromatic plates shall be administered first, before the panel test. If an applicant passes the plates, no further color vision testing is required.
~~*(v)*~~ Peripheral vision in each eye of 90º vertically and 120º horizontally.
~~*(vi)*~~ Normal binocular vision as determined by testing and passing a stereopsis test to 80 seconds of stereoacuity, or better. Failure on the stereopsis test requires further testing to determine that diplopia is not present.
(b) Hear at a level necessary to perform the job of a law enforcement officer as determined by complying with subdivision (c) of this subrule. Throughout the testing specified in subdivision (c) of this subrule, the intensity of auditory stimuli shall be expressed in decibels relative to a normal hearing level as defined by the American national standards institute (ANSI) S3.6-1996, or more current ANSI standard. This

standard is adopted by reference and is available from the acoustical society of America at www.asa.aip.org for purchase at the time of the adoption of these rules at $100 and are available for inspection at the commission offices at 106 W. Allegan Street, Lansing, Michigan. The testing shall be performed by the following persons, as applicable:

~~(i)~~ An audiologist at a hearing clinic accredited by the professional services board of the American speech-language-hearing association may do all testing in R 28.14204(c).

~~(ii)~~ An audiologist who has a certificate of clinical competence from the American speech-language-hearing association or an audiologist who holds fellowship status in the American academy of audiology may do all of the testing in R 28.14204(c). The audiologist shall be licensed, if applicable.

~~(iii)~~ A hearing conservationist certified by the council for accreditation in occupational hearing shall do only the testing in R 28.14204(c)(i).

~~(iv)~~ A hearing aid specialist licensed by the Michigan department of labor and economic growth shall do only the testing in R 28.14204(c)(i).

(c) Comply with 1 of the following standards: Testing shall be done in the order listed. If an applicant passes 1 of the standards, then further testing is not required.

~~(i)~~ Unaided audiometric testing on each ear that results in pure tone air conduction thresholds for each ear, as shown on the pure tone audiogram, of not poorer than a hearing level of 25 decibels at any of the following frequencies: 500, 1,000, 2,000, and 3,000 Hertz; and 45 decibels at 4,000 Hertz.

~~(ii)~~ Unaided audiometric testing on each ear that results in all of the following:

(A) An unaided 4-frequency average pure tone threshold for each ear, as derived from the pure tone air conduction audiogram at 500, 1,000, 2,000, and 3,000 Hertz, of not poorer than a hearing level of 25 decibels, and a hearing threshold level at any single frequency of not poorer than 35 decibels.

(B) Unaided speech recognition scores of 90% or better in each ear, measured under audiometric earphones at 50 decibels in quiet, and using full lists of recorded phonetically balanced words that are age-appropriate.

(C) An unaided speech recognition score of 70% or better, measured for both ears at the same time in an audiometric sound field at a plus 5 decibel signal-to-noise ratio. For this measurement, speech stimuli and competing speech noise shall be presented through the same loudspeaker, or 2 loudspeakers stacked vertically, at zero degree azimuth. Speech stimuli shall be presented at 50 decibels using a full list of recorded phonetically balanced words that are age-appropriate.

~~(iii)~~ Audiometric testing with 1 or both ears aided that results in all of the following:

(A) An aided 4-frequency average threshold for each ear, as derived from the sound field aided audiogram at 500, 1,000, 2,000, and 3,000 Hertz of not poorer than a hearing level of 25 decibels, and a hearing threshold level at any single frequency of not poorer than 35 decibels. Measurements shall be made monaurally in an audiometric sound field with the unaided (non-test) ear plugged or, when necessary, effectively masked. Test signals shall consist of either frequency-specific modulated tones or narrow band noise presented through a loudspeaker at zero degree azimuth, and results shall be expressed as aided hearing levels.

(B) Aided speech recognition scores of 90% or better in each ear measured at 50 decibels in quiet, and using full lists of recorded phonetically balanced words that are age appropriate. Measurements shall be made monaurally in an audiometric sound

field with the loudspeaker at zero degree azimuth and the unaided (non-test) ear plugged or, when necessary, effectively masked.

(C) An aided speech recognition score of 70% or better, measured for both ears at the same time in an audiometric sound field at a plus 5 decibel signal-to-noise ratio. For this measurement, either 1 or both ears shall be fitted with a hearing aid, and, where only 1 ear has been fitted with a hearing aid, the unaided ear shall not be plugged or masked. For this measurement, speech stimuli and competing speech noise shall be presented through the same loudspeaker, or 2 loudspeakers stacked vertically, at zero degree azimuth. Speech stimuli shall be presented at 50 decibels using a full list of recorded phonetically balanced words that are age-appropriate.

(d) ~~Comply with all of the following requirements:~~

~~*(i)* Be free from any other impediment of the senses.~~

~~*(ii)* Be physically sound.~~

~~*(iii)* Be in possession of his or her extremities.~~

~~*(iv)* Be well developed physically.~~

~~*(v)* Have height and weight in relation to each other as indicated by achieving an acceptable score on the body mass index, as approved by the commission, or by passing the commission's preenrollment physical fitness test or a medical equivalent protocol approved by the commission.~~ Rescinded 2012

(d) Be free from any of the following, which may impair the performance of the essential job functions of a law enforcement officer or which may endanger the lives of others or the law enforcement officer:

(i) Physical defects.

(ii) Chronic diseases.

(iii) Mental and emotional instabilities. The commission permits and may require the determination of compliance with this requirement be made by a board certified psychiatrist or a licensed psychologist.

(e) The commission may establish specific tests, procedures, and qualifications for use in determining compliance with the medical standards in R 28.14204 (a) to (e).

(f) If an initial examination indicates that a person may not comply with R 28.14204 (a) to (e), then the person may request a reexamination. The reexamination shall be done at the direction of the commission. The cost of the reexamination shall be the responsibility of the person or the employing agency.

(g) Except where specified otherwise, the results of any examination or test performed under this rule shall remain valid for not more than 180 days from the date of the examination.

(h) The commission may, after giving due consideration to the needs of agencies, academies, and potential recruits, establish and require the utilization of a list of approved health care providers to make a determination of compliance with this rule.

(i) The commission may establish time frames during which compliance with this rule shall be valid.

R 28.14205 Employing agency responsibilities; activation.

Rule 205. To activate an applicant, an employing agency shall do all of the following in the order listed:

(a) Submit to the commission for approval the compliance information specified in R 28.14206 or R 28.14207, as applicable, using the MCOLES information and tracking network.
(b) After receiving notice from the commission that compliance with the standards has been verified, employ and confer the authority to independently enforce all of the general criminal laws of this state on the officer as evidenced by an oath of office.
(c) Sign and mail to the commission the license activation report, which documents the conference of authority, the standards compliance verification affidavit printed from the MCOLES information and tracking network, and the applicant background affidavit.

R 28.14206 Employing agency responsibilities; employed recruits.
Rule 206. (1) Before sending a person to a basic law enforcement training academy, the employing agency shall do all of the following:
(a) Cause the applicant to complete a release of information statement for purposes of law enforcement licensing.
(b) Cause the applicant to complete the applicant background affidavit.
(c) Cause the applicant to be examined to determine that the applicant meets the medical standards in R 28.14204. A declaration of the applicant's medical history shall be made available to the examining physician and shall become a part of the background investigation.
(d) Cause the applicant to be fingerprinted and a search to be made of appropriate state and federal fingerprint files to disclose any criminal record within 180 days before the date of enrollment.
(e) Conduct an oral interview to determine the applicant's suitability for a law enforcement officer position and to assess appearance, background, and the ability to communicate.
(f) Screen the applicant for compliance with the selection and employment standards in R 28.14203 (a) to (h).
(g) Execute the standards compliance verification affidavit.
(2) The employing agency shall comply with both of the following while a recruit is enrolled in basic law enforcement training:
(a) Pay the enrollment cost for the recruit to the academy.
(b) Pay the employed recruit at least the federal minimum wage during the academy for all hours worked.
(3) During the course of the academy or while employed, the recruit shall not be required, or allowed, to repay the employer for any costs related to attendance at the academy. Further, no prepayment to the employer shall be required, or allowed, for any costs related to attendance at the academy.
(4) If the employed recruit successfully completes the academy and passes the licensing examination, then the employed recruit shall be immediately activated as a law enforcement officer, as provided in R 28.14205, before working as a law enforcement officer.
(5) The employing agency shall be the only agency eligible to activate an employed recruit.
(6) With respect to subrules (3) and (4) of this rule, for good cause the MCOLES executive director may approve a delayed activation as a law enforcement officer or

activation by an agency other than the original employing agency. Good cause may include financial hardship and planned or unplanned employment vacancies.

R 28.14207 Employing agency responsibilities; preservice and preservice college recruits.

Rule 207. Before permitting a preservice or preservice college recruit to work as a law enforcement officer, the employing agency shall do all of the following:

(a) Require the applicant to complete a release of information statement for purposes of law enforcement licensing.

(b) Screen the applicant for compliance with the selection and employment standards in R 28.14203 (a) to (h).

(c) Execute the standards compliance verification affidavit.

(d) Verify that the recruit successfully completed a commission approved basic law enforcement course of study and passed the licensing examination.

(e) Verify that the recruit is within the timelines of R 28.14315 or has successfully completed the recognition of prior basic law enforcement training and experience program.

(f) Require the applicant to be examined to determine that the applicant meets the medical standards in R 28.14204. A declaration of the applicant's medical history shall be made available to the examining physician and shall become a part of the background investigation.

(g) Require the applicant to be fingerprinted and a search to be made of appropriate state and federal fingerprint files to disclose any criminal record within 180 days before the date of employment.

(h) Conduct an oral interview to determine the applicant's suitability for a law enforcement officer position and to assess appearance, background, and the ability to communicate.

(i) Activate the recruit as a law enforcement officer by complying with R 28.14205.

R 28.14208 Practices and standards.

Rule 208. Recruitment and employment practices and standards shall comply with the law applicable to law enforcement officer employment.

R 28.14209 Commission approved testing and test results.

Rule 209. All of the following apply to the testing specified in R 28.14203(g):

(a) The commission’s reading and writing examination shall be administered only at approved locations under the supervision of and in a manner prescribed by the commission.

(b) Test results shall be maintained in the commission’s information system and shall be available to the test taker and prospective employing agencies.

(c) A governmental agency, or its agent, may administer a reading and writing examination in lieu of the commission’s examination if the agency certifies, in writing to the commission, that the examination is in compliance with the definition of "reading and writing examination" in R 28.14201. The commission may request that additional written documentation be submitted by a governmental agency, or its agent, to establish that the examination or examinations are in compliance with R 28.14201. The results of

the examination(s) shall serve to satisfy the requirements of R 28.14203 and shall apply only to an applicant who seeks employment with the governmental agency giving the examination.

R 28.14210 Minimum in-service law enforcement training standards; establishment by the commission.
Rule 210. The commission, with due consideration to varying factors and special requirements of local law enforcement agencies, may establish, maintain, and update minimum standards for in-service law enforcement training for commission licensed law enforcement officers in the policy and procedures manual published pursuant to R 28.14211.

R 28.14211 Publication of policies and procedures manual
Rule 211. The commission shall prepare and publish a policies and procedures manual which is consistent with the act and these rules and which shall govern the implementation and administration of the programs described in these rules.

PART 3. BASIC RECRUIT LAW ENFORCEMENT TRAINING PROGRAMS

Note: Part 3 only - Filed with the Secretary of State on April 24, 2008

R 28.14301 Definitions.
Rule 301. As used in this part:
(a) “Academy operating contract” means a basic law enforcement training academy standard form contract executed between MCOLES and an academy under the administrative procedures act, section 7, 1969 PA 306, MCL 24.207(p).
(b) “Accredited community college, college, or university” means a community college, college, or university that has been accredited by an agency or association that has been recognized by the United States department of education.
(c) "Agency basic law enforcement training academy" means a law enforcement agency that is approved by the commission to provide a course of study for qualified recruits employed by that law enforcement agency.
(d) "Basic law enforcement training academy graduate" means a recruit who has completed the training and educational requirements of a commission approved basic law enforcement training academy.
(e) "Curriculum" means the commission mandated training objectives and training standards, as well as facilitator guides, assessment instruments, and other materials that are published by the commission for use in a commission approved basic law enforcement training academy.
(f) “Executive committee” means the committee of the commission established pursuant to the commission bylaws.
(g) “Preservice college basic law enforcement training academy” means a commission approved training and education program offered by an accredited community college, college, or university that incorporates the commission mandated curriculum in the academic course of study.

(h) “Program administrator” means a person who is employed by a city, county, township, village, corporation, college, community college, university, or state agency and who has been delegated authority to commit the agency to the basic law enforcement training academy proposal, annual operating plan, and the academy operating contract. The program administrator shall have management and oversight authority of the academy but shall not be the same person as the training director.
(i) "Regional basic law enforcement training academy" means a city, county, township, village, corporation, college, community college, university, or state agency that is approved by the commission to offer a basic law enforcement training program to preservice and employed recruits.
(j) “Satisfactory grade” means a grade of 70%, 2.0 on a 4.0 scale, or an institutional equivalent, or better grade**,** in each course included in the commission approved course of study in a preservice college basic training academy, unless specified otherwise in these rules.
(k) “Session” means a commission approved time frame during which a group of recruits are trained during basic law enforcement training at an academy.
(l) "Training and education advisory committee" means a group composed of knowledgeable persons, including law enforcement officials, who act in an advisory capacity regarding the establishment, guidance, and evaluation of a commission approved basic law enforcement training academy.
(m) “Training director” means that person who is responsible for the day-to-day operation of a basic law enforcement training academy.
(n) "Training objective" means a behavioral statement that describes a knowledge, skill, or ability to be acquired by the recruit during the delivery of the basic law enforcement training course of study.

R 28.14302 Authorization of basic law enforcement training academy; approval by commission.
Rule 302. A city, county, township, village, corporation, college, community college, university, or state agency shall obtain commission authorization before proceeding to establish an agency or regional basic law enforcement training academy or a preservice college basic law enforcement training academy under R 28.14303.

R 28.14303 Establishment of basic law enforcement training academy; program proposal.
Rule 303. (1) A city, county, township, village, corporation, college, community college, university, or state agency shall submit a written program proposal to establish a basic law enforcement training academy. The written program proposal shall be submitted to the commission in the manner prescribed by the commission not less than 90 days before the date of the commission meeting.
(2) The written program proposal shall contain, at a minimum, all of the following:
(a) A detailed description of the facilities and equipment to be used by recruits and instructors that will comply with the commission requirements.
(b) A description of the duties, responsibilities, and membership of the training and education advisory committee.
(c) The name, address, and position of the program administrator.

(d) The name, title, and qualifications of the training director.
(e) A description of the goals and objectives of the basic law enforcement training academy.
(f) A description of the nature and scope of the applicant's financial and philosophical commitment to the basic law enforcement training academy.
(g) A copy of the academy rules governing recruit conduct.
(h) Identification of the academy requirements for an enrolled recruit.
(i) Identification of the course of study in the law enforcement training academy sessions.
(j) A statement recognizing the commission's authority to visit and inspect the basic law enforcement training academy and to be furnished requested records and documentation.
(k) Identification and descriptions of affiliations with agencies, colleges, and universities that will be a part of the basic law enforcement training academy.
(l) An estimate of the number of basic law enforcement training academy sessions that will be offered on a yearly basis.
(m) A statement documenting the need for establishment of the proposed academy that includes both of the following:
(i) The need by law enforcement agencies in the proposed service area.
(ii) The prospective recruits' need for the proposed academy.
(n) Documentation of support from the local law enforcement community within the geographic service area of the proposed academy.
(o) A statement describing the selection methods of prospective preservice and preservice college recruits.
(p) The projected starting and graduation dates of the first basic law enforcement training academy session.
(q) A definition of the geographical area that the proposed basic law enforcement training academy will serve.
(r) A projection of the number of recruits that will be enrolled in the academy on a yearly basis.
(s) Verification that acceptable live-in facilities are available in the vicinity of the basic law enforcement training academy.
(3) The entity submitting the program proposal in subrule (1) of this rule shall do all of the following with respect to the training and education advisory committee described in subrule (2)(b) of this rule.
(a) The training and education advisory committee shall be appointed before development of the program proposal and shall be consulted on all aspects of the application.
(b) The committee shall approve the program proposal before it is submitted to the commission. If the commission approves the program proposal, then the committee shall be consulted on a continuing basis regarding the operation of the academy.
(4) If the commission determines that the application is incomplete, then an amended application with amplification or clarification shall be filed within 30 days after the date of a request by the commission.
(5) Failure to comply with subrule (4) of this rule is grounds for denial of the application.
(6) Written commission approval of the program proposal shall be obtained before submitting an annual operating plan under R 28.14307.

(7) An approved basic law enforcement academy that fails to conduct an academy session for 3 years shall submit a new program proposal for commission approval to reestablish itself as an approved basic law enforcement training academy.

R 28.14304 Establishment of preservice college basic training academy; program proposal.

Rule 304. In addition to the requirements in R 28.14303, the program proposal of a preservice college basic law enforcement training academy shall include all of the following:

(a) A copy of the community college, college, or university rules governing student conduct beyond those established by the commission.

(b) A description of how students will be selected for acceptance into the preservice college basic training academy at the applicant's institution.

(c) Identification of how and where the commission curriculum and additional community college, college, or university training objectives will be incorporated into the community college, college, or university course work.

(d) Identification of the requirements that an enrolled preservice college recruit shall meet to successfully complete the prescribed course of study at the community college, college, or university.

R 28.14305 Establishment of agency basic law enforcement training academy; program proposal.

Rule 305. (1) The program proposal of a law enforcement agency that seeks to establish an agency basic law enforcement training academy shall comply with R 28.14303, except for R 28.14303(2) (b), (k), (m), (n), (o) and (q).

(2) In addition to the requirements of subrule (1) of this rule, the application shall include a statement documenting the need for establishment of the proposed academy by the law enforcement agency and the prospective recruits' need for the proposed academy.

R 28.14306 Training director responsibilities.

Rule 306. The training director of an approved basic law enforcement training academy shall do all of the following:

(a) Ensure that the academy is operated in compliance with these rules and the academy operating contract.

(b) Ensure that each recruit is enrolled and maintains compliance with these rules and the academy operating contract.

R 28.14307 Annual operating plan; academy requirements after approval; notice of change in structure or content of program; commission approval required.

Rule 307. A city, county, township, village, corporation, college, community college, university, or state agency authorized by the commission to establish a basic law enforcement training academy shall do the following:

(a) Submit an annual operating plan in the manner prescribed by the commission.

(b) Execute an academy operating contract.

(c) Final approval to operate under MCL 28.609(4)(b) is contingent upon formal acceptance of both subdivisions (a) and (b) of this rule by the commission.

(d) The training director of a basic law enforcement training academy shall notify the commission immediately of any anticipated change in the annual operating plan during an academy session.
(e) Written commission approval of the change shall be obtained before implementing a change.

R 28.14308 Basic law enforcement training academy session; approval required.
Rule 308. A city, county, township, village, corporation, college, community college, university, or state agency approved by the commission as a basic law enforcement training academy shall obtain commission approval in the manner prescribed by the commission before initiating each basic law enforcement training session.

R 28.14309 Revocation of commission approval; probation; suspension.
Rule 309. (1) A documented violation of these rules or the academy operating contract by an approved basic law enforcement training academy shall constitute cause for immediate review of continuing commission approval of the academy. Following the review, the MCOLES executive director may do any of the following:
(a) Revoke the approval of a basic law enforcement training academy.
(b) Suspend the basic law enforcement training academy approval to operate until specified terms and conditions are met.
(c) Place the basic law enforcement training academy on probation for a specific period of time or until specified terms and conditions are met.
(d) Take informal action to resolve the violation.
(2) The placement of an approved basic law enforcement training academy into a status as set forth in subrule (1) of this rule shall result in any of the following:
(a) An academy placed into a status of revocation shall not operate the basic law enforcement academy, regardless of any active recruit sessions. The academy shall not be eligible for approval until submission of an application under R 28.14302 and R 28.14303.
(b) An academy placed into a status of suspension shall not operate the basic law enforcement academy, regardless of any active recruit sessions. The academy shall not be eligible for approval to resume operation until specified terms and conditions set forth by the commission or the executive committee are met. Failure to meet the specified terms and conditions may result in further suspension or revocation of the academy.
(c) An approved basic law enforcement training academy placed into a status of probation may continue operation, including any active recruit sessions, provided that specified terms and conditions set forth by the executive director are met. Failure to meet the specified terms and conditions may result in suspension or revocation of approval of the academy.
(3) The executive director may authorize remedial action to minimize the impact of any academy sanction on recruits.
(4) The executive director shall immediately report his academy disciplinary action to the executive committee.

R 28.14310 Basic law enforcement training academy; right to appeal denial, revocation, suspension, or probation.

Rule 310. (1) A basic law enforcement training academy shall have standing to appeal in writing a denial, revocation, suspension, or probation to the commission within 3 business days of issuance of the original notice.

(2) The executive committee shall act on behalf of the commission, if the commission is not scheduled to meet within 5 business days of receipt of an appeal. A decision by the executive committee or the commission is final.

R 28.14311 Basic law enforcement training curriculum; course of study.

Rule 311. (1) The commission shall publish the basic law enforcement training curriculum.

(2) An approved basic law enforcement training academy shall teach the course of study approved by the commission.

(3) The approved academy shall provide, or provide access to, the curriculum to enrolled recruits.

R 28.14312 Academy enrollment; compliance with standards; deadlines.

Rule 312. (1) An application for enrollment in a commission approved academy, as defined in R 28.14301 (c), (g), and (i), shall be completed in the manner prescribed by the commission and include a release of information for purpose of law enforcement licensing.

(2) The training director shall screen all prospective preservice recruits in a regional basic law enforcement training academy session or a preservice college basic law enforcement training academy to ensure compliance with the selection and employment standards in R 28.14203 (a) to (g) and R 28.14204, not later than 5 business days before the start of an academy session or a preservice college program. An academy shall conduct a background check, in lieu of a comprehensive background investigation, on the form or in the manner prescribed by the commission to determine preservice and preservice college recruit compliance with R 28.14203(e).

(3) Before enrolling a preservice or preservice college recruit in an academy session, the academy shall provide the recruit with an approved medical history form that shall be made available to the examining physician and shall become a part of the physician's medical record.

(4) An employing agency shall ensure compliance with R 28.14206 not later than 5 business days before enrolling a recruit in an academy session.

(5) Within 180 days before the start of an academy, the prospective recruit shall be fingerprinted and a search made of appropriate state and federal fingerprint files to disclose any criminal record.

(6) An oral interview shall be conducted to determine a preservice or preservice college prospective recruit's suitability for a law enforcement officer position and to assess the applicant's demeanor, background, and the ability to communicate.

(7) A prospective recruit intending to enroll in a basic law enforcement training academy session shall take and pass the commission's preenrollment physical fitness examination before, but be within 180 days before the start of the academy session.

(8) The results of the selection and employment standards screening shall be submitted to the commission using the MCOLES information and tracking network not later than 5 business days before the start of an academy session. Exceptions and comments made by the examining physician, an investigator, or other person on source documents shall be included in the MCOLES information and tracking network reporting.
(9) A prospective recruit who is not in full compliance with the selection and employment standards shall not participate in any recruit training or be enrolled by the commission. Any participation in an academic course at a preservice college training academy, without first having complied with this rule, shall not count toward completion of the course of study.
(10) Before enrollment, the prospective recruit shall have executed the commission's standards compliance verification affidavit and the applicant background affidavit.

R 28.14313 Military preservice recruits.
Rule 313. (1) A prospective recruit seeking enrollment in a basic training academy who has prior military law enforcement experience may request a waiver of the requirements in R 28.14315(1)(b) to enroll in a commission approved regional or preservice college basic law enforcement training academy, if all of the following requirements are met:
(a) Have successfully completed a mandatory basic military police training academy.
(b) Have served competently as a military police officer, with full powers of arrest, the authority to carry firearms in the performance of his or her duties, while holding the specialty rank or assignment of a military police officer, or its equivalent, in 1of the 5 branches of the United States armed services, the national guard, or the reserves. The applicant shall have acted in the unrestricted full capacity of a military police officer for a minimum of 2,080 hours following training.
(c) Have been honorably discharged from active duty.
(2) Each requirement listed above shall be verified through a commission review of a properly executed DD-214 and the applicant's military service record.

R 28.14314 Basic recruit requirements.
Rule 314. A basic law enforcement training recruit shall do the following:
(a) Comply with all of the attendance and academic requirements.
(b) Comply with all administrative rules, policies and procedures, and academy rules.
(c) Successfully complete the prescribed course of study during the approved academy session. An extension for the completion of the basic training program and testing requirements may be granted by the commission for a recruit under the following conditions:
(i) The recruit has a documented physical injury sustained during an academy training event that is temporary and medically prohibits the recruit from full and active participation in 1 or more components of the basic training program or testing.
(ii) The recruit has a documented family or medical emergency situation outside the parameters of the academy that reasonably prohibits the recruit from full and active participation in 1 or more components of the basic training program or testing.
(iii) The recruit shall not be absent for more than one-half of any individual physical skills training and not more than 10% of the overall session.

(iv) An application for an extension shall be filed with the commission by the training director for a pre-service recruit or by a law enforcement agency for an employed recruit. The application shall comply with the procedures outlined in the policies and procedures manual published pursuant to R 28.14211.

R 28.14315 Preservice and preservice college recruit requirements.
Rule 315. (1) In addition to the requirements of R 28.14314, preservice and preservice college recruits shall do all of the following:
(a) Meet and maintain compliance with the selection and employment standards in R 28.14203 (a) to (g) and R 28.14204.
(b) Possess either an associate or baccalaureate degree before the commission will recognize the completion of the regional basic law enforcement training academy unless the requirement has been waived under R 28.14313.
(c) At the time of employment, comply with all of the selection and employment standards in R 28.14203 and R 28.14204.

R 28.14316 Preservice college recruit requirements.
Rule 316. In addition to the requirements in R 28.14314 and R 28.14315, a preservice college recruit shall do all of the following:
(a) Meet the requirements established by the community college, college, or university for enrollment in its approved preservice college basic training academy.
(b) Complete the commission approved preservice college basic training course of study within a 1-year period.
(c) Attain a satisfactory grade in all preservice college courses, as evidenced by an official academic transcript.
(d) Graduate from an associate or baccalaureate degree program at an accredited community college, college, or university and have been awarded either an associate or baccalaureate degree before employment as a law enforcement officer.

R 28.14317 Agency basic recruits.
Rule 317. In addition to the requirements in R 28.14314, an agency basic recruit shall comply with the following:
(a) Meet and maintain compliance with the selection and employment standards in R 28.14203 (a) to (h) and R 28.14204.
(b) Maintain employment with the enrolling agency through successful completion of the course of study.
(c) Complete the commission approved basic training course of study during the session within which the recruit is enrolled.

R 28.14318 Recruit dismissals; grounds.
Rule 318. (1) After investigation and consultation with the commission, the training director shall do the following:
(a) Dismiss an enrolled recruit for failure to comply with or successfully complete the requirements in R 28.14314 to R 28.14317, as applicable.
(b) Dismiss an employed recruit for failure to do either of the following:

(i) Maintain employment with a law enforcement agency during the basic law enforcement training academy.

(ii) Maintain compliance with the minimum selection and employment standards in R 28.14203 (a) to (f) and R 28.14204 during the basic law enforcement training academy.

(2) The training director may dismiss an enrolled recruit after investigation and consultation with the commission for failure to comply with academy rules and regulations or the academy operating contract.

(3) An agency law enforcement basic training academy may dismiss an employed recruit for reasons unrelated to subrules (1) and (2) of this rule without consultation with the commission. The academy shall notify the commission of the dismissal and the reason for the dismissal.

(4) The commission may investigate and dismiss a recruit based on a violation of these rules, the academy operating contract, or the academy's rules and regulations as approved in the annual operating agreement.

R 28.14319 Recruit dismissals; appeal; final decision.

Rule 319. (1) A recruit dismissal may be appealed in the following manner:

(a) An employer may appeal a dismissal of an employed recruit to the commission.

(b) A dismissed employed recruit shall not have standing to appeal the dismissal to the commission.

(2) A commission decision on appeal is final.

(3) A preservice or preservice college recruit may appeal a dismissal to the MCOLES executive director. The executive director's decision is final.

R 28.14320 Recruit eligibility to take licensing exam; timeframe.

Rule 320. A basic law enforcement training recruit shall do the following:

(a) Comply with all of the requirements in R 28.14314 to R 28.14317, as applicable, before taking the licensing exam.

(b) Pass the licensing exam within 1 year of complying with the requirements in subdivision (a) of this subrule.

R 28.14321 Recruit licensing eligibly timeframes.

Rule 321. A recruit who is not employed and licensed as a law enforcement officer within 1 year of completion of a basic law enforcement training academy session shall, before licensing, comply with the requirements of the recognition of prior basic law enforcement training and experience program. The executive director may extend the timelines in this subrule by not more than 90 days for either of the following reasons:

(a) If required by reexamination under R 28.14204(g) or R 28.14602.

(b) For good cause based on a prospective employing agency's written request. If an extension request is granted, the extension applies only to employment with the requesting agency.

Part 4. Recognition of Prior Basic Law Enforcement Training and Experience

R 28.14401 Definitions.
Rule 401. As used in this part:
(a) “Approved in-service law enforcement training provider” means a training provider who delivers commission approved in-service law enforcement training.
(b) "Post agency" means the state peace officer standards and training agency or agencies, in a state other than Michigan, that is authorized by that state’s laws to establish training and employment rules for the certification or licensing of law enforcement officers in that state.
(c) “Program” means both the curriculum component and the written and skill performance examinations component of the recognition of prior basic law enforcement training and experience program.

R 28.14402 Recognition of prior training and experience program; basic program eligibility.
Rule 402. A person enrolling in the recognition of prior basic law enforcement training and experience program shall submit a complete application for enrollment to the commission before consideration for acceptance into the program.

R 28.14403 Recognition of prior training and experience program; former Michigan officer candidate qualifications.
Rule 403. A person who was previously certified or licensed as a law enforcement officer in Michigan shall meet all of the following requirements for admission to the program:
(a) Discontinuance in employment with full empowerment as a licensed Michigan law enforcement officer for a period of time in excess of that provided for in section 9(2) of the act, being MCL 28.609(2).
(b) Reasonably expect to meet the selection and employment requirements of R 28.14203(a) to (j), except for (g) and (i), and R 28.14204.
(c) The separation from employment as a law enforcement officer shall have been under such conditions that qualify the candidate for employment in Michigan as a law enforcement officer.

R 28.14404 Recognition of prior training and experience program; non-Michigan officer candidate qualifications.
Rule 404. A person who is or was previously certified or licensed as a law enforcement officer by a post agency in another state shall meet all of the following requirements for admission to the program:
(a) Have completed a post agency basic law enforcement training program recognized by the commission or have been employed as a law enforcement officer before the establishment of training standards in that state.
(b) Have been employed as a law enforcement officer empowered to enforce all of the general criminal laws in that state and have acted in that capacity for a minimum of 2080 hours following the date of certification or licensing.
(c) Reasonably expect to meet the current selection and employment standards of R

28.14203(a) to (j), except for (g) and (i), and R 28.14204.
(d) If not currently employed as a law enforcement officer, the separation from employment as a law enforcement officer shall have been under such conditions that qualify the candidate for employment in Michigan as a law enforcement officer.

R 28.14405 Recognition of prior training and experience program; Michigan Indian tribal law enforcement officer candidate qualifications.
Rule 405. A person who intends to participate in the recognition of prior basic law enforcement training and experience program by virtue of employment as a Michigan Indian tribal law enforcement officer shall comply with all of the following:
(a) Have successfully completed a basic law enforcement training program recognized by a post agency in another state, or a federally operated police training school that was sufficient to fulfill the minimum standards required by federal law to be appointed as a law enforcement officer of a Michigan Indian tribal police force.
(b) Be currently employed or have been employed as a law enforcement officer of a Michigan Indian tribal police force for not less than 1 year and empowered to enforce the criminal laws and have acted in that capacity following the date of appointment.
(c) Reasonably expect to meet the current selection and employment standards of R 28.14203(a) to (j), except (g) and (i), and R 28.14204. If not currently employed as a law enforcement officer, the separation from employment as a law enforcement officer shall have been under such conditions that qualify the candidate for employment in Michigan as a law enforcement officer.

R 28.14406 Recognition of prior training and experience program; preservice recruit candidate qualifications.
Rule 406. A person who intends to participate in the recognition of prior basic law enforcement training and experience program by virtue of having been previously eligible for licensing, based on compliance with the preservice recruit requirements in these rules, shall reasonably expect to meet the current selection and employment standards in R 28.14203 and R 28.14204 upon employment as a law enforcement officer.

R 28.14407 Completion requirements; time limits; extension.
Rule 407. (1) A candidate authorized to attend the recognition of prior basic law enforcement training and experience program shall start those components of the program required of the candidate within 3 months of receiving approval to enroll. Failure by a candidate to comply with this requirement shall require the candidate to reapply for admission to the program.
(2) Upon enrollment, the candidate shall execute the commission's affidavit of compliance with applicant background and eligibility requirements.
(3) For good cause, the commission may waive the time requirements and grant one 3-month extension on an approved application.
(4) A candidate who does not complete the program within 3 months of the start of the program shall be required to reapply for admission to the program, except as provided in R 28.14410(5).

R 28.14408 Recognition of prior training and experience program; hours; content,

scope, and requirements; modification.
Rule 408. (1) The recognition of prior basic law enforcement training and experience program curriculum component content shall be set by the commission.
(2) The commission shall establish requirements for the curriculum component of the program with respect to all of the following:
(a) Criteria and qualification for exemption from various parts of the curriculum component, with due consideration for all of the following:
(i) Previous training and experience.
(ii) The position for which employment is sought.
(iii) Attendance and participation.
(iv) Testing and testing standards.
(3) The commission may modify the content and scope of the curriculum component. The requirements for the curriculum component shall be published in the policies and procedure manual, published pursuant to R 28.14210.

R 28.14409 Demonstrate competence on licensing and performance examinations.
Rule 409. (1) The licensing examination shall be administered by the commission to determine that a candidate possesses minimum competencies required for licensing only after the candidate has successfully completed all assessments and requirements.
(2) Performance examinations may be administered by the commission to assess a candidate's competence in skill areas.
(3) Competence shall be demonstrated on each examination to successfully complete the recognition of prior basic law enforcement training and experience program.
(4) Administration of a skill performance examination shall conform to the procedures used in the recruit training program as specified in the policies and procedures manual published pursuant to R 28.14210.
(5) The commission may establish requirements for exemption from various skill performance examinations, with due consideration for both of the following:
(i) Previous training and experience.
(ii) The position for which employment is sought.

R 28.14410 Examination protocols; first assessment; second assessment; failure.
Rule 410. (1) A person in the recognition of training and experience program who fails the first assessment of the licensing examination is eligible for a second assessment within the time limits provided in R 28.14407.
(2) A person who fails the first assessment of a performance examination in a skill area is eligible for a second assessment in a failed skill area within the time limits provided in R 28.14407.
(3) A second assessment on the licensing examination or in a skill area shall be at the expense of the applicant.
(4) A person who fails a second assessment on the licensing examination or fails 2 or more skill areas shall enroll in and successfully complete the Michigan basic law enforcement training program to be employed and activated as a law enforcement officer.
(5) A person who fails a second assessment in not more than 1 skill area may, at that person's option, do one of the following to complete the requirements of the failed skill area:

(a) Apply for enrollment and be accepted in a regular basic training session at a Michigan basic police training academy for training and testing in the failed skill area. An academy may decline an enrollment request. Comply with the following:

(i) The costs related to enrollment in an academy shall be at the expense of the applicant or the employer.

(ii) Comply with all of the academy and commission enrollment requirements.

(iii) Comply with and successfully complete all of the academy attendance, participation, and testing requirements in the failed skill area.

(b) Apply for enrollment and be accepted in a commission approved law enforcement training program for the failed skill area and comply with the following:

(i) The costs related to enrollment in the approved program shall be at the expense of the applicant or the employer.

(ii) Comply with all of the program enrollment requirements.

(iii) Comply with and successfully complete all of the program attendance, participation, and testing requirements.

(6) The results of the training shall be reported to the commission in the manner and form prescribed by the commission.

(7) Following the receipt of the results of the training by the commission, the person shall apply to, be accepted in, and complete the skill area assessment in the recognition of prior basic law enforcement training and experience program. A second failure in the skill area shall require that the person enroll in and successfully complete the recognition of prior basic law enforcement training and experience program in order to be eligible to be licensed as a law enforcement officer.

(8) A person shall successfully complete the recognition of prior basic law enforcement training and experience program, including the requirements of this rule, within 1 year of the start of the program.

R 28.14411 Responsibilities of employing agency.

Rule 411. Before permitting a person who has successfully completed the recognition of prior basic law enforcement training and experience program to work as a law enforcement officer, an employing agency shall activate the person as a law enforcement officer under R 28.14204.

R 28.14412 Request to conduct the recognition of prior training and experience program; minimum instructor qualifications.

Rule 412. (1) An academy approved by the commission to conduct the basic law enforcement training and experience program may apply for approval to conduct the recognition of prior basic law enforcement training and experience program. The commission may solicit additional academies to conduct the program.

(2) The minimum qualifications for instructing in the program are the same as those prescribed for the basic law enforcement training program.

(3) An academy approved to conduct the recognition of prior basic law enforcement training and experience program shall annually submit an operating plan to the commission for approval. The program shall not be run until the operating plan is approved and an operating agreement is in place.

(4) An academy or an approved in-service law enforcement training provider may apply

for approval to conduct a recognition of prior basic law enforcement training and experience skill training program. The skill training program shall compress the required skill area training, as provided in R 28.14410, into one condensed block of instruction. The minimum qualifications for instructing in the program are the same as those prescribed for the basic law enforcement training program.

R 28.14413 Expiration of eligibility for licensing; extension.

Rule 413. (1) Eligibility for activation as a law enforcement officer for a person admitted to the recognition of prior basic law enforcement training and experience program under R 28.14403 to R 28.14406 shall expire 12 months after the completion of the program or the first assessment on the licensing examination, whichever comes first.

(2) For good cause, the executive director may waive the time requirements and grant one 3-month extension.

(3) A person who successfully completes the program, and is activated as a law enforcement officer within the eligibility period, shall be subject to time conditions as provided for in section 9(2) of the act, MCL 28.609(2).

R 28.14414 Policies and procedures.

Rule 414. The commission shall prepare and publish policies and procedures which are consistent with the rules in this part and which shall govern the implementation and administration of the recognition of prior basic law enforcement training and experience program. The policies and procedures shall be part of the policies and procedures manual published pursuant to R 28.14210.

Chapter I - Unit 3

The Michigan Commission on Law Enforcement Standards

Mission, Values, Role

MISSION

The Michigan Commission on Law Enforcement Standards shall ensure that selection, employment, and training standards are responsive to the needs of the people of the State of Michigan and to the law enforcement profession.

VALUES

The Michigan Commission on Law Enforcement Standards believes that the people of the State of Michigan are entitled to the highest level of service from its law enforcement community. The Commission is entrusted by the people of Michigan to ensure that law enforcement officers are of the highest quality.

ROLE

The Michigan Commission on Law Enforcement Standards has the responsibility to prepare and publish minimum standards of physical, educational, mental and moral fitness. These standards shall govern the recruitment, selection, basic and in-service training and certification of law enforcement officers under the authority as vested in the Commission in P.A. 203 of 1965.

Chapter 1 – Unit 4

Michigan Commission On Law Enforcement Standards

Philosophy Statement for the Basic Training Program

POLICY

The Michigan Commission on Law Enforcement Standards (MCOLES) Basic Training Philosophy shall be the basis upon which the mandated recruit training is designed and delivered at approved training academies.

PURPOSE

This chapter presents the rationale for the MCOLES basic training program. This document serves as a statement of the Commission's organizational philosophy as it relates to the design and conduct of Michigan's mandated program.

DEFINITION

"Commission" and "MCOLES" are synonymous terms for the Michigan Commission on Law Enforcement Standards and are used interchangeably in this manual.

INTRODUCTION

The MCOLES was established in 1965 by Public Act 203 of 1965 which authorized the creation of the MCOLES and enumerated its responsibilities. One critical responsibility required the Commission to prepare and publish minimum employment standards for the entry-level law enforcement officer position.

Initially the Commission's standards were voluntary. Since 1971, however, the enactment of various amendments to Public Act 203 has resulted in the Commission's standards becoming mandatory for any law enforcement agency that employs one or more full-time sworn officer(s). This includes more than 600 law enforcement agencies in Michigan, ranging in size from one full-time officer to a compliment of over 5,000. The types of agencies include city, township, county, state, university, airport, railroad, and conservation. Functions of officers vary from primarily custodial or traffic-related through a full range of police services, including major crime investigations.

Training standards for the entry-level position are embodied in the mandated MCOLES curriculum. The curriculum is presented to prospective law enforcement officers through the basic training program which is mandated, monitored, and controlled by the MCOLES. The MCOLES employment standards require that an individual successfully

complete the basic training program in order to be eligible to enforce the general criminal statutes of the state.

The Commission approves regional academies, strategically located throughout the state in community colleges and police departments, and contracts with those academies to teach the mandated curriculum. The MCOLES has also approved several pre-employment criminal justice academic programs located in universities and community colleges.

EMPLOYMENT CONSIDERATIONS

The MCOLES has an obligation to ensure that individuals are properly trained and licensed prior to becoming law enforcement officers. At the same time, the Commission must avoid setting employment standards which are irrelevant, arbitrary, or unnecessarily high. Failure to meet this obligation could jeopardize the safe and efficient operation of an agency and thus endanger public safety.

In recent years a considerable amount of legislation, both at the state and federal levels, has been passed in regard to "equal opportunity." One aspect of this legislation focuses on removing artificial barriers to an occupation of one's choice. This wave of legislation has particularly affected public sector organizations, including law enforcement agencies, in that the organizations are coming under increasing scrutiny concerning the job-relatedness of their employment standards.

Considering the Commission's statutory responsibility, and to satisfy the principles of merit selection, while at the same time ensuring that state and federal fair employment regulations are not subverted, the MCOLES has promulgated the following organizational mission.

MISSION

Within the context of the mandated basic training program, it is the mission of the MCOLES to prepare recruit trainees adequately to perform those law enforcement officer functions which occur in the initial years on the job. Trainees will be prepared to perform job tasks included in six major operational areas: (1) Patrol Procedures, (2) Investigation, (3) Detention and Prosecution, (4) Police Skills, (5) Traffic, and (6) Special Operations.

EXPECTATIONS

It is recognized that the foregoing mission statement identifies a significant organizational responsibility for the MCOLES. At the same time it implies certain expectations on the part of the general public, the Michigan law enforcement community, and the recruit trainee. These expectations, which provide a foundation for the goals of the basic training program, as listed below.

PUBLIC EXPECTATIONS

The Michigan public expects that a graduate of the basic training program will:

- Meet the minimum employment standards.
- Have acquired the knowledge and practical skills essential to perform the job of law enforcement officer.
- Be able to independently address a law enforcement patrol situation, take an acceptable course of action, and deal with the situation in an efficient and effective manner.
- Have an understanding of the law enforcement officer's role in a culturally diverse community relative to the performance of routine day-to-day activities, as well as, handling of emergency situations.
- Treat the public fairly, ethically and equitably; in a timely and courteous way; and demonstrate a professional bearing and manner.

LAW ENFORCEMENT COMMUNITY EXPECTATIONS

The Michigan law enforcement community expects that a graduate of the basic training program will:

- Have acquired the knowledge and practical skills essential to perform the law enforcement officer function.

- Be able to independently address a law enforcement patrol situation, take an acceptable course of action, and deal with the situation in an efficient, effective manner.

- Perform law enforcement officer duties in accordance with professional ethics and legal requirements.

- Perform the law enforcement officer function willingly and conscientiously and display interest and motivation to serve the public and enforce the law.

- Recognize that law enforcement officers represent only one component in the criminal justice system.

- Represent law enforcement both efficiently and effectively while interacting within the criminal justice system.

- Efficiently and effectively serve within the local community in a professional manner appropriate to the role of a law enforcement officer.

- Be in compliance with the training requirements of Public Act 203 of 1965, as amended, and thereby be eligible to enforce the general criminal statutes of the state.

Furthermore:

- Adequate training is a joint responsibility between the MCOLES and local law enforcement agencies. Law enforcement agencies have the responsibility to provide on-the-job training to ensure that all patrol officer job responsibilities not addressed in basic training are addressed at the local level.

TRAINEE EXPECTATIONS

Trainees entering the basic training program expect that upon graduation of the basic training program they will:

- Have acquired the knowledge and practical skills essential to perform the job, and be well prepared to exercise the functions of a law enforcement officer.

- Be able to independently address a situation, identify and select from a range of appropriate options an acceptable course of action, and deal with the situation in an efficient, effective manner.

- Have been well instructed and treated with dignity and respect as adult learners in an environment that is conducive to the acquisition of effective job skills.

Furthermore:

- The individual background, experience and ability of graduates of the basic training program will have been recognized in the development and acquisition of skills and knowledge during the basic training program.

- Upon successful completion, graduates of the basic training program will have satisfied the state training requirements.

VALUES

The expectations of the general public, the Michigan law enforcement community, and the recruit trainees lead to a set of values which provide a philosophical backdrop to the Commission's mission. These values are contained in the following statements/principles:

- The law enforcement officer is perceived as a manager of various critical situations who is called upon to gather information and make immediate decisions leading to resolution of conflict or emergency conditions.

- It is recognized that the public must be treated fairly, equitably, and in a courteous, impartial manner by a law enforcement officer who demonstrates a professional bearing.

- It is important to recognize the dynamic nature of basic training if it is to reflect the changing needs of society as evidenced by emerging research and technology, as well as cultural changes.

- It is recognized that a professionally trained law enforcement officer is the cornerstone of the criminal justice system, and is critical to ensuring public trust and providing public safety in a changing contemporary society.

Therefore:

- The MCOLES has an obligation to ensure that individuals are properly trained and licensed to effectively perform the law enforcement officer function; failure to meet this obligation could jeopardize the safe and efficient operation of the state's law enforcement agencies.

- The MCOLES must ensure that basic training can be justified relative to actual job functions of the entry level law enforcement officer and the requirements of fair employment dictates.

- The MCOLES must ensure that basic training imparts positive attitudes in graduates toward the law enforcement officer job, and that graduates are able to respond to the public in times of need and stress.

ROLE OF THE MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS

Within the context of these values, the Commission will:

- Be responsible for preparing and publishing valid entry-level standards for the law enforcement officer function.

- Ensure an adequate level of competence for the entry-level law enforcement officer.

- Establish and maintain a regional basic training system to meet state requirements and serve local community needs. The MCOLES will also maintain the pre-service training system that involves several colleges/universities in the state.

- Establish and enforce minimum knowledge and skill standards for the valid selection and licensing of entry-level law enforcement officers.

- Provide for continuing quality training experiences by promulgating instructional standards and providing support services.

- Recognize that adequate training is a joint responsibility; local communities must provide on-the-job training to ensure that all the law enforcement officer job responsibilities not addressed in basic training are addressed at the local level.

GOALS OF THE BASIC TRAINING PROGRAM

The previously stated expectations, values, and roles provide the basis for the establishment of the basic training program's goals:

- Basic training graduates will perform the job tasks in each of the six major job operational areas adequately and consistently to meet professional ethics and legal standards.

- The MCOLES will ensure the job-relatedness of basic training in light of the changing needs of society.

- The MCOLES will ensure that training content, instructional strategies and testing procedures are consistent with the performance requirements for the job of entry level law enforcement officer and do not present artificial barriers to employment.

- The MCOLES will ensure that basic training program trainees acquire the knowledge and skills necessary to manage critical and stressful situations.

- The MCOLES will provide and maintain for the basic training program trainees a quality training experience which will stimulate interest and motivation for the job.

BASIC TRAINING CONSIDERATIONS

The basic training goals enumerated above will be achieved through the presentation of relevant training content and the application of modern training strategies. To achieve these goals, the following considerations guide the MCOLES actions.

- The training content has been based on the systematic analysis of the entry-level law enforcement officer's job in which six operational areas were identified.

- The job responsibilities for each of the six areas have been identified, and a list of requirements recorded.

- These responsibilities and requirements make up the basic training program.

- These responsibilities influence the training strategies that are employed, in that they are designed for the practice and acquisition of particular skill areas.

- These job responsibilities determine the content of the testing procedures that are needed for valid and reliable licensing.

- The basic training program is performance-based and the goals and objectives reflect what law enforcement officers routinely do during the first few years on the job.

- Trainees must accept the responsibilities of adult learners, and will be held accountable for the arrangement of their own learning and continuance of their professional growth after licensing.

- Individuals need varying amounts of practice after initial instruction in order to develop skill levels which are consistent and acceptable.

CONCLUSION

The MCOLES basic training program seeks to reflect the values and expectations of the public, the Michigan law enforcement community, and the recruit officer trainee. In addition, the technical content of the basic training program has been derived from previous research, a statewide job-task analysis of the law enforcement officer job to ensure the job-relatedness of training and to prevent the establishment of artificial barriers to employment.

The MCOLES views its responsibility for training the entry-level (recruit) officer as complimentary to, rather than conflicting with, the efforts of local law enforcement agencies. The MCOLES is responsible for ensuring that trainees are provided with the basic knowledges and skills to perform job tasks in each of the six major operational areas of a law enforcement officer's job. Local law enforcement agencies provide on-the-job training to acquaint new officers with local policies and procedures.

The content of the basic training program embodies several principles that serve to give the curriculum vitality and continuity. One of the curriculum's underlying principles is that the patrol officer is seen as a "manager" of various critical situations who is called upon to gather information and make immediate decisions that are occasionally of a life-death nature. Therefore, the training is designed to impart the appropriate knowledge and skills to allow the trainee to become more than just a pure technician who operates within narrow, static job confines.

Secondly, it is believed that the trainee has certain responsibilities as an adult learner that directly affect his/her success in completing the prescribed course of study. The trainee must support the instructional efforts of the MCOLES basic training program by assuming the role of an adult learner. The trainee must thereby take the initiative to acquire, and demonstrate the enthusiasm to master, the essential job knowledge and skills.

Thirdly, it is recognized that individual differences in trainees result in the need for varying amounts of practice to acquire the necessary job skills. This important consideration has affected the manner in which the training content is presented and reinforced.

Lastly, the training content and instructional and testing strategies used to train and assess basic trainees have been developed within the context of constructing a "valid" training system; that is, a system which has validity in terms of its relationship to the job for which the trainee is being prepared and its congruence with the performance requirements for the law enforcement officer job.

In conclusion, the MCOLES is convinced that its training program accurately reflects the basic training "goals" identified, and that the program will continue to be dynamic in nature, changing with the demands and expectations of the various clienteles it serves and with the needs of a changing, contemporary society.

Chapter 2

Administration

Unit 1	**Establishing a Basic Law Enforcement Training Academy……..….. **	**66**
Unit 2	**Academy Annual Operating Plan; Annual Operating Contract; Approval to Continue Operations; Revocation, Suspension, or Probationary Status of an Approved Basic Law Enforcement Training Academy……...**	**68**
Unit 3	**Training and Education Advisory Committee…….. **	**71**
Unit 4	**Program Administrator……..…….. **	**73**
Unit 5	**Responsibilities and Duties of the Training Director**	**75**
Unit 6	**Enrollment in an Approved Session……...…… **	**82**
Unit 7	**Injury Reporting to MCOLES.....…….. **	**85**
Unit 8	**Documentation of Academy Completion……... **	**87**

Chapter 2 – Unit 1

Basic Police Training Schools

Establishing a Basic Recruit Law Enforcement Training Academy

POLICY

In accordance with promulgated administrative rules 28.14301 et seq. and these policies and procedures, the Commission may approve police training school administrated by a city, state agency, county, township, village, corporation, college, community college or university. The Commission also approves minimum qualifications for instructors, facilities and equipment.

PURPOSE

The commission is responsible for establishing subordinate regional training centers in strategic geographic locations in order to serve the greatest number of police agencies as provided for under MCL§28.609(4)(a)-(h).

PROCEDURE

2.1.01 Request to establish an approved basic law enforcement training academy.

1. Any city, state, county, township, village, corporation, college, community college or university requesting to establish an approved basic law enforcement training academy shall make application as prescribed by the commission in accordance with the administrative rules (28.14303 through 28.14305) according to the type of training program they are requesting.

2. The Commission shall develop an application form that reflects the required information in accordance with MCL§609, the administrative rules 28.14301 et seq., and these policies and procedures. Applicants desiring to establish an approved basic law enforcement training academy shall utilize the application form provided by the Commission.

3. The application shall be complete and submitted for consideration not less than 90 days prior to the next scheduled commission meeting.

4. If the Commission determines that the application is incomplete or requires amplification or clarification, then an amended application shall be filed within 30

days after the date of a request by the Commission. Failure to comply is grounds for denial of the application.

5. Written commission approval of the academy proposal shall be obtained before submitting an annual operating plan under R 28.14307.

6. If an approved basic law enforcement academy fails to conduct training for three (3) years, then a new program proposal shall be submitted to reestablish the approval of the Commission.

7. A denial of approval to establish a law enforcement training academy by the Commission may be appealed to the Commission by the applicant. The appeal must be in writing within three (3) business days of issuance of the original notification. The executive committee shall act on behalf of the Commission and the decision of the executive committee or the Commission is final.

Chapter 2 – Unit 2

Basic Police Training Schools

Academy Annual Operating Plan; Annual Operating Contract; Approval to Continue Operations; Revocation, Suspension, or Probationary Status of an Approved Basic Law Enforcement Training Academy

POLICY

On an annual basis, the Commission publishes a list of each approved basic law enforcement training academy based on the submission of an annual operating plan for the next calendar year. The Commission shall assess whether an approved academy has operated in compliance with previous annual operating plans, the administrative rules, the standard form contract and these policies and procedures prior to issuing another annual operating contract authorizing the continued operation of the basic training academy. A basic law enforcement training academy shall have written Commission approval prior to initiating a basic training session. The Commission may revoke approval or place a training program on suspension or probation for cause.

PURPOSE

The intent of this policy is to ensure that the approved basic law enforcement training academy meets the established standards for continued operation and provides for the denial of continued approval, establishing a probationary or suspended status, or revocation of the approval of an academy's approved status.

PROCEDURE

2.2.01 Annual operating plan

Upon Commission approval of a basic law enforcement training academy, an annual operating plan shall be submitted to the Commission in accordance with administrative rule 28.14307.

1. In the case of a newly approved basic training academy, the operating proposal shall serve as the original operating plan.

2. For previously approved training academies, the operating plan shall be submitted each year on or before July 1 for the following calendar year of operation.

a. The training director of the basic training academy is responsible for the timely and accurate submission of the annual operating plan as described in Chapter 2, Unit 5, Training Director's Responsibilities.

b. The training director shall immediately notify the Commission of any anticipated changes in the annual operating plan

c. Written Commission approval shall be obtained prior to implementation of any change to the operating plan.

3. The operating plan shall be submitted in the format approved by the Commission and shall reflect the required information in accordance with MCL§609 et seq., the administrative rules 28.14301 et seq., and these policies and procedures.

4. The Commission staff shall review the annual operating plan for completeness and request additional information if necessary to amplify or clarify the plan prior to recommending its approval to the Commission.

2.2.02 Academy Operating Contract

1. Final approval to operate as an approved basic training academy, or to continue as an approved basic training academy, is contingent on the formal acceptance of the annual operating plan and the execution of an operating contract.

   a. The operating contract shall be prepared by the Commission and shall detail the terms and conditions for continued operation of the academy.

   b. The operating contract shall contain the signatures of the administration of the basic training academy (e.g., agency head/executive officer, program administrator, and training director) and the Executive Director of the Michigan Commission on Law Enforcement Standards.

2. Prior to operating a session, the operating contract shall have been approved by all parties and the academy shall have obtained approval from the Commission to operate each session.

   a. Each request for an academy session shall be submitted to the Commission by the academy using the MCOLES Information and Tracking Network for initial approval.

   b. All courses, instructors, and exams shall be submitted and approved using the MCOLES Information and Tracking Network and prior to granting final approval to enroll recruits.

2.2.03 Revocation, suspension, or probationary status of an approved basic training academy; appeal; final decision.

1. A documented violation of the administrative rules or the operating contract shall constitute cause for an immediate review of continuing Commission approval. The Executive Directors of MCOLES may do any of the following:

    a. Revoke the approval of the approved academy. In the event of a revocation, the academy shall not operate regardless of any active session. The academy is not eligible for approval until a new operating proposal has been submitted in accordance with administrative rules 28.14302 and 28.14303.

    b. Suspend the approval of the approved academy until specified terms and conditions are met. In the event of a suspension, an academy shall not operate regardless of any active session. The academy shall not be eligible for approval until the terms and conditions set forth by the Commission or the executive committee are met. Failure to meet the specified terms and conditions may result in further suspension or revocation of the academy.

    c. Place the academy on probation. In this event, the academy shall be allowed to continue to operate under probation for a specified time until specified terms and conditions are met as set forth by the Executive Director. Failure to meet the specified terms and conditions may result in the suspension or revocation of an academy's approved status.

    d. Take informal action to resolve the violation.

2. A revocation, suspension, or probationary status imposed on an approved law enforcement training academy by the Executive Director may be appealed to the Commission by the applicant. The appeal must be in writing within three (3) business days of issuance of the original notification. The executive committee of the Commission shall act on behalf of the Commission and the decision of the executive committee or the Commission is final (R 28.14310(1) and (2)).

Chapter 2 – Unit 3

Basic Police Training Schools

Training and Education Advisory Committee

POLICY

It shall be the responsibility of the Training and Education Advisory Committee members to perform specific duties at an approved basic police training school.

PURPOSE

This policy establishes and assigns responsibility to the Training and Education Advisory Committee to ensure acceptable program performance.

2.3.01 Duties of the Training and Education Advisory Committee.

The Training and Education Advisory Committee is an integral part of the basic police training program. The committee shall consist of no less than five members, all active in the law enforcement community of which the program serves. In accordance with R 28.14305(1) agency academies are exempt from establishing a training advisory committee.

This Committee shall:

1. Meet a minimum of once per year to review the status of the approved program and make recommendations for program improvement.

2. Notify the Commission, in writing, at least three weeks prior to the meeting date, of the date, time, and location of all Training and Education Advisory Committee meetings.

3. Record minutes for each meeting. Copies of meeting minutes shall be kept on file and made available to the Commission upon request.

4. Participate in the formulation of the basic police training proposal.

5. Participate in the selection of the training director responsible for the daily operation of the training program.

6. Make recommendations to the basic police training institution regarding the screening process, student evaluation, and school policy as it relates to the basic police training program.

7. Review, evaluate, and make recommendations on all proposed enhanced curriculum.

8. Establish and approve student rules of conduct beyond those established by the Commission.

9. It is recommended that an Advisory Board Member(s) or his/her designee participate in the recruit application review and interview process.

10. Assist and advise the training director regarding recruit disciplinary issues and actions.

Chapter 2 – Unit 4

Basic Police Training Schools

Responsibilities and Duties of the Program Administrator

POLICY

It shall be the responsibility of the Program Administrator, the training director, and the Training and Education Advisory Committee members to perform specific duties at an approved basic police training school.

PURPOSE

This policy establishes a basic police training school program organizational structure that allows input from the Michigan law enforcement community and assigns responsibility for ensuring acceptable program performance.

PROCEDURE

2.4.01 Responsibilities and Duties of the Program Administrator.

The Program Administrator is responsible for providing administration and financial stability to the approved basic police training program. The Program Administrator shall:

1. Employ a training director for the duration of each training session, which includes preparation time and post-school time.

2. Provide proper facilities and equipment, as specified in Chapter 3 Unit 3, to meet the required objectives for the program.

3. Assign or release the training director or a designated representative to attend the MCOLES conferences.

4. Ensure that the academy has vetted the appropriate professionals who will assist the academy and recruits in conducting the MCOLES screening requirements.

5. Allow the MCOLES to inspect all aspects of an approved basic police training school.

6. Comply with the published MCOLES approved Policies and Procedures Manual.

7. Publish, disseminate, and train all MCOLES approved instructors, the training director, and academy staff on internal institution-wide policies relative to employment policies; hazing, harassment and discrimination policies; instructor qualifications; instructor demeanor and treatment of students; instructor performance evaluation criteria; and reporting. Disseminate MCOLES policies in accordance with Chapter 3, Unit 2**.**

Chapter 2 – Unit 5

Basic Police Training Schools

Responsibilities and Duties of the Training Director

POLICY

It shall be the responsibility of the training director to perform specific duties at an approved basic police training school.

PURPOSE

This policy establishes and assigns responsibility to the training director to ensure acceptable program performance. The training director is responsible for implementing and administering the approved program in compliance with the requirements of the Commission and is responsible for the daily operation of the training program. The training director shall:

2.5.01 Submission of Annual Operating Plan; Operating Contract:

The training director shall submit an Annual Operating Plan requesting authorization to operate the next calendar year session(s). The operating plan shall be submitted in the format established by the MCOLES. This shall be submitted on or before July 1 each year prior to the requested operating year for review and approval. The training director shall ensure that the Operating Contract is approved and signed by the agency head, program administrator and training director and submitted to MCOLES for approval prior to conducting a training session in the new operating calendar year.

2.5.02 General Duties:

The training director shall:

1. Exercise responsibility for the day to day operation of and maintain general supervision and administrative control over the basic training program.

2. Secure approval from the MCOLES prior to conducting each basic police training session.

3. Provide and maintain supervision/administration of the program at all times, ensuring the safe and proper delivery of the training.

4. Ascertain whether the program complies with all rules, regulations and policies promulgated by the Commission as well as any institutional rules approved for the

program.

5. Maintain an open dialogue with MCOLES and the institutional organization regarding academy matters and operation.

6. Allow for the inspection of all aspects of the training program and the copying of any documents.

7. Utilize fully qualified and competent instructors in all aspects of training. Evidence of meeting this standard shall include, but not be limited to:

   - Maintaining current résumés of instructor qualifications;
   - Maintain certificates of training, and appropriate qualifications related to the instructional topic for each instructor. These shall be readily accessible for inspection or review;
   - Documentation relating to new instructors shall be obtained prior to instructional employment in the basic training program; and
   - Documentation regarding ongoing instructors shall be continuously updated.

8. Ensure an instructor adheres to the instructor qualifications published in the MCOLES policies and procedures manual as well as the institutional published internal qualifications and MCOLES policies as described in Chapter 3, Unit 2. Ensure that instructors comply with the institution's policies regarding hazing, harassment and discrimination, as well as other institutional employee work rules, and follow the institution's written policy on reporting violations or complaints regarding hazing, harassment and/or discrimination. In addition, the training director shall conduct an investigation into the complaint(s) and prepare a report for review by MCOLES to determine whether an instructor may continue as an approved MCOLES instructor.

9. The training director shall, on a continuing basis, evaluate instructors based on the following criteria:

   - Required credentials;
   - Lesson plans/syllabi/related course material;
   - Institutional policies;
   - Recruit evaluations;
   - MCOLES closing evaluation reports;
   - Periodic observations; and
   - Address specific issues as they arise

   The evaluation and the method by which it is accomplished shall be maintained in the instructor academy file and available for inspection by MCOLES upon request.

10. Orient all instructors as to the following:

- MCOLES and institutional rules, policies and philosophy of the basic training program described in Chapter 1, Unit 4;
- Reporting of recruit conduct (absences, physical and moral fitness, academic status, etc.), college and academy student disciplinary policies; and institutional reporting requirements regarding complaints of violations of hazing, harassment and discrimination policies. The Training Director should maintain a record of those instructors who have been oriented to these policies.
- Recruit and instructor injuries, safety guidelines, injury response and injury reporting policies;
- Basic training academy curriculum requirements;
- Available resources;
- Interfacing with other subject areas/instructors;
- Course objectives; and
- Relevant instructor manuals and information on related subjects in the basic training program.

11. Obtain and maintain a detailed lesson plan from each instructor pertaining to their instructional area. This should include, but is not limited to:

    - Detailed instructional topic reflecting the MCOLES curriculum module;
    - Hours of instruction for each topic;
    - Date of instruction for each topic;
    - Date(s) reserved for written examinations/quizzes;
    - Copies of materials handed out or used to assist in instruction (handouts, videos/video clips, power point presentations, etc.); and
    - Outlines detailing any scenario based training (scenario rules, specific safety guidelines, scenario description, role players' responsibilities, purpose of scenario, expected learning outcome, etc.). The Domestic Violence instructor manual can be used as a model.

12. Provide a detailed schedule to the MCOLES Field Representative outlining the anticipated delivery dates of training objectives prior to the beginning of each session or semester.

13. Evaluate the course content during and after each course of instruction throughout the academy session. Analyze recruit feedback regarding those evaluations and appropriately address any issues. Address any deficiencies in the MCOLES closeout report regarding curriculum, instructors, equipment, etc.

14. Attend or be represented at all MCOLES conferences and required meetings and serve as liaison to the MCOLES. Attendance is required throughout the entire conference or meeting session. Additionally, communicate to relevant academy staff, instructors and administration officials the information gleaned from the conference.

15. Inform the pre-service applicant of the enrollment and training requirements.

16. Notify MCOLES at least three weeks prior to any scheduled advisory board meetings. These meetings shall be held at least once per session.

17. Comply with all other duties contained within the administrative rules and this policy and procedures manual in accordance with the annual operating contract.

18. Conduct and document appropriate investigations regarding any standards violation, academic failures, criminal conduct, or medical issues related to recruits.

19. Conduct and document appropriate investigations regarding any violations or inappropriate conduct regarding instructor behavior.

20. Ensure all physical fitness test proctors are initially trained, updated, and comply with the requirements for delivery of the entrance and exit tests. If proctors conduct tests infrequently, the procedures shall be reviewed with proctors prior to any testing.

21. Ensure all reading and writing test proctors are initially trained, updated, and comply with the requirements for delivery of the test. If proctors conduct tests infrequently, the procedures shall be reviewed with proctors prior to any testing.

2.5.03 Screening of Recruits:

The training director shall:

1. Ensure the required MCOLES screening requirements have been met in accordance with the policy and procedures manual, Chapter 2, Unit 6.

2. Screen prospective pre-service recruits to the minimum enrollment standards in accordance with R 28.14312 and any academy standards that exceed the MCOLES minimum standards.

3. Review all screening documents upon receipt by the academy and immediately notify MCOLES upon learning that a prospective recruit has an issue that may need a medical investigation. Refer to Chapter 4 for guidelines.

4. Inform any employing agency of the enrollment criteria and related information needed to enroll an employed recruit.

5. Obtain employment screening documents from all law enforcement agencies enrolling recruits in the academy for the MCOLES orientation. Notify MCOLES of any anticipated agency recruit enrollment not less than 5 business days prior to the beginning of the training session.

6. Conduct an audit to ensure all degree requirements will be met for preservice recruits upon completion of the basic training program. Verification of this shall be placed in the recruit application information for review prior to the start of the academy. The

verification shall include any required courses that must be completed outside of the basic training curriculum in order to qualify for a degree upon completion of the basic training program. Recruits who do not comply with the standard may be removed from training for failing to meet and maintain standards.

7. It is recommended that the academy utilize the Advisory Board Committee to conduct an oral interview to determine suitability of pre-service candidates for training.

8. Ensure that all candidates are enrolled into the MCOLES network not later than five (5) business days prior to the start of the academy.

9. Submit a written policy developed in conjunction with the Advisory Board Committee and the parent institution regarding guidelines for good moral character and criminal history background checks as it relates to acceptability for enrollment into the program. This should be submitted as an appendix to the annual operating plan.

2.5.04 Training Delivery:

The training director shall:

1. Sequence the course of study that incorporates the minimum basic police training curriculum. Submit a tentative schedule to MCOLES by, at least, orientation day. Submit a final schedule within two weeks of the session end date.

   Training on the academy rules and regulations, MCOLES Policies and Procedures, and the institutional policies and procedures, especially those addressing hazing, harassment, and discrimination, shall be sequenced at the beginning of the session.

2. Ensure each recruit has access to a copy of the training program requirements, the basic training curriculum, and the skill area practical testing requirements.

3. Ensure that areas of high-risk training, such as firearms, subject control, physical fitness, and emergency vehicle operations, have the appropriate specialized and qualified instructor. Provide a safe training environment and adequate safety equipment, and publish adequate safety guidelines for instructors and recruits to follow.

4. Secure the availability of appropriate and required facilities and equipment, as specified in Chapter 3, Unit 3 for the operation of the training program to ensure the training objectives are met in accordance with the basic training curriculum and instructor manuals. This includes physical fitness, subject control, emergency vehicle operations, firearms and classroom facilities and equipment.

5. Establish rules regarding the use and care of firearms utilized by recruits during the approved session. Ensure the firearms are inspected for safety compliance by a

certified armorer in accordance with manufacturer's recommendations or when excessive use warrants more frequent inspections.

6. Ensure that all vehicles are inspected for safety compliance and serviced as needed or when excessive use warrants more frequent inspections.

7. Ensure that all other academy related equipment is inspected for safety compliance and serviced or replaced as needed.

8. Develop test banks and maintain the security, integrity, and direct control over the test banks. Ensure that all required basic training academy and MCOLES testing is administered in accordance with the policy and procedures manual.

9. Ensure that all testing for grades on Commission mandatory and approved courses be physically monitored by an academy instructor or an employee designated by the training director. This may require the use of more than one instructor. The use of unmonitored, remotely accessed testing (such as computer software and Internet connections) is prohibited.

10. Analyze the results of student examinations and identify gaps in instruction and deficiencies in test item construction. (Refer to the MCOLES Item Writing Guide, 3rd Edition.)

11. Ensure that all additional courses (800 series) are properly designed, developed and submitted to and approved by the MCOLES prior to their inclusion in the basic training curriculum. This includes objectives and evaluation criteria.

12. Inspect for compliance that all basic training academy recruits are not treated in an abusive, demeaning or disrespectful manner or placed in an environment that may cause an unnecessary risk of injury.

13. Notify any employer regarding the status of their employed recruit a minimum of three times per session. This also includes informing the employer of any deficiencies in recruit performance in any area of academy training. Notification shall be made writing. Employers should be given the opportunity to provide training to assist the recruit in the successful completion of academy requirements. This opportunity is intended to be given in a timely manner and is not intended to exceed normal academy session end dates.

14. Notify MCOLES of any deficiency of pre-service recruit performance and institute a personalized remediation plan for improvement in consultation with the recruit and appropriate staff or other professionals.

15. Inspect recruits for compliance with required accommodations during training. The declaration of accommodation form shall be updated as needed.

16. Immediately notify the MCOLES in writing when a recruit is involuntarily or voluntarily removed from the training program.

17. Be available for recruits either personally or through an established protocol.

2.5.05 Record Keeping; Documentation; and Communications:

The training director shall:

1. Notify MCOLES both in writing and by updating the MCOLES Network of any changes in instructional staff. This includes the hiring and separation of instructors.

2. Submit appropriate written documentation in a timely manner. Notification shall be given to the appropriate field representative or MCOLES staff member of incidents regarding:

    - Injuries, in accordance with the injury policy, including injuries to recruits and instructors that are of a serious nature that is a result of a basic police training event. This shall also include injuries to community members and bystanders,
    - Skill area remediation and failures,
    - Criminal charges or good moral character violations, including violations of these policies or any institutional policies relative to hazing, harassment, and/or discrimination.
    - Failure to meet and maintain minimum employment or training standards requirements,
    - Damage to property as a result of a training event,
    - Firearm mishaps,
    - Any circumstance that may result in the disciplinary action or dismissal of a recruit in a timely manner, and
    - Any changes to the operating plan.

3. Forward all required documentation to the MCOLES within the timeframes established by the administrative rules and the policy and procedure manual.

4. Notify the appropriate field representative in writing and through the MCOLES network of projected opening and closing dates of the session(s) at least 3 weeks prior to the beginning of the session.

Chapter 2 – Unit 6

Basic Police Training Schools

Enrollment in an Approved Training Session

POLICY

All enrollment requirements shall be met before a recruit is given MCOLES status in a basic police training program, and shall occur five days prior to the MCOLES opening orientation.

PURPOSE

The policy establishes the point in time at which the MCOLES initiates recognition of a recruit's enrollment in a MCOLES approved basic training session.

PROCEDURE

2.6.01 Employed Recruit Eligibility Requirements

1. A law enforcement agency may enroll an employed recruit when that individual:

    a. Meets all of the Selection and Employment Standards as outlined in R 28.14206.

    b. Is employed by that agency for the express purpose of becoming a licensed law enforcement officer immediately upon successful completion of the basic training. Any exception to this condition shall be approved in writing prior to enrollment.

2. Enrollment requirement.

    a. A law enforcement agency shall comply with R 28.14206 and notify MCOLES via the MCOLES Network not less than (5) business days prior to the start of the academy session, that the recruit has complied with all the employment standards.

    b. A law enforcement agency shall notify the academy training director that the recruit is eligible for enrollment into the session not less than five (5) business days prior to the first day of scheduled training.

3. The recruit shall maintain compliance with the selection and employment standards throughout the course of the basic police training program as required by R 28.14317.

2.6.02 Pre-service Recruit Eligibility Requirements.

1. A pre-service recruit may be enrolled when that individual meets all the selection requirements listed in R28.14312, the MCOLES Policies and Procedures Manual, and the academy's rules, regulations, policies and procedures.

2. In order to continue participation in the basic police training program, the pre-service recruit shall comply with the following:

    a. Prior to enrollment, provide documented evidence that recruit has obtained, or will obtain, the minimum of an associate degree from an accredited college or university upon completion of the academy.

    b. Pay all training costs established by the basic police training school.

    c. Attend the MCOLES orientation session prior to the beginning of the training program.

    d. Maintain compliance with the current selection and employment standards while enrolled in the basic program in accordance with R28.14315.

3. Report to the training director any incident regarding police contact, arrests, or issuance of citations.

4. Report to the training director any changes regarding medical status that may affect compliance with the minimum selection and training requirements.

2.6.03 Enrollment Denial

A basic police training academy shall deny admittance to any person when the requirements for enrollment under 2.6.01 and 2.6.02 have not been met.

2.6.04 Appeal of Denial of Enrollment

1. Pre-service recruits may appeal a denial of enrollment to the MCOLES Executive Director in writing in order to initiate a review.

    a. Verbal notice of intent to appeal shall be made by the recruit on the day of the denial of enrollment in order for the recruit to be eligible for possible participation in the session.

    b. Within 72 hours of the denial of enrollment, following the verbal notice of intent to appeal, a written report must follow. The written report shall be directed to the MCOLES Executive Director delineating the reason(s) why the enrollment denial should be overturned.

c. A determination will be made if MCOLES policy, standards, or rules have been followed by the academy. The Executive Directors determination shall be final.

2. An agency employed basic training recruit can appeal a denial only to the employing agency, with the exception of 2.6.04(3) below.

3. If an initial examination indicates that a person may not comply with a medical standard (R28.14204 (a-e)), the person may request a reexamination in accordance with R28.14204(g) and the policies in Chapter 4, Unit 1; Medical Investigations.

Chapter 2 – Unit 7

Local and Regional Basic Police Training Schools

Injury Reporting to MCOLES

POLICY

It shall be the responsibility of the training director to immediately report an injury of any recruit resulting during the course of training that may cause restricted participation by that recruit.

PURPOSE

This policy is intended to ensure the physical well-being of recruits, to obtain data on training injuries and take corrective action, and to establish a basis for granting extensions for the completion deadlines in accordance with R 28.14314(c) (i)–(iv) and section 3.1.03 (6) (a-f) of the policies and procedures manual. This policy also establishes the procedure for reporting recruit injuries to the Commission.

PROCEDURE

2.7.01 Report of Injury

1. All injuries incurred by a recruit during an academy session (whether during academy training or outside academy training), shall be immediately reported by the recruit to the instructor. The instructor shall, as soon as is practical, inform the training director.

2. Upon receiving a report of the injury, the training director, or his/her designee, shall complete the MCOLES injury report form. All injuries shall be reported that may result in the recruit being absent from training, cause the recruit to be examined by a physician, or cause limitations in training. Reporting shall be made to MCOLES within 24 hours of the injury and may be made using email or telephone.

3. The training director shall submit the Injury Report Form to MCOLES via fax within 72 hours of the occurrence of the injury.

4. A determination shall be made by the instructor at the scene or the training director to ascertain whether the recruit should be seen by a physician. In lieu of that determination, the recruit may independently seek treatment by a physician. A physician shall always be consulted when a head injury or symptoms of a concussion

occurs. A recruit under the care of a physician shall not participate in training until authorized by the physician.

2.7.02 Physician Referral/Report of Injury Form

1. Side one (Injury Report Form) shall be filled out by the training director or his/her designee. It shall be forwarded to MCOLES within 72 hours by fax.

2. Side two of the form (Physician's Referral Form) shall be filled out by the treating physician. The form will contain information regarding the recruit's ability to fully return to all aspects of recruit training or the recruit's limitations, if any. The Physician's Referral Form (side two) is required for any injury that has the potential to limit the recruit's ability to fully participate in recruit training without restrictions.

3. The training director, in consultation with MCOLES, shall determine if the recruit can meet the participation requirements listed in Chapter 3, (3.1.03) and R 28.14314, with or without accommodations. If these requirements cannot be met, the recruit shall be removed from training. However, if a recruit is temporarily unable to fully participate in recruit training due to an injury incurred during training, (or for other reasons in accordance with R 28.14314(c)), and the restriction may cause the recruit to be delayed in completing the requirements for the program session, a determination shall be made by the training director, in consultation with the recruit and/or employing agency, as to whether or not to request an extension for completion from MCOLES. If a determination is made to request an extension for completion, the training director shall follow the procedures outlined in Chapter 3, Unit 1, (3.1.03(6)(a-f)

4. If a recruit is restricted from certain activities by a physician, the recruit shall not return to full participation without restriction until cleared in writing by the physician.

2.7.03 Data Collection and Analysis

1. Medical reports received by the Commission shall remain confidential and shall only be used for the following purposes:

   a. Determining if the recruit meets or maintains the minimum medical standard for continued enrollment in the academy or for activation of a law enforcement license.

   b. To anonymously record the circumstance of an injury during a training component for the purpose of analyzing the data to determine where improvements in the training program can be made to reduce the occurrences of injury.

2. A recruit's medical documentation shall be made part of the individual recruit's file and not part of the overall academy file.

Chapter 2 – Unit 8

Basic Police Training Schools

Documentation of Academy Completion

POLICY

An individual will not be deemed by the Commission to have successfully completed the basic police training program until all of the required documentation is received and verified by the MCOLES.

PURPOSE

Under the authority of Public Act 203 of 1965, as amended, the Commission is responsible for ensuring that individuals meet the basic police training requirements before being eligible to receive a basic training certificate.

PROCEDURE

2.8.01 Documentation Required for Successful Completion.

Individual recognition of successful completion of the approved program shall occur as follows:

2.8.02 The Training Director Shall:

1. Ensure that all recruit information (grades, absences, completion/enrollment status, completion date, etc.) indicating a recruit successfully completed the basic police training program is entered into the MCOLES Network. This shall be done no later than two (2) working days prior to the scheduled testing of recruits for the licensing examination.

2. Submit a completed, signed copy of the recruit record of completion of the basic training program.

3. Ensure all recruits are pre-registered and payment is made for the licensing examination at least two (2) weeks prior to the licensing examination date.

2.8.03 The Basic Training Recruit Shall:

1. Provide to MCOLES an official college/university transcript indicating that a minimum of an associate degree has been awarded.

2. Shall pass the MCOLES Licensing Examination within one (1) year of the session end date. In the event of a failure, one (1) re-test is allowed within that one year.

2.8.04 Recognition of Successful Completion

Individual recognition of successful completion of the approved course of study will occur as follows:

1. The training director shall sign and submit a completed student record of completion indicating the recruit has complied with all the attendance and academic requirements.

2. Pre-service recruit graduates will receive a congratulatory letter once all requirements have been met and MCOLES receives an official transcript indicating the award of an associate or baccalaureate degree.

3. Basic police training academies shall not issue certificates for recognizing the completion of a basic law enforcement training program unless first approved by the MCOLES. If a certificate is issued it shall indicate that it is not evidence of eligibility for licensing.

Chapter 3

Training

Unit 1	**Basic Police Training Requirements……...…**	**90**
Unit 2	**Instructor Responsibilities and Qualifications…...…**	**94**
Unit 3	**Facilities and Equipment……..……...**	**98**
Unit 4	**Safety Guidelines……..……**	**102**
Unit 5	**Recruit Discipline Policy..……..……**	**112**
Unit 6	**Disciplinary Action for Rule and Academic Violation……....**	**114**
Unit 7	**Recruit Dismissal and Appeal Procedures……**	**118**

Chapter 3 – Unit 1

Basic Police Training Schools

Basic Police Training Requirements

POLICY

A recruit shall meet all basic training requirements prior to consideration for licensing as a Michigan law enforcement officer.

PURPOSE

Under the authority of Public Act 203, as amended, the MCOLES is responsible for preparing and publishing minimum courses of study for the entry-level law enforcement officer.

PROCEDURE

3.1.01 The Basic Police Training Curriculum

The minimum basic police training curriculum consists of the mandated training objectives, which shall be made available to the students, along with the required number of hours.

3.1.02 Expanded Course of Study

An approved training school may:

1. Increase the training hours in any Commission mandated course provided no changes are made to the original course objectives.

2. Add courses as long as the enhanced Curriculum is entered into the individual appropriate session in the MCOLES network.

3. All enhanced curricula shall be submitted to the MCOLES for approval prior to being implemented into the basic training program. This shall include the course descriptions, safety guidelines (if appropriate), lesson plans, scenario guidelines, etc.

3.1.03 Successful Completion of the Course of Study

Except as provided for in R 28.14314(c), 3.1.03(4) and 3.1.03(6) below, a recruit shall complete all of the following during the training session in order to successfully complete the program:

1. Attend and participate in at least 90% of the approved course of study, unless otherwise stated in this unit.

2 Meet the requirements for successful completion of the police skills curriculum, which are: subject control, firearms, emergency vehicle operations, physical fitness, health and wellness, and first aid as approved by Commission. Completion requirements are as follows:

a. Achieve 100% attendance in the classroom in each skill area to develop knowledge.

b. Achieve 90% attendance and participation in each skill area in the application exercises to develop skills.

c. Attain a passing score on a performance tests in each skill area. The requirements for passing the performance tests can be found in the following instructor manuals:

- Firearms
- Subject Control
- Emergency Vehicle Operations
- Physical Fitness/Health and Wellness
- First Aid

Skill performance assessments and remediation requirements shall follow the assessment and remediation protocols as outlined in the instructor manuals. Individual academies or training programs used by the academies (e.g., American Red Cross, PPCT, etc.) may have higher passing scores, which shall be reflected in the annual operating plan for approval. Failure to successfully complete any skill area performance assessment shall be cause for dismissal from the basic training program.

d. Attain a passing score on a written examination in each of the skill areas which address the academic objectives. A recruit shall obtain a score of not less than 70% on each skill area examination to successfully complete the program, or a higher passing score as reflected in an approved academy's operating plan.

One written re-test shall be allowed in each skill area. Failure on the re-test shall be cause for academic dismissal from the basic training program.

3. Meet the requirements for successful completion of the academic courses as established by the Commission, which are:

   a. Attain a passing score of not less than 70% on an examination, or 70% on each examination in a series, covering the criminal law and procedures objectives. One re-test shall be allowed on the criminal law and procedures examination(s). Failure on the re-test shall be cause for dismissal from the basic training program.

   b. Attain a passing average score of not less than 70% on not less than five (5) additional examinations addressing Commission approved training objectives beyond the police skill areas and criminal law and procedure curriculum listed above.

   c. For programs that issue letter grades, attain a satisfactory grade of C or equivalent to a (2.0) on a (4.0) scale for all basic training curriculum courses.

   d. Pre-service recruits must meet the requirements to be awarded an associate or baccalaureate degree from an accredited college or university upon completion of the basic training academy course of study.

4. Recruits who hold a Paramedic, Emergency Medical Technician (EMT), or Medical First Responder License issued by the Michigan Department of Health may be exempt from all or any portion of the First Aid requirements. Persons who hold an "Emergency Response" Certificate from the American Red Cross may also be exempt from all or any portion of the first aid requirements.

   A request must be made to MCOLES by the training director on behalf of the recruit in order for a determination to be made regarding qualification for this exemption. The request must be made at least 4 weeks in advance of the recruit's participation in the first aid curriculum and shall contain the following information:

   - A copy of the license or certificate
   - A determination by the training director as to how the required first aid curriculum hours will be made up by the recruit in order to comply with the MCOLES minimum number of required training hours. (e.g., assist the instructor during the course of the first aid training) This shall be appropriately documented on a recruit's record of completion.
   - The license or certificate must be current at the completion of the program and for a recruit to be eligible to take the licensing examination.

5. Meet the Commission approved requirements as established by the basic training institution for the basic training program outlined in the approved operational proposal.

6. Exceptions to these policies may occur when an individual is temporarily incapacitated as outlined in R 28.14314. When this occurs, the training director who

is responsible for the daily operation of the training program may, at the request of the employer or a pre-service recruit, petition MCOLES to allow the recruit to successfully complete the missed training and assessment requirements beyond the session end date, provided:

a. The training director shall notify MCOLES in writing regarding the necessity for invoking the exemption and indicate when each additional testing/assessment will occur.

   The letter shall indicate the nature of emergency interrupting the training, or in the case of an injury, indicate the nature of the injury and how it occurred, and a doctor's report with a diagnosis and prognosis for recovery. An estimate of missed training (and training already completed) must be made so that the recruit can participate in the missed training exercises at a later date in order to sufficiently acquire the knowledge or skill. Estimated dates for the participation in, and completion of, training and testing. Final completion of the course of study must be within one year of the session end date.

b. In the case of an employed recruit, the individual's department shall notify MCOLES in writing that they are aware of the training and testing requirements and that the employee does not meet the minimum employment standards and is not eligible for licensing until the requirements are met. The agency shall also commit in writing to the requirements imposed by the academy for successful completion of all missed training and testing, which may include additional costs to the agency.

c. A pre-service recruit shall also be apprised of the completion requirements that may include finishing mandatory training hours, and may also include additional costs to the student for scheduling instructors for training and testing outside the normal schedule.

d. The training and testing requirements must be fulfilled within one year of the recruit's original session graduation date.

e. Commission staff shall be notified when and where the continuation of missed training and testing will be held. The recording of the necessary training shall be documented in the MITN system and verified by the Commission staff. MCOLES may conduct an inspection of the continued training and testing session(s).

f. Recruits granted an extension for completion shall not be given the licensing examination until the course of study has been completed.

7. Pass the MCOLES Licensing Examination within one year of the completion of the training session end date as documented in the MCOLES network. One retest is allowed within one year.

Chapter 3 – Unit 2

Basic Police Training Schools

Instructor Responsibilities and Qualifications

POLICY

Instructors in the basic police training program shall meet acceptable standards of competence and behavior.

PURPOSE

Instructors shall possess the necessary experience, knowledge and skills to effectively instruct in their assigned areas of the basic police training program, and be knowledgeable of the Commission's philosophical statement for basic training programs as described in Chapter 1, Section 4.

PROCEDURE

3.2.01 Instructor General Qualifications:

1. It is recommended that an instructor should complete an instructor training course that includes the principles of adult learning theory.

2. Instructors shall be trained in policies regarding sexual, racial and other forms of harassment. At no time will this type of behavior be tolerated by MCOLES.

3. All instructors shall have a minimum of one (1) year job experience in the field of law enforcement or the relevant professional training, demonstrable skills and experience in the subject matter to which the instructor is assigned.

4. The instructor shall be recommended by the training director to receive MCOLES approval. This recommendation shall be made in writing to the MCOLES for approval prior to the session when the instructor will be teaching.

5. All instructors shall submit a résumé outlining work experience, certifications, and qualifications for the instructor position. Copies of current certifications shall be submitted and maintained on file with the training director along with instructor résumé for review.

6. Once approved as an instructor by MCOLES, instructor qualifications shall be

submitted to the training director prior to teaching in an academy session and shall be updated not less than every three (3) years.

7. All instructors must maintain current instructor status in order to continue to be recognized by MCOLES as an academy instructor. Any instructor who has a break in teaching duties or does not receive continuing education in their area of expertise for greater than two (2) years shall no longer be recognized by MCOLES as a current instructor and shall re-submit for approval prior to teaching in an academy session.

8. An instructor shall be evaluated by the training director or his/her designate as outlined in Chapter 2, Unit 5 (2.5.02(9)). The training director shall maintain a copy of the written evaluation on file for an inspection by MCOLES.

3.2.02 Instructor General Requirements

1. All instructors shall submit a current lesson plan to the training director prior to each course instruction. This shall be done not less than once per year. The lesson plan shall include, but is not limited to, topic/course outline, dates and time allotments for each topic taught, course handouts, books, videos/DVD's used, power point outlines, exam schedule (for pre-service track programs), scenario training, and MCOLES basic training module objectives. The lesson plan shall include the MCOLES training objectives but the objectives shall not take the place of a lesson plan.

2. Instructors, in conjunction with the training director, shall develop test items to measure student achievement of the MCOLES training objectives. Test items shall be current and relevant to the MCOLES objectives. Test items shall be reviewed for appropriateness on a regular basis but not less than once per year.

3.2.03 Instructor Requirements in Content Area(s)

1. Legal Instruction:

All legal subjects shall be taught by an attorney admitted to and in good standing with the Michigan Bar Association.

2. First Aid:

An instructor in first aid shall be a qualified instructor trained and registered by a nationally recognized first aid training program (e.g., American Red Cross or American Heart Association) in order to be approved by MCOLES to instruct in this subject area.

3. Subject Control:

A subject control primary and assistant instructor shall have successfully completed an MCOLES recognized subject control instructor training course prior

to instructing in this subject area. Additionally, a primary instructor shall have served as an assistant instructor under the tutelage of a primary instructor of at least one session or equal time as an in-service instructor prior to being designated a primary instructor. Instructors shall maintain current certifications (e.g., PPCT, GAGE, etc.), if the instructor's qualification is based on these certifications.

4. Emergency Vehicle Operations:

An emergency vehicle operations instructor and assistant instructor shall have successfully completed an MCOLES recognized emergency vehicle operation instructor training course. Additionally, a primary instructor shall have served as an assistant instructor under the tutelage of a primary instructor for at least one session or equal time as an in-service instructor prior to being designated a primary instructor. Instructors shall maintain current certification, teaching status or continuing education in the field in order to continue to be recognized by MCOLES as an instructor.

5. Firearms:

A firearms primary and assistant instructor shall have successfully completed an MCOLES recognized instructor training course. Additionally, a primary instructor shall have served as an assistant instructor under the tutelage of a primary instructor for at least one session or equal time as an in-service instructor prior to being designated a primary instructor. Instructors shall maintain current certification, teaching status or continuing education in this field in order to continue to be recognized by MCOLES as an instructor.

6. Hazardous Materials:

A hazardous materials instructor shall have successfully completed an MCOLES or nationally recognized HazMat instructor training course. Instructors shall maintain current certification, teaching status or continuing education in this field in order to continue to be recognized by MCOLES as an instructor.

7. Speed Measurement:

A speed measurement instructor shall have successfully completed an MCOLES recognized speed measurement instructor training course. Instructors shall maintain current certification, teaching status or continuing education in this field in order to continue to be recognized by MCOLES as an instructor.

8. Physical Fitness/Health and Wellness:

A physical fitness/health and wellness instructor shall have successfully completed the Cooper Institute training or other MCOLES recognized fitness training instructor course. Additionally, a primary instructor shall have served as an assistant instructor under the tutelage of a primary instructor for at least one session or equal time as an

in-service instructor prior to being designated a primary instructor. Instructors shall maintain current certification, teaching status or continuing education in this field in order to continue to be recognized by MCOLES as an instructor.

3.2.04 Classroom Demeanor and Appearance

1. An instructor shall reflect high standards of professionalism both in appearance and behavior.

2. An instructor shall have the ability to effectively communicate with students as adult learners and to instruct in a manner that motivates students to learn.

3. An instructor shall not demean, haze, or otherwise treat a recruit in a less than professional manner.

4. An instructor shall adhere to the training academy's published policies regarding classroom demeanor including: appropriate language, academy atmosphere, hazing, discipline of students, workplace harassment, and treating students with dignity and respect.

5. An instructor shall adhere to the scenario safety guidelines published in the MCOLES policies and procedures manual as well as those published by the academy. An instructor shall not undertake any methods of instruction, in or out of the classroom, or any interaction with a student that is unprofessional, abusive, demeaning, disrespectful, or places the student at an unnecessary risk of injury.

3.2.05 Continuation of Instructor Status

1. An instructor shall be evaluated by the training director or his/her designate as outlined in Chapter 2, Unit 5 (2.5.02(9)). The training director shall maintain a copy of the written evaluation on file for an inspection by MCOLES.

   Failure to perform satisfactorily may result in the revocation of instructor status by the MCOLES.

2. An instructor shall teach in his/her assigned curriculum area at least once every two (2) years in order to maintain their MCOLES approved status. It is the instructor's responsibility to remain current in his/her respective area of instruction.

Chapter 3 – Unit 3

Local and Regional Basic Police Training Schools

Facilities and Equipment

POLICY

An approved basic training academies facilities and equipment shall meet all established MCOLES requirements necessary to accommodate the authorized number of students in the approved annual proposal.

PURPOSE

Under the authority of PA 203, of 1965, as amended, the Commission is responsible for preparing and publishing minimum standards for training facilities and equipment.

PROCEDURE

3.3.01 Minimum Requirements for Facilities

The facilities shall consist of:

1. Classroom and Library

a. The classroom shall have an environment (climate control, noise barrier, seating, etc.) that is conducive to effective learning.

b. A library containing books and reference material addressing the law enforcement discipline shall be readily available to the recruit.

c. Classroom equipment shall consist of suitable audio/visual equipment; projection screen that meets projection standards for room size; copier equipment; flip chart; chalkboards; bulletin boards; fingerprinting equipment; material for recruit practice; and facsimile machine.

2. Firearms Range

a. The firearms range, whether indoors or outdoors, shall comply with current Commission firearms specifications, as specified in the document entitled, "Firearms Standard." The firearms range shall be constructed so as to accommodate the basic training mandated firearms course of fire. The firearms range shall comport with the Michigan Occupational Health Standards for lead contamination, pursuant to Administrative Rules R 325.51901-51958.

b. Equipment shall consist of eye and ear protectors for each person on the firearms range (individuals may provide their own). The ear protectors shall be of suitable quality and shall be based on regulations promulgated by the Michigan Occupational Safety and Health Administration (MIOSHA) and the Federal Occupational Safety and Health Administration (OSHA) as appropriate for acceptable noise levels. The Michigan standards appear in Administrative Rules R 325.60101-60128. The federal standards appear in 29 CFR 1910.95. Muffs shall provide a minimum attenuation of 25db. Handguns and holsters type(s) shall be those commonly used by the law enforcement agencies served by the academy. The equipment combination shall be appropriate (e.g., holster fits handgun).

c. In addition, a site survey shall be conducted for hazards and the need for required protective clothing and equipment, etc. in accordance with MIOSHA Administrative Rules 408.13301 et seq.

3. Subject Control

a. The training area for subject control training shall be large enough to allow the practice of required takedowns, holds, and releases without injury to the participants. The gym mats shall meet or exceed the current standards as established by the National Collegiate Athletic Association (NCAA).

b. Subject control training shall conform to the safety specifications contained in the MCOLES Subject Control Instructor Manual as well as Chapter 3, Unit 4 of this manual.

c. A locker room shall be convenient with a locker for each individual. Separate shower, and toilet facilities shall be available for males and females.

d. Equipment shall, at a minimum, consist of handcuffs and leather goods, police-type shotguns, and riot batons.

e. First Aid equipment shall be readily available during the practical exercises and evaluation of subject control techniques. Protocols shall be developed for blood

clean-up and blood borne pathogens. Recruits shall have appropriate protective gear during exercises involving subject resistance.

4. Emergency Vehicle Operation

a. The area utilized for emergency vehicle operation shall be constructed so as to meet or exceed the standards in the MCOLES EVO Instructor Manual. Adequate space shall be provided for the safe performance of the cone exercises and evaluations, as diagramed in the EVO Instructor Manual. The area immediately adjacent to the site must be free of curbing and other obstacles. A fire extinguisher shall be readily available.

b. Night driving exercises shall conform to the safety specifications contained in the MCOLES EVO Instructor Manual.

c. Vehicles shall consist of manufacturer's designated "police package" vehicles. It is recommended that the vehicle should be equipped with job related Emergency Vehicle Operations equipment.

d. The driver training facility shall have an emergency response plan to respond to injuries, accidents or incidents.

e. The basic training academy shall have a vehicle use policy in place that conforms to the Commission's published Vehicle Use Policy.

5. Reading and Writing Test Administration

Computer labs or test carrels for the administration of the reading and writing examination shall be configured so as to provide adequate lighting, ample seating, and a quiet and private atmosphere. The site shall conform to the specifications listed in the MCOLES Reading and Writing Test Proctor Manual. Each test taker shall have access to a computer, including a keyboard, monitor, and mouse. The examination shall be administered only by test proctors certified by the MCOLES approved vendor. The training director shall ensure all reading and writing test proctors are trained, updated and comply with the requirements for delivery of the test. If proctors conduct tests infrequently, the procedures shall be reviewed with proctors prior to any testing.

6. Physical Fitness Examination

The test site for the administration of the pre-enrollment, diagnostic, and exit physical fitness examinations shall conform to the specifications as listed in the MCOLES Physical Fitness Test Proctor Manual and the MCOLES Physical Fitness Policy and Procedure Manual. The tests shall be administered only by trained test proctors. The training director shall ensure all physical fitness test proctors are trained, updated and comply with the requirements for delivery of the entrance and exit tests. If proctors

conduct tests infrequently, the procedures shall be reviewed with proctors prior to any testing.

Equipment used for testing shall conform to those specifications listed in the MCOLES Physical Fitness Test Proctor Manual.

7. Licensing Examination

Recruits shall have access to a computer lab or test carrel for the administration of the MCOLES Licensing Examination. The test shall be proctored by representatives from MCOLES. All test sites shall provide adequate lighting, ample seating, and a quiet and private atmosphere. Academies shall have access to the technology required to utilize the automated testing platform. Each test taker shall have access to a computer, including a keyboard, monitor, and mouse.

Chapter 3 – Unit 4

Basic Police Training Schools

Training Safety Guidelines

Adult learning theory promotes many interactive approaches to training delivery which have application in the academy setting. In recent years, law enforcement training has embraced problem-based learning (PBL), including experiential learning exercises like realty-based training scenarios, as an essential methodology to effective law enforcement training.

Scenario training is an excellent example and effective method of interactive adult learning, applying classroom studies to simulated situations requiring the appropriate law enforcement response. Scenario training will assist the recruit's development in critical thinking, multi-tasking, and problem solving. The scenarios also provide an opportunity for instructors to evaluate the recruit's skills and judgment (decision making), as they progress through the basic training curriculum.

The inherent risk involved in reality-based scenario training requires the establishment of strict safety policies, procedures, and protocols to maintain a safe training environment and reduce the risk of injury to everyone involved. These safety guidelines are meant to establish systems and protocols that will maintain safety during dynamic training.

Scenario Development

Scenarios shall be developed with specific performance objectives identified from the MCOLES Basic Training Curriculum and approved academy curriculum that is beyond the minimum requirements of MCOLES. Instructors with relevant expertise (e.g., firearms, subject control, legal, patrol tactics, etc.) shall participate in the scenario development process. It is extremely important that all scenarios afford the student with an opportunity to succeed. The intent is to cause the recruit to apply the appropriate law enforcement knowledges, skills and abilities necessary to perform appropriately and handle the situation presented in the scenario. In other words, the scenarios should be "winnable," and reflect a realistic law enforcement job task that has been presented in the recruits' training (e.g., traffic stop, building search, subject arrest, etc.). MCOLES recommends requiring the recruits to articulate the justification for their actions after each scenario, either verbally or by means of a written report.

Common Types of Simulation Training

The most common types of law enforcement simulation training involving the use of force and firearms are:

- role-plays utilizing marking cartridges;
- role-plays utilizing non-functioning / non-firing training weapons;
- role-plays utilizing training weapons other than marking cartridges and non-functioning weapons (e.g., weapons that fire blanks, primer rounds, cotton balls or wax projectiles, etc.);
- interactive role-plays using audio visual simulations;
- role-plays using laser based weapons and vests; and
- "red man" type scenarios involving the use of physical force.

Although these seem to be the predominate methods utilized in Michigan today, other systems and training methodologies exist ("Mirror Image" houses, "Hogan's Alley" type, Manipulation Dummy equipment, etc.).

Safety Commentary

The primary objective of these safety guidelines is to enhance the safety of everyone involved, including the general public, while promoting a healthy and realistic training environment. **The reduction of risk, based on pre-planning and the recognition of high risk circumstances, is the first step to maintaining a safe training environment.**

Each type of simulation training offers specific advantages and disadvantages and varies in terms of realism, equipment, facilities, logistics, expense, number of instructors, and risk. It is not the purpose of these guidelines to recommend one training method over another. Rather, these safety guidelines are intended to enhance the management of risk by establishing appropriate safety protocols, individualized to each academy. The ultimate goal is to manage risk and prevent serious injury and death in training.

Special Note: When sworn law enforcement personnel are utilized in scenario training in any capacity (e.g., role player, monitor, officer backup, etc.), extra precaution must be taken to ensure that their firearms, ammunition, and other dangerous equipment are secured at a safe location and kept out of the secured training area.

Scenario training involving any weapon shall only occur after the student has been thoroughly trained and has demonstrated proficiency and knowledge of its use (e.g., firearm, impact weapon, pepper spray, electronic device, etc.). When utilizing weapons that fire a projectile (e.g., marking cartridge), never shoot a person within 3 feet or shoot at a subject's head. All academy personnel assigned to a scenario are charged with the responsibility to manage the scene and to be ready to instantly stop the action if it is perceived as becoming too dangerous or the guidelines are being violated.

When a scenario script demands the use of a vehicle, the Officer in Charge (OIC) and the Safety Officer (SO) shall reinforce the academy's driving policy and rules, the MCOLES

vehicle policy, and relevant Motor Vehicle Code. During scenario training, the students shall adhere to all traffic laws while operating academy vehicles. The exceptions would be pursuit movements and turns made within the context of the Emergency Vehicle Operations Module, supervised by an EVO instructor and confined within a secure training site that has been closed to the general public.

MCOLES recommends having a uniformed law enforcement officer on the scene of simulation training if possible. Everyone that enters the secured training area shall be checked for weapons, ammunition, and other dangerous equipment. Whenever anyone leaves the pre-designated "secured training area," they must be checked again prior to reentry to ensure that they are not in possession of any unauthorized weapons, live ammunition, or other dangerous equipment.

Student Debriefing Commentary

The ideal time to debrief the recruits is immediately after they have worked through a scenario. It is important to take time with the recruits in order to evaluate their understanding of the scenario's training objective. The instructor may wish to have the recruit begin the debriefing process by having them explain why they selected the tactics and level of force used, what the legal justification was for their use of force, what things they felt they did well, what aspects of their performance they felt need improvement, etc. After the recruit has had an opportunity to express themselves, the instructor can ask more specific questions (e.g., Why did they move to the right when they entered the room? Did they notice the cover to the left? Did they notice the subject's behavior? Did they develop reasonable suspicion to detain, or probable cause to arrest? etc.). Give the recruit the chance to articulate what they were thinking as they progressed through the scenario. The instructor should always ask questions before critiquing the recruit, since there may be more than one acceptable solution. The recruit may actually have a reasonable explanation for their actions. Conversely, the recruit may physically perform in what appears to be an acceptable way, but their articulation and justification of their actions may highlight their confusion or lack of understanding regarding the law, tactics, officer safety, department policy, etc.

If resources allow, videotape the recruit's performance in the scenario. This is an excellent way for the recruit to view what they actually did, and not what they thought they did. The videotape can be stopped at anytime, allowing the instructor to ask additional questions of the student that are critical to the training objectives in the scenario.

Research has shown that effective learning can take place in smaller pieces and at a slower pace. If necessary, allow for interruptions or slower action in scenarios if obvious errors are being committed to set the student on the right path.

MCOLES GUIDELINES

Each academy shall have a written safety policy in place prior to engaging in any reality-based simulation (scenario) training. This policy shall be individualized to each academy, based on facility limitations and resources available. The safety policy shall include specific rules, policies, procedures, and protocols that the academy will operate under regarding the overall safety of the training.

At a minimum, the written safety policy shall address the following:

I. Identification and responsibilities of the Officer in Charge.

Prior to actually engaging in scenario training, the training director shall establish an Officer in Charge (OIC), who is responsible for:

- conducting a site survey for hazardous conditions and the need for protective equipment (see MIOSHA Guidelines 408.13301, et seq. for statewide policies required of employers relative to site surveys, protective clothing and equipment)
- preplanning, managing, debriefing, and all other pre and post scenario matters;
- personnel issues, time management, and scenario implementation;
- maintaining up-to-date knowledge and tactical soundness in the subject matter being addressed in the scenario training; and
- managing and controlling the entire scenario operation.

Commentary: The OIC may be an active administrative participant during the scenario to help guide the scenario to an appropriate conclusion, and the academy training director has the option of fulfilling the role of OIC.

II. Identification and responsibilities of the Safety Officer(s).

Prior to actually engaging in scenario training, the training director shall establish a Safety Officer (SO), who is responsible for the overall safety of the training, including:

- pre-scenario, scenario, and post-scenario policies, protocols, practices and procedures as they relate to safety;
- verifying that the environment does not put personnel involved in the scenario at undue risk;
- ensuring role player, recruit, and evaluator safety;
- conducting a safety briefing for recruits and role players prior to engaging in scenarios (including the academy medical response protocol in case of an injury)**;**
- securing and maintaining a safe, restricted training area; and
- ensuring that no loaded weapons, live ammunition, and other dangerous equipment are brought into the secured training area.

Commentary: If the primary SO is responsible for the overall safety of the entire training day, involving multiple scenarios and locations, then this SO shall not actually participate

in any scenario. However, if there are multiple safety officers, and each one of them is responsible for only one scenario at one location, then the SO may participate in the scenario if necessary.

The SO shall be an experienced trainer and senior staff person, with tactical knowledge and training in safety protocols. If using a less-lethal weapon systems during the scenario training (e.g., weapons that shoot marking cartridges), MCOLES strongly recommends that the SO obtain appropriate certification by the weapon manufacturer prior to utilizing their training equipment in academy training.

III. Establishment of a secured training area and safety protocols to maintain its integrity.

The OIC, SO, and other involved trainers have the responsibility to maintain site integrity for the safety of the public and academy personnel. This would include:

- safety measures to prevent functional firearms, live ammunition, and other dangerous law enforcement equipment from entering the secured training area;
- utilization of the "triple-check" safety rule (self check, partner check, and safety officer check);
- prohibiting the use of functional firearms as training props;
- advance notification procedures regarding scenario training (of surrounding police jurisdictions, 911 communication centers, area residents, etc.);
- precautionary steps to prevent outside interference (steps to isolate training from the general public); and
- posting of "scenario training in progress" signs, at and around the training site.

Commentary: The best possible training location would minimize the possibly of the general public unintentionally entering the scenario scene. MCOLES recommends having a uniformed law enforcement officer on the scene of the training site. No one is permitted into the secured training area without being checked for weapons, live ammunition, or other dangerous equipment. Whenever anyone leaves the secured training area and returns, they must be checked again to ensure that they are not in possession of any unauthorized weapons, live ammunition, or other dangerous weapons.

The SO will conduct the third safety check (after self check and partner check) for ammunition, weapons, and other dangerous equipment on all personnel entering or re-entering the secured training area. The SO shall oversee the staging area when an academy has simulation weapons which require a conversion kit (weapons that fire marking cartridges). The SO is accountable for the safe storage, verification and issuance of simulated weapon cartridges and other training aids.

IV. Recognition and management of the risks associated with the specific munitions being utilized in scenario training.

The OIC, SO, and other involved trainers have the responsibility of recognizing the risks associated with the specific munitions being utilized in scenario training and appropriately managing these risks. This would include:

- Maintaining safe distances between participants,
- Utilization of safety equipment (including wearing all required protective gear),
- Utilization of professionally manufactured training weapons,
- Protocols for the inspection and distribution of training weapons (by instructors, not recruits),
- Utilization of clearly marked training weapons, immediately identifiable to all participants (e.g., grips painted red),
- Use of a "Stop Scenario" command (whistle, horn, shouting "stop scenario," etc.);
- Use of an "Out-of-Role" command (to be removed from a scenario);
- Instruction regarding the strict adherence to scripted scenarios by all role-players;
- Pre-event safety briefings of all participants (recruits, role-players, monitors, etc.) covering specific role responsibilities and limitations, and safety policies and procedures (including important commands).
- Close monitoring of scenarios.

Commentary: No matter what type of simulation training an academy engages in, they all involve various levels of risk. Weapons that fire any type of projectile (e.g., marking cartridges), and those that fire blanks and primer rounds have the potential to cause serious injury or death (based on the distance between the fired weapon and the person shot by the weapon). When utilizing weapons that fire a projectile, distances between recruits and role-players shall be closely monitored. This is especially important in scenarios involving close quarters or confined spaces. Even when distance and space allow for the use of blanks and primer rounds, they should only be used with rigorous safety precautions in place. When using firearms that fire blanks, the weapons shall be modified with barrel plugs, barrel conversions, cylinder pins, or special adapters that prevent the insertion and discharge of a live round. Utilizing appropriately marked training weapons so they are easily identifiable as training weapons can greatly reduce the risk of introducing a functional weapon into a training exercise.

V. Scenario Management

Scenario management policies, procedures and protocols will be established and documented to specifically address the details regarding the execution of the scenario, including:

- The proper and close management of use of force scenarios.
- Confirming recruits' fitness for participating in scenario training.
- Instructor demeanor – attitude of safety vigilance.

- How the scenario will be monitored (by whom, how closely, what will warrant a "stop scenario" command, etc.).
- Specific safety protocols regarding the use of vehicles in scenario training (driving policy, EVO policy, agency. policy, law, etc.).
- Selection of role players.
- Utilization of properly trained instructors (minimum instructor qualifications).

Commentary: A signal shall be established by the SO to immediately STOP the scenario. This could be a series of short whistles, a blast of an air horn, and/or yelling the words "Stop Scenario-Stop Scenario". The stop scenario command is not restricted to instructors, but can be used by a student if excessive physical force is being applied. It can be yelled out immediately by anyone if an unsafe condition is observed. Upon hearing the designated stop scenario command, everyone must freeze in place until further instructions are given.

VI. Operations Plan for Injuries:

This plan shall indicate specific protocols to follow if someone is injured, including:

- A specific reporting procedure for injuries,
- Appropriate contact information for medical responders,
- Specific protocols for hazardous materials (e.g., blood) clean-up procedures, and
- An emergency Medical Care Plan for serious injuries.

Commentary: MCOLES recommends utilizing a safety checklist to make sure the important points of the safety protocol are complied with (refer to sample safety checklist at the end of this document). Academies may enact additional safety precautions within a given scenario to ensure that the scenario provides a safe learning environment for everyone involved.

The International Association of Directors of Law Enforcement Standards and Training (IADLEST) recommends the following protocol:

Safety rules should be given to all trainees who enter the training facility. The rules, along with rules of conduct, should be discussed during orientation. A form attesting that the rules have been distributed and are understood should be signed by each student, collected by the instructor and filed. High-risk and high-liability curriculum areas should have safety rules posted in a conspicuous manner to remind the students of potential risks. Instructors should be periodically refreshed on the contents of these rules.

Sample Safety Checklist

Academy Class:_____ **Date:**_____ **Time:**_____

Type of Scenario:_____

Location Boundaries:_____

Officer In-Charge:_____

Safety Officer:_____

Instructors

Name:_____ **Name:**_____
Assignment:_____ **Assignment:**_____
Name:_____ **Name:**_____
Assignment:_____ **Assignment:**_____
Name:_____ **Name:**_____
Assignment:_____ **Assignment:**_____

Role Players

Name:_____ **Name:**_____
Assignment:_____ **Assignment:**_____
Name:_____ **Name:**_____
Assignment:_____ **Assignment:**_____
Name:_____ **Name:**_____
Assignment:_____ **Assignment:**_____

Props and Equipment Required:_____

Safety Equipment Required:_____

Officer In-Charge, Safety Officer, Instructors, and Role Players have all read and reviewed the scenario script, and have been briefed. Yes:____ No:_____

The training area boundaries have been secured. Yes:____ No:_____ The boundaries have been designated and secured by the following method(s):_____

The proper authorities surrounding the designated training area have been notified such as area police agencies, 911 communication center, the public, etc. Yes: _____No:_____
The following agencies have been notified:_____
_____
_____
_____

Instructors, role players, monitors and students were notified that there will be NO UNAUTHORIZED WEAPONS, LIVE AMMUNITION, OR DANGEROUS EQUIPMENT allowed in the designated training area, and the Triple Check Rule will be enforced: by Self, by Partner, by Safety Officer. Yes_____No:_____

Arrangements have been completed and announced where and how unauthorized Weapons and Live Ammunition will be secured. Yes: _____No_____

Name of the Safety Officer or designee (not recruit) in charge of inspecting and distributing authorized simulation weapons and training munitions: _____
_____

Name of the Instructor assigned to conduct the student briefing regarding safety rules and scenario descriptions:_____
_____

The designated STOP ACTION command, which was emphasized during the safety briefing, is:_____
_____

Name of the Instructor in charge of debriefing and critiquing the students:_____
_____. Location and time of the debriefing and critique:_____
_____
_____

The Instructors, Role Players, and Safety Officers conducted a walk-through safety inspection of the secured training area to identify potential safety hazards and areas of concern.
Areas of concern:_____
_____
_____
_____
_____
_____
_____
_____
_____

Action Taken:_____
_____
_____
_____
_____
_____
_____
_____
_____

Notes:_____
_____

Serious Injury Protocol Example:

In the event that a significant injury occurs, those who will provide immediate medical attention will be:

1) _____

2) _____

3) _____

The first aid kit is located: _____

The person responsible for calling 911 will be: _____

The designated phone or cell phone is located: _____

The persons responsible for meeting the ambulance outside, directing them to the victim, and assisting with any equipment will be: _____

Chapter 3 – Unit 5

Basic Police Training Schools

Recruit Discipline Policy

The overall intent of this policy is to establish a proper framework in which an academy disciplinary process can help build and reinforce a positive work ethic, self-discipline, and principled conduct in the recruit. Accordingly, MCOLES discourages a negative, punitive approach to discipline in the basic law enforcement academies. Instead, MCOLES encourages a positive, remedial approach through the use of sanctions.

As used in this policy:

(a) "Abuse" means to treat someone wrongfully or harmfully in an offensive or contemptuous manner.
(b) "Corporal punishment" means punishment inflicted on the body for the specific purpose of causing pain.
(c) "Disciplinary process" means an approved mechanism through which recruits, who have violated academy or MCOLES policies and procedures, are held accountable for their behavior.
(d) "Harass" means actions or activities intended to annoy, taunt, bait, torment, or insult.
(e) "Humiliate" means to degrade or disgrace another individual, particularly if done publicly.
(f) "Punishment" means a negative, demeaning, or aversive consequence resulting from an inappropriate behavior, action, or condition; punishment is an immediate, reactive response that temporarily suppresses behavior and is independent of the nature of the behavior.
(g) "Sanction" means a proactive corrective action for non-compliance with academy or MCOLES policies and procedures; a sanction is a remedial intervention intended to modify the observed behavior; a sanction is intended to further develop long-term positive behavior, rather than to temporarily suppress behavior.

3.5.01 Recruit Discipline

1. Academy directors shall establish a disciplinary policy, which shall include a process for infractions of academy or MCOLES policies and procedures. The academy director must also be aware of institutional rules or policies that may impact the decision to discipline a recruit and what authorized sanctions are appropriate. The overall intent of the disciplinary process shall be to remediate the recruit as a means to change behavior, bring about compliance with academy norms, and foster self-discipline. Any sanction shall be specifically correlated to the behavior being addressed. The disciplinary policy shall be approved by the academy's Training and Education Advisory Committee.

2. Academy directors shall have some discretion in creating the components of a disciplinary process, consistent with the intent of this policy. Academy directors and their instructional cadre shall not, under any circumstances:

   - abuse, humiliate, or harass a recruit;
   - negatively affect any training content;
   - foster negative conditions or context within the training environment;
   - administer sanctions unreasonably; or
   - jeopardize the health and safety of the recruit.

   Controlled violent or obnoxious behavior on the part of the instructional cadre or scenario role players shall be allowed if such actions are a legitimate part of a reality-based training exercise or experiential learning session.

3. The disciplinary process shall include sanctions for inappropriate behavior and marginal academy performance, which shall be specifically directed to correct a problem so the behavior will not likely recur. The sanction shall be based on the intent of this policy, the seriousness of the inappropriate behavior, any aggravating or mitigating factors, and previous recruit behavior. Sanctions must be task relevant, individualized and intended to create a positive behavioral change. Examples include tutoring, practice sessions, verbal counseling, and a progressive demerit system of discipline, reprimands, additional training, personal improvement plans, or poor performance ratings. Any sanction must be timely and consistent. All disciplinary actions must be thoroughly documented.

4. MCOLES discourages the use of punishment for infractions in the academy setting. Academy directors shall avoid punishment if other strategies or tactics to alter inappropriate behavior can be used – strategies or tactics that are task relevant and individualized. Punishment only temporarily suppresses inappropriate behavior. A permanent change, particularly in a learning environment, is difficult to achieve through punitive measures. Punishment shall be used on a very limited basis and shall be appropriate only in rare circumstances. Such circumstances include situations where there is a threat to life, a threat to the safety of the recruit or recruits, or other emergency situations. After any punishment is administered, the disciplinary process must include a mechanism to reinforce positive behavior.

Under no circumstances shall the training director or the instructional cadre use corporal punishment as an intervention for inappropriate behavior, or engage in disciplinary action that would jeopardize the health and safety of the recruit.

Chapter 3 – Unit 6

Basic Police Training Schools

Disciplinary Action for Rule and Academic Violations

POLICY

A recruit who does not meet all of the mandatory basic training requirements specified in this Chapter shall be dismissed from the basic training program. In addition, a recruit shall be temporarily removed from training or dismissed from the training program for violating any of the established Commission minimum Standards of Conduct (Rules) listed below. Recruits who violate the published and MCOLES approved rules of the training academy may be disciplined or dismissed from the training program in accordance with those rules and the rules of the Commission.

PURPOSE

Public Act 203 of 1965, as amended, Section 9 (2) stipulates that a person shall not be empowered to exercise the authority of a peace officer in Michigan unless the person has complied with the minimum employment standards published by the Commission. Therefore, a person who does not meet the basic police training requirements shall be dismissed from the training program. The Commission Rules of Conduct are intended to represent minimum standards of conduct and may be expanded upon by the approved institution if consent is given by the Commission.

PROCEDURE

3.6.01 Academic Dismissals and Extension Requirements:

All dismissals shall be well founded and documented.

1. The failure by any recruit to do any of the following is cause for dismissal:

    a. Successfully complete the prescribed course of study established in R28.14101(i) and R28.14311.

    b. Meet all the firearms, emergency vehicle operation, subject control, physical fitness, health and wellness and first aid performance requirements during the training session. For exceptions when applicable, refer to MCOLES approved exemptions in R 28.14314 (c) (i-iv).

2. The failure by any recruit to comply with administrative rules R 28.14314-R28.14317 shall be cause for dismissal from the basic police training academy.

3.6.02 The Commission has a "zero tolerance" policy for being under the influence of, or the possession, consumption, or use of, alcohol or illicit controlled substances (or without valid prescription) during training hours and designated lunch and break times. A violation of this policy shall be cause for dismissal. The Commission's protocols for determining violations of this policy are as follows:

1. Consuming or possessing alcoholic beverages, or reporting to any course showing a sign of use of alcoholic beverages is a violation of the "zero tolerance" policy. Zero tolerance means having a blood-alcohol content (BAC) above 0.00 as registered on a preliminary breath test (PBT) administered by a qualified operator.

2. Possessing or using a controlled substance, except pursuant to a valid prescription as declared on an accommodation form to the training director, is a violation of the "zero tolerance" policy. Drug testing procedures shall be conducted in accordance with the approved Commission Drug Testing Guidelines for law enforcement agencies in effect at the time for any controlled substance, notwithstanding the limited drug panel in effect.

3. At a minimum, an approved basic training academy shall have a written policy that enables the training director or his/her designee to test a recruit when the training director or an instructor determines there is reasonable suspicion to believe that the recruit is in violation of this policy. The policy shall be distributed to the recruits and shall stipulate that a recruit will be dismissed from the training program if the recruit:

    a. Registers a BAC above 0.00, or registers a positive test for controlled substance;
    b. Fails or refuses to report for testing; or
    c. Otherwise fails to comply with the testing protocols to obtain a valid sample.

3.6.03 Any of the following conduct is cause for disciplinary action up to and including dismissal:

1. Being dishonest in any form, including but not limited to academic dishonesty in relation to any testing process.

2. Engaging in behavior that is a violation of any criminal law. This includes violations of local, state, or federal laws or court ordered injunction.

3. Engaging in conduct that violates school or academy rules of conduct.

4. Failing to wear/use the mandatory accommodation(s) required to meet the Commission's minimum selection standards unless otherwise directed by the training director of the academy.

5. Engaging in conduct which compromises the recruit's ability to perform as a law enforcement officer, which includes any violation of the provisions of the Law Enforcement Code of Ethics, as adopted by the Commission.

   Harassment and discrimination.
   Inappropriate behavior can be physical or verbal, intentional or thoughtless; diminishes the public trust in law enforcement; is unethical; and can be illegal. Each institution operating an authorized MCOLES academy has established policies relative to hazing, harassment, and discrimination. For purposes of this policy, inappropriate behavior may consist of, but not limited to, any of the following behaviors and shall be thoroughly investigated by the training director for further disciplinary action or dismissal, if warranted. Violations shall also be brought to the attention of the institutional compliance officer for further review under published institutional policies.

   - Derogatory remarks, jokes, biased comments, racial epithets/slurs, or acts against another person or group because of their race, gender, religion, national origin, sexual orientation or gender identification, mental or physical disabilities, or social status.
   - Intentional discrimination based on a person's legally protected status
   - Sexual harassment and sexual discrimination due to inappropriate behavior that causes a hostile work/educational environment, unwelcomed sexual advances, requests for sexual favors, or intentional discrimination based on activity of a sexual nature.
   - Retaliation by anyone against a person reporting a violation of this harassment and discrimination policy is cause for discipline or dismissal.

3.6.04 If a Recruit is Enjoined by a Personal Protection Order (PPO):

1. The recruit shall immediately notify the training director of the academy of the existence of a personal protection order. A failure to do so shall be considered failure to disclose and shall be cause for discipline up to and including dismissal from the academy.

2. The recruit shall provide a copy of the order to the training director. The recruit shall also immediately file for a hearing before the Circuit Court requesting that said hearing be held as expeditiously as possible specifically for the purposes of adjudication.

3. The training director shall immediately advise MCOLES via telephone and in writing.

4. If the order contains an element of violence or stalking behavior, or the firearms prohibition section is applicable, the recruit shall not participate in training until the order is adjudicated. If these elements do not apply, a decision shall be made by the training director of the academy, after conferring with MCOLES, on a case by case

basis as to whether to allow the recruit to continue participating in training until the status of the order is adjudicated.

5. The training director shall conduct an investigation into the incident. The training director shall keep MCOLES apprised of the status and may consult with MCOLES at any time. Upon completion of the investigation, copies of all reports and related materials shall be forwarded to MCOLES. The reports shall be included in the recruit's training record.

6. If a recruit's absence due to a PPO violates the attendance policy, the training director shall follow the dismissal policy in Chapter 3, Unit 7.

3.6.05 If a Recruit is Charged with a Violation of Michigan Law, Local Ordinance, Federal Laws, or the Laws of any Other State, including Civil Infractions:

1. The recruit shall immediately notify the training director of the academy of the charges and the facts surrounding the case.

2. The training director shall immediately notify MCOLES of all violations, excluding civil infractions. If the violation is greater than that of a civil infraction, the training director shall initiate an investigation into the incident as he/she would any other rule violation. Copies of all reports pertaining to the investigation shall be forwarded to MCOLES and shall remain a part of the recruit's training record.

3. The recruit shall immediately be removed from training until the matter is completely adjudicated.

4. Depending on the results of the adjudication, a decision shall be made by the training director as to whether the recruit is still compliant with the minimum selection and employment standards. The training director of the academy shall then make a determination whether to return the recruit to training or dismiss the recruit from the current basic training program.

5. If a recruit's absence due to a criminal charge violates the attendance policy the training director shall follow the dismissal policy.

Chapter 3, Unit 7

Basic Police Training Schools

Recruit Dismissal and Appeal Procedures

POLICY

Basic police training programs shall follow the prescribed procedures for the dismissal of a recruit from an approved training session. A recruit and/or an agency shall be notified of the appeal procedure that shall be provided to all dismissed recruits and their employing law enforcement agency.

PURPOSE

This policy establishes a structured procedure to be followed in all dismissals. It provides for proper record keeping, documentation, notification, and due process regarding a recruit's appeal.

PROCEDURE

3.7.01 Dismissals and Appeals of a Basic Police Training Program Recruit.

1. The procedure to dismiss a recruit is as follows:

    a. The training director of the academy shall:

        (i) Conduct an investigation into the alleged violation and prepare a report.
        (ii) Notify the MCOLES and the employer, if applicable, immediately prior to taking any action.
        (iii) Notify the recruit, verbally and in writing, that dismissal action is being taken.
        (iv) Advise the recruit regarding the appeal process.
        (v) Report to the employer, if applicable, and the MCOLES in writing, within two (2) working days, that dismissal action was taken, delineating the documented reasons for dismissal.

    b. All voluntary or involuntary separations from any training facility shall be reviewed by Commission staff to ensure that the policies and procedures have been followed.

    c. A determination by MCOLES shall be made whether or not the recruit will be allowed to re-enroll into another basic training academy session. The academy shall also exercise discretion whether to enroll the recruit into academy session after an MCOLES determination.

2. The appeal procedure is as follows:

   a. A dismissal may be appealed to the Executive Director of MCOLES by a pre-service recruit or the agency of an employed recruit. The appellant must, in writing, advise the MCOLES of the intent to appeal and the rationale as to the objection to the dismissal within five (5) working days.

   b. A recruit may remain in the training session during the appeal process if the dismissal is for poor academic performance. During this time, the MCOLES and the training director reserve the discretion to limit the recruit's participation in the training activities based on the dismissal charges.

   c. A recruit shall be removed from the training session during the appeal process if the recruit fails to meet any of the employment standards in R 28.14203 (a–f) and R 28.14204.

   d. The Executive Director's decision regarding agency and pre-service recruit appeals is final.

Chapter 4

MCOLES Medical Accommodation Policy

Unit 1 Medical Investigations……. 120

Chapter 4 – Unit 1

Standards Compliance Investigations for Medical and Psychological Standards & Accommodation Policy for Training and Testing

(Rev. 10/2012)

POLICY

It is the policy of the Michigan Commission on Law Enforcement Standards (MCOLES) to ensure that candidates for enrollment into a basic training academy or seeking employment with a law enforcement agency are thoroughly screened to all the Commission's selection and employment standards by the enrolling academy or employing agency. This includes the medical standards published in administrative rule 28.14204.

The collection, recording and dissemination of necessary medical information and the procedures for conducting an investigation into a request for a reasonable accommodation to successfully perform the essential job functions shall be in accordance with the provisions of the Americans with Disabilities Act (ADA) and the Michigan Persons with Disabilities Civil Rights Act (MPDCRA). The sequencing of conducting an evaluation of a candidate's ability to perform the essential job functions prior to enrollment or employment is important in order to comply with the requirements of the ADA and the MPDCRA, and offer reasonable opportunities to candidates.

PURPOSE

The purpose of this policy is to provide guidance to MCOLES staff, academy training directors, and agency administrators so that all candidates seeking enrollment or employment comply with the administrative rules (28.14205, 28.14312, and 28.14411) and to ensure that all candidates are able to perform the essential job functions of a law enforcement officer position with or without a reasonable accommodation. All candidates are expected to perform all physical and non-physical requirements of the academy training.

PROCEDURE

4.1 Publication and Notification to Candidates of the Medical Selection Qualifications (R 28.14204) and Medical Review Procedures

1. The Commission shall publish the Medical Selection Qualifications and essential job functions of a Michigan law enforcement officer in as many forms as are available and practical so that individuals, agencies and academies have access to the standards and procedures in this policy.

2. Identified Commission staff, with the appropriate level of responsibility and knowledge, shall provide general information to anyone seeking information on the medical standards and investigation procedures; however, there shall not be any determination of an individual's qualifications or acceptance of any request for a reasonable accommodation until all the procedures in this policy have been completed.

3. Under the administrative rules, Basic Training Academies are required to have candidates obtain an individualized medical examination to determine the candidate's physical and mental condition. Those candidates who do not meet the standards shall be evaluated further to determine the potential for a reasonable accommodation. The academy staff alone do not have the final authority to approve a request for an accommodation. This determination shall be done in consultation with the candidate, MCOLES, and medical personnel. MCOLES may seek the advice of the academy training director during the investigation of a request for a reasonable accommodation for enrollment into the academy.

4.2 Standards Screening and Conditional Offers of Enrollment or Employment; Obtaining Medical Documentation; Confidentiality of Record

1. Basic training academies and law enforcement agencies are required to conduct non-medical and medical evaluations of applicants. Medical evaluations shall be in accordance with the ADA, the MPDCRA and the MCOLES administrative rules.

2. A recruit candidate for enrollment in an academy or a candidate for employment with an agency shall be thoroughly screened to the MCOLES non-medical standards (R 28.14203 and R 28.14312) and provided a conditional offer of enrollment or employment prior to the medical evaluation.

3. Basic training academy staff shall not provide a candidate with a medical screening package, or make inquiries or comments about a candidate's medical condition until all of the non-medical standards screening has been successfully completed and a conditional offer of enrollment has been provided in writing to the prospective pre-service recruit.

4. Academy training directors shall consult with medical professionals to ensure proper documentation of the medical evaluation; however, once it has been documented that a candidate does not meet one or more of the medical selection standards, the training director shall advise the candidate to contact MCOLES to discuss any request for a reasonable accommodation. Academy or agency medical screening, and a written request for accommodation, shall be completed fifteen (15) days prior of the beginning of the scheduled training session. This allows MCOLES staff enough time to investigate the request and make a determination. Recruit candidates who have not received a determination on a reasonable accommodation within 5 business days prior

to the start of the session shall not be admitted to the session. (R 28.14312(4), 28.14312(8), and R 28.14312(9))

5. Obtaining Medical Records for Review; Consultation with Medial Professionals and Law Enforcement Subject Matter Experts

    a. Candidates seeking an accommodation shall submit their request for a specific accommodation(s) in writing to the MCOLES medical investigator. Upon receipt of the request, the investigator or a manager shall verify that a conditional offer of enrollment or employment has been made and that the candidate has been successfully screened to all the non-medical standards. A properly executed Authorization for the Release of Information form shall also be submitted by the candidate. The candidate shall supply all the pertinent information requested by MCOLES, including medical or psychological history reports, to conduct an investigation.

    b. MCOLES may consult with medical or psychological professionals, in conjunction with the candidate, when considering the requested accommodation and whether the candidate can perform the essential job functions with or without an accommodation. In addition, MCOLES may also consult with law enforcement subject matter experts to assess whether the candidate can perform the essential job functions employing the requested accommodation.

    c. Candidates requesting an accommodation may be requested by MCOLES to be evaluated by medical, psychological professionals or law enforcement subject matter experts during this process. Failure to cooperate with these evaluations may be cause to deny further consideration of the candidate's application.

    d. Costs associated with consulting with medical or psychological professionals are the responsibilities of the candidate or agency. Waiving these costs must be approved by MCOLES administration. A process for payment may be established between the candidate, the medical consultant and MCOLES to facilitate the review process.

6. Record Keeping and Security of Medical Documents

    a. A standards compliance investigation number from the MCOLES Information and Tracking Network (MITN) shall be drawn and all pertinent information regarding a medical investigation shall be entered into MITN under separate secure access.

    b. Paper records shall also be maintained separately from other MCOLES investigations and non-medical documentation. These records may also be imaged into FileNet with separate secure access. Copies of all medical records received by MCOLES as well as all correspondence shall be maintained in these separate files.

4.3 Determination of Acceptance or Denial of a Request for an Accommodation; Notification to the Candidate; Appeal

1. After consulting with medical, psychological or law enforcement experts and the candidate, MCOLES staff shall make a determination whether the candidate can successfully perform the essential job functions with or without the requested accommodation, and whether the requested accommodation is reasonable. Input from the training director or prospective hiring agency may also be considered.

2. Previously identified accommodations may guide MCOLES staff in making determinations on a person's eligibility for enrollment or licensing. Through the development of medical and psychological standards, and through MCOLES historical and legal resources, reasonable accommodations have been identified or may be developed. Some of these accommodations have become part of the administrative rules.

3. The candidate shall be notified by MCOLES, in writing, of the determination. The notification shall include the option of an appeal to the Executive Director of MCOLES.

4. In accordance with R 28.14602 (Investigations) the time frames in the administrative rules may be extended for up to 90 days during an investigation.

Chapter 5

MCOLES Outstanding Performance Award Policy

Unit 1 Outstanding Performance Award……... 125

Chapter 5 – Unit 1

Basic Police Training Schools

MCOLES Outstanding Performance Award

POLICY

There shall be an award entitled "The Michigan Commission on Law Enforcement Standards Outstanding Performance Award." The award may be presented to an outstanding trainee in each Commission approved basic training session. The Commission shall be responsible for purchasing and presenting the award.

PURPOSE

The purpose of this policy is to provide recognition to basic training participants who exhibit high standards of performance measured by their mental, physical and moral fitness while in the training environment.

PROCEDURES

5.1.01 Description of Outstanding Performance Award and Criteria to be Measured

An award may be presented to the trainee who has demonstrated outstanding performance in the pre-service training program. Outstanding performance shall be measured by assessing the trainee's level of performance in the categories of knowledge, skill, leadership, interpersonal communication and appearance. Each of the 5 categories shall be given equal weight. The award shall be in the form of a plaque, entitled "Outstanding Performance Award".

5.1.02 Academy Session and Candidate Qualifications

An approved basic training program may nominate a graduate who has met the criteria for “The Michigan Commission on Law Enforcement Standards Outstanding Performance Award" as follows:

1. A pre-service program having 10 or more graduates may present an Outstanding Performance Award to one of its graduates.

a. The award should be made at a time when the presentation affords the best opportunity for student and public recognition such as a formal graduation ceremony, or an occasion when other awards are presented, e.g., a dinner.

b. The training director shall first identify students who performed in the top 20% of the class in each of the two categories of knowledge and skill. These students then will be rated according to Chapter 5, Section 5.1.03 below.

5.1.03 Rating the Candidates

Candidates for the award shall be in the top 20% of the class in each category of knowledge, skills, interpersonal communication, leadership, and appearance. The candidates with the highest total number of points will receive the award.

1. Knowledge (Rated by Training Director)

   a. Consideration shall be given to their in-house test score average, including the comprehensive legal examination.

2. Skills (Rated by Training Director)

   a. All skills that are taught where the student is required to physically perform are to be considered. These include, at a minimum, emergency vehicle operations, firearms, subject control, physical fitness and first aid.

   b. Consideration shall be given to their in-house test scores, both written and performance-based. Each skill should be rated individually. For the performance based area, only those who did not need remediation shall be eligible for consideration.

3. Interpersonal Communication

   a. Rated by recruits, training director, and academy staff who each have one vote.

   b. Considerations: How the recruit relates to fellow students and instructors: Do they speak in a clear voice, express their views in a clear, concise, and non-offensive manner; are they a willing listener?

4. Leadership

   a. Rated by recruits, training director, and academy staff who each have a singular vote.

   b. Considerations: Willing to follow a person because of the example they provide in a courteous, mature, positive attitude towards meeting the school's requirements and the Law Enforcement Code of Ethics (not acting officiously, talking about fellow students, etc.) Raters shall not consider any factors addressed

in other categories (appearance, communications, etc.)

5. Demeanor

    a. Rated by recruits, training director, and academy staff who each have a singular vote.

    b. Considerations: Hair, clothes, bearing, and carriage.

Tie Breaking

In the event of a tie, the tie will be broken by the training director due to the extensive and overall knowledge and background of the recruits.

5.1.04 Presentation Ceremony

The master of ceremonies for the graduation exercise shall schedule the MCOLES award to immediately follow the presentation of all other awards. The presenter shall be introduced by name along with the fact that a MCOLES award will be presented.

The presenter of the award shall be either a Commission member or a member of the MCOLES staff. The presentation shall be made in a uniform manner throughout the state so a traditional ceremony is established. The audience shall be informed of the name of the award, what is measured, and how the winner was determined.

Chapter 6

Mandatory In-service Training Policy

Unit 1	**Mandatory In-service Training Standards…….....**	**129**
Unit 2	**Active Duty Firearms……...**	**131**

Chapter 6-Unit 1

Mandatory In-Service Training Standards

POLICY

Pursuant to Administrative Rule 28.14210, the Commission may establish, maintain and update minimum training standards for Commission licensed law enforcement officers.

PURPOSE

The purpose of this policy is to fulfill the charged by Executive Reorganization Order 2001-2 to establish and implement law enforcement in-service training standards applicable to all licensed law enforcement officers in Michigan.

PROCEDURE

6.1.01 Establishment of In-Service Training Standards

1. The Commission shall establish in-service training standards that shall apply to all licensed law enforcement officers in the state of Michigan.

2. The Commission shall determine the subject areas and number of hours of in-service that will be mandatory.

3. The Commission shall determine a reporting procedure that will document compliance with the standard after an officer's successful completion.

4. The Commission shall establish a policy and procedure unit in the policies and procedures manual for each standard deemed mandatory.

Chapter 6-Unit 2

Mandatory In-Service Training Standards

Active Duty Firearms

POLICY

Pursuant to Administrative Rule 28.14210, The Commission may establish, maintain and update minimum training standards for commission licensed law enforcement officers.

PURPOSE

The purpose of this policy is to fulfill the charged by Executive Reorganization Order 2001-2 to establish and implement law enforcement in-service training standards applicable to all licensed law enforcement officers in Michigan.

On January 1, 2009 the active duty firearms standard took effect, having been adopted by the Commission in February 2008. The standard is mandatory for all Commission licensed law enforcement officers.

PROCEDURE

6.2.01 Minimum Standard

1. The active duty firearms standard is a minimum standard and is not intended to reduce or replace any in-service firearms training that may be in place at a law enforcement agency. Officers should continue to participate in hands-on firearms training in addition to this mandatory standard.

2. The standard shall be administered to Commission licensed law enforcement officers annually and it shall be the responsibility of the employing agency to ensure compliance.

6.2.02 Components of Standard

1. Knowledge Component (educational/decision making)

   The knowledge component of the standard contains seven behaviorally-based training objectives.

   a. Legal review of deadly force;

b. Assessing life threatening situations;

c. Employing sound tactics;

d. Appropriate discharge of the firearm;

e. Compliance with agency policies; and

f. Understanding of the Law Enforcement Officers Safety Act and Michigan's Concealed Carry Laws.

2. Skill Component

a. Live fire four-stage course of fire

i. Two yard stage (one target, 6 rounds)
ii Three yard stage (two targets, 6 rounds)
iii Four/seven yard stage (two targets, 10 rounds)
iv Ten yard stage (one target, 3 rounds)

6.2.03 Administration of Standard

1. Knowledge Assessment

a. Administration of this portion of the standard is left to agency discretion. Classroom techniques, e-learning and Simunitions® are all appropriate as long as the above listed seven objectives are met.

2. Skill Assessment

a. Firearms ranges shall support live fire with the distances required and must contain all rounds fired.

b. The primary handgun carried on-duty shall be used.

c. Instructors for the skills assessment shall have expertise in law enforcement firearms training. Completion of a nationally recognized firearms course or MCOLES approved instructor's course is required.

6.2.04 Reporting Compliance

1. All agencies will report the compliance of each Commission licensed law enforcement officer with this standard as part of the annual registration beginning in January 2010.

6.2.05 Additional Information

1. Additional detailed information of this standard can be found in the following support documents:

    a. Firearms Standard for Active Duty Law Enforcement Officers-Performance Standards and Course of Fire

    b. Firearms Standard for Active Duty Law Enforcement Officers-Resource Materials

Chapter 7

Recognitions of Prior Training and Experience Program and Testing

Unit 1	**Establishing a Recognition of Prior Training and Experience Program and Test Site……...**	**134**
Unit 2	**Program Administration……**	**137**
Unit 3	**Mandatory Program Curriculum and Qualifications for Exemptions; Remedial Training for Failed Skill Assessment……...**	**139**
Unit 4	**Minimum Qualifications and Application Requirements; Enrollment and Attendance; Completion Requirements; Eligibility for Licensing Exam; and Timeframes…….....**	**142**

Chapter 7 – Unit 1

Establishing a Recognition of Prior Training and Experience Program and Test Site

POLICY

A Recognition of Prior Training and Experience training program and test administration shall only be administered by an approved regional basic training school or pre-service basic training college or university.

PURPOSE

The MCOLES is responsible for establishing Recognition of Prior Training and Experience training programs and test sites under the authority of the administrative rules R 28.14401 through 28.14414, and Public Act 203, of 1965, as amended.

PROCEDURE

7.1.01 Approval to Institute a Recognition of Prior Training and Experience Training Program or Test

Administration

An MCOLES approved regional basic police school or preservice basic training college or university interested in establishing a Recognition of Prior Training and Experience Program shall submit to the MCOLES Executive Director an operating plan, or an addendum to their annual academy operating plan, as described in Chapter 2, Unit 2.1.01 of the Basic Law Enforcement Training Program policies and procedures, addressing the following information:

a. A description of the facilities and equipment available.

b. The nature and scope of financial and philosophical commitment.

c. Identification of the person responsible for program administration.

d. Authorization to the MCOLES to inspect all aspects of the Recognition of Prior Training and Experience program and to copy any documents.

e. Identification of the proposed curriculum, scheduling sequence, and instructors.

f. A statement acknowledging compliance with the MCOLES policies and procedures, including compliance with the mandatory curriculum and skill assessments described in Chapter 7, Unit 3 (7.3.01) below.

7.1.02 Commission Approval, Denial; Academy Appeal Process; Revocation of Approval; Probation; Suspension

1. The Commission's approval shall be obtained in writing before instituting a Recognition of Prior Training and Experience training program.

2. The Commission may deny requests that:

   a. Are incomplete or inappropriate as determined by the Commission;

   b. Compromise the established regional delivery system;

   c. Require a financial commitment by the Commission; or

   d. Have inadequate facilities and equipment.

3. An academy may appeal the Commission's decision to deny the application proposal using the appeal procedures as described in Chapter 2, Unit 1, 2.1.01(7) of the Basic Law Enforcement Training Program policies and procedures.

4.. The Commission may revoke the approval of, or place on probation or suspension, an approved RPTE program and testing site for violation of the administrative rules or these policies and procedures in accordance with R 28.14309. Appeals may be made in accordance with R 28.14310 of the Basic Law Enforcement Training Program policies and procedures.

Chapter 7 – Unit 2

Program Administration

POLICY

It is the policy of the Commission that the responsibility for the administration of the Recognition of Prior Training and Experience program (RPTE) be assigned to the training director or Program Administrator of the MCOLES approved regional basic police school or preservice basic training college or university to perform specific duties at an approved and test administration location, or to assign specific duties in this policy to a Program Coordinator.

PURPOSE

This policy assigns specific responsibilities to specific individuals who will provide administrative oversight for the Recognition of Prior Training and Experience training program.

PROCEDURE

7.2.01 Administrative Responsibilities and Duties

1. The Program Administrator of an approved MCOLES regional or preservice basic training program shall provide proper facilities and equipment for the program/test. (See Chapter 3, Unit 3 of the Basic Law Enforcement Training Program policies and procedures)

2. The training director of an approved MCOLES basic training program shall assume the following responsibilities and duties, unless a designated program coordinator, who shall assume these responsibilities and duties, has been identified by the training director and recognized by MCOLES:

    a. Allow the MCOLES to inspect all aspects of the approved RPTE program and to copy any documents.

    b. Attend or be represented at all the MCOLES Recognition of Prior Training and Experience program mandatory meetings and conferences.

    c. Ensure that the approved program is in compliance with the Commission approved policies and procedures and promulgated rules.

    d. Receive and process program/test fees.

e. Provide the MCOLES and applicants with enrollment schedule information using the MCOLES Network.

f. Provide program/test participants with lodging locations and cost information.

g. Assemble training materials and mail the materials to all enrolled participants.

h. Establish and maintain a roster of program/test participants using the MCOLES Network.

i. Provide a liaison person to work with the MCOLES testing coordinator prior to and during testing.

j. Provide financial analysis to the MCOLES upon request.

k. Notify the MCOLES of any changes in the structure or content of the approved Recognition of Prior Training and Experience training program not less than 90 days before the start of the program.

l. Maintain direct supervision/administrative control over the Recognition of Prior Training and Experience training program.

m. Utilize fully qualified and competent instructors as required in the Basic Law Enforcement Training Program policies and procedures, Chapter 3, Unit 2.

n. Orient instructors as to the rules and requirements of the Recognition of Prior Training and Experience training program and provide each instructor with a program outline, training material content, training aids, and information on related subjects in the Recognition of Prior Training and Experience training program.

o. Establish rules regarding the use of firearms during the firearms course familiarization portion of the Recognition of Prior Training and Experience program.

p. Ensure that all participants' firearms are inspected for safety by a certified armorer prior to use.

q. Conduct skill performance assessments in accordance with the qualifying standards established in the instructor manuals described in Chapter 3, Unit 1, 3.1.03(c). Currently, firearms skills is the only performance standard required for the RPTE program.

r. Document passing or failing scores on approved MCOLES forms and record these scores in the MCOLES Network.

Chapter 7 – Unit 3

Mandatory Program Curriculum and Qualifications for Exemptions; Remedial Training for Failed Skill Assessment

POLICY

It is the policy of the Commission to recognize the prior basic law enforcement training of a preservice recruit who has completed an approved MCOLES basic law enforcement training and who was previously eligible for employment in accordance with R 28.14406. Additionally, it is the Commission's policy to recognize the prior basic law enforcement training and related law enforcement experience of previously licensed Michigan officers in accordance with R 28.14403, officer candidates from other states (R 28.14404) and current and former Michigan Tribal officers (R 28.14405).

PURPOSE

The purpose of this policy is to identify the mandatory curriculum required for successful completion of the Recognition of Prior Training and Experience Program and under what circumstances the exemptions may be granted for delivering, and attendance in, the mandatory curriculum. In accordance with R 28.14408, the Commission shall establish the required curriculum components for the RPTE Program and the criteria and qualifications for exemption from various parts of the curriculum which shall be published in these policies and procedures.

PROCEDURE

7.3.01 Mandatory Curriculum Program

1. The approved RPTE Program Site shall deliver the Mandatory Curriculum in a program and within a schedule approved by the Commission.

2. Knowledge Component Review

    a. Criminal Law and Procedure

    b. Motor Vehicle Code

    c. First Aid and CPR (Basic Life Support, CPR for Adult, Child and Infant standard). A participant in either the mandatory program or just the skill assessment shall possess a valid First Aid and CPR card as evidence of meeting this requirement prior to being allowed to take the licensing examination.

3 Police Skills Component

a. Time shall be allocated for firearms skills development for those participants in the full program desiring additional range time during the program. The module shall be a condensed refresher version covering firearms and range safety, and skill practice with the handgun, shotgun and/or rifle.

b. Mandatory skill assessments in compliance with the minimum qualifications as described in the relative instructor manual. Currently, firearms assessments are the only mandatory skill area assessment.

7.3.02 Required Performance Examinations; Criteria and Qualification for Exemptions from Participation; Remedial Training Courses and Requirements

1. Preservice participants shall comply with the attendance and academic requirements in Chapter 7, Unit 4, 7.4.02(4). Previously certified or licensed law enforcement officers shall have the option of attending the mandatory programs; however, all candidates shall participate in the police skills performance assessment described below in subsection 2.

2. All participants shall complete the police skill area assessments in accordance with the qualifying standards established in the instructor manuals described in Chapter 3, Unit 1, 3.1.03(c). Currently, firearms skills is the only performance standard required for the RPTE program. Future skill performance requirements developed shall be published in this manual along with the criteria and qualifications for exemption, if any.

3. A person who fails a second assessment on no more than one police skill area shall enroll in and successfully complete an approved remedial training course in the failed skill area to improve their skills in order to become eligible for the licensing examination in accordance with R 28.14410(5). The personal shall do the following:

   a. Apply to, and be accepted in, an approved basic training academy's firearms training session or an approved in-service firearms training program. The remedial training course shall consist of a minimum 16 hours of training covering firearms safety, handling, shooting skills, and tactics.

   b. Pay the costs associated with enrollment and training.

   c. Participate in 100% of the classroom, range practice, drills, and assessments of the remedial training course.

   c. Successfully complete the entire remedial training course, including any of the required written tests and/or skill assessments of the remedial course. Successful completion shall be reported to MCOLES by the training academy

or in-service training provider in writing prior to the participant taking the MCOLES mandatory firearms assessment for completion of the RPTE program.

d. Successfully complete the entire MCOLES mandatory firearms assessment at an approved MCOLES basic training academy or RPTE testing site within one year of initial approval by MCOLES for enrollment in the RPTE program.

Chapter 7 – Unit 4

Minimum Qualifications and Application Requirements; Enrollment and Attendance; Completion Requirements; Eligibility for Licensing Exam; and Timeframes

POLICY

It is the policy of the Commission to ensure that only qualified applicants who reasonably expect to meet the selection and employment standards are eligible to enroll in an approved RPTE program. Furthermore, it is the Commission's policy that certain attendance and completion requirement for the program, with appropriate exemptions, are established to confirm an applicant's ability to meet the MCOLES minimum educational and police skills assessment.

PURPOSE

The MCOLES is responsible for preparing and publishing standards in the policies and procedures manual for the purpose of granting a RPTE application to those individuals who qualify and the completion requirements under the authority of PA 203, of 1965, as amended, and the administrative rules 28.14401 et seq.

PROCEDURE

7.4.01 Minimum Qualifications; Application Requirements

1. A person may apply who meets the requirements as stated in R 28.14403, R 28.14404, R 28.14405, or R 28.14406.

2. A person making application shall:

   a. Complete an application for enrollment in the RPTE program. This application shall be made available to the potential applicant via the MCOLES web site at www.michigan.gov/mcoles The application shall consist of the following:

      (i) Information sufficient to identify the applicant and a history of his or her employment and training experience;

      (ii) A form to obtain a criminal history report from the state of Michigan and federal records based on a fingerprint search via LiveScan;

      (iii) An authorization for the release of information form approved by the Commission;

      (iv) A personal history statement form; and

(v) A letter mailed directly to MCOLES from previous law enforcement employers indicating the following:

The applicant has been previously employed as a certified or licensed law enforcement officer; the number of hours (years and months) worked; the officer was paid in accordance with the Fair Labor Standards Act; and separated from the department in good standing, remains employed in good standing, or separated on terms less than good standing.

(vi) An acknowledgement by the applicant that they have reviewed the selection and employment standards and attesting that he or she reasonably expects to meet the requirements.

b. An incomplete application shall be rejected and returned to the applicant for further completion

c. An applicant who has not separated from a law enforcement agency in good standing, or has unresolved questions as to their ability to meet any of the selection and employment standards, shall have their applications turned over for investigation in accordance with R 28.14602.

d. An application not approved within 90 days of receipt due to an investigation or an incomplete application shall be deemed inactive and the applicant shall be notified in writing to reapply.

e. The Executive Director's review and determination shall be final. In accordance with R 28.14203(k), an applicant denied entry into the RPTE program shall not be eligible to reapply for two (2) years unless provided otherwise in the administrative rules.

3. Upon approval of the application, MCOLES shall send a letter to the applicant indicating the approval and any other terms or requirements for enrolling into an approved RPTE session. If MCOLES is aware that the applicant is in the process of being licensed with a previous employer, or known to be in the screening process for hiring by an employer, the approval letter shall also be sent to the employing agency.

7.4.02 Enrollment and Attendance Requirements

1. An approved applicant shall enroll in an approved RPTE session within three (3) full months of the date of the approval letter (e.g., approval in May, enrollment by the August session). For good cause, an applicant may request an extension for

enrollment. The request shall be in writing and detail the reasons for the request. An extension shall be allowed for one, 3-month period from the original expiration (e.g., last available enrollment date in August; extension allowed through November). A request for an extension shall be made prior to the expiration of the pending extension. An applicant not requesting an extension in a timely manner shall reapply for approval.

2. An applicant shall comply with the directions indicated in the approval letter in order to be enrolled in the RPTE session, including registering and paying for the licensing examination in the manner prescribed within 5 business days prior to enrollment.

3. Upon enrollment, the applicant shall execute the Commission's affidavit of compliance relative to the applicant's background and eligibility requirements.

4. A preservice graduate seeking an additional year of eligibility shall enroll in the entire mandatory curriculum program session offered by the RPTE training location. A preservice graduate shall attend a minimum of 90% of the training session to be eligible for participation in the mandatory police skills assessments and licensing examination. A preservice attendee shall successfully complete any examination administered during the session with a minimum score of 70%.

5. A previously certified or licensed law enforcement officer may attend the approved RPTE course session as an option refresher course.

6. All RPTE preservice and previously certified or licensed law enforcement officers shall attend the full program shall attend 100% of all mandatory MCOLES police skills assessments as described in Chapter 7, Unit 3 (7.3.02) to be eligible for the licensing examination.

7.4.03 Course Completion Requirements; Remedial Training Policy; and Eligibility to Take the Licensing Examination.

In order to successfully complete the RPTE program an enrolled participant shall:

1. Comply with the attendance policy, if applicable, in Chapter 7, Unit 4 (7.4.02) above.

2. Attain a qualifying score on the mandatory MCOLES skills area assessments prior to taking the licensing examination. A participant who fails to attend or successfully complete a full attempt in an assessment of a skill area shall be given a failing score for the entire assessment.

3. Successfully complete the RPTE session within three (3) months of the initial enrollment. Exceptions to this completion requirement are listed in R 28.14410(5).

4. A student who fails a second assessment in no more than one skill area does not qualify to take the licensing examination. An individual who fails no more than one skill assessment may enroll in and shall successfully complete an approved remedial skills training course as described in Chapter 7, Unit 4 (7.4.02) in order to be eligible to take the licensing examination

5. In order to be eligible to take the licensing examination, participants shall successfully complete the RPTE program as required in R 28.14409(1) and this policy. The licensing examination shall be taken within one year of the session end date, including the time associated with remedial training in R28.14410(5)-(7) and Unit 7.3.02(3) above. If the participant fails the first attempt at the licensing examination, she or he is eligible to take only one retest regardless of the timeframe. Participants who do not successfully pass the first attempt on the licensing examination shall:

    a. Be allowed only one (1) additional opportunity to successfully complete the licensing examination at another scheduled test administration, regardless of timeframe

    b. In the event of a failure on the second attempt on the licensing examination, a person shall be required to successfully complete an approved MCOLES basic law enforcement training academy and then pass the licensing examination to become eligible for law enforcement licensing.

7.4.04 Eligibility for Licensing; Timeframes

1. To be eligible for law enforcement licensing, the participant shall do all of the following:

    a. Successfully complete the requirements of the Recognition of Prior Training and Experience Program in R 28.14407 through R 28.14410.

    b. Continue to meet all of the selection and employment standards in R 28.14203(a) through (j), except (g) and (i), and R. 28.14204. Prior to being employed as a law enforcement officer, be screened by the agency to all of the standards and report compliance to MCOLES in accordance with R 28.14205 and either R 28.14206 or R 28.14207, as applicable.

2. The eligibility timeframe for law enforcement licensing is 12 months from successfully completing the RPTE Program, or taking the first attempt on the licensing examination, whichever comes first.

3. To remain eligible for the licensing examination, each candidate for shall possess a valid basic life support first aid card and a valid adult, child and infant CPR card. A candidate shall provide proof of the first aid and CPR requirements upon taking the licensing examination.