

In-Service Training Guidelines for Kansas Law Enforcement



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In-Service Training Guidelines Document dated May 30, 2012.
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REVISIONS

AND/OR

NEWLY ESTABLISHED GUIDELINES

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IN-SERVICE TRAINING GUIDELINES FOR KANSAS LAW ENFORCEMENT

I. IN-SERVICE TRAINING

In-service training is that training required by law of certified Kansas police or law enforcement officers. Kansas law requires each certified, full-time, employed officer to receive 40 hours of such training annually.

II. THE ON-GOING TRAINING REQUIREMENT

Each certified Kansas officer must, beginning the second year after receiving certification, and *to retain his or her certification*, satisfy an in-service training requirement. After satisfactory completion of a basic law enforcement training course for full-time law enforcement or police officers (officers employed by a state, county, or city who work at least 1,000 hours annually) a Kansas officer must receive 40 hours of law enforcement training. K.S.A. 74-5607a (b) states:

“Beginning the second year after certification, every full-time police officer or law enforcement officer shall complete annually 40 hours of law enforcement education or training in subjects relating directly to law enforcement. Failure to complete such training shall be grounds for suspension from work without pay until such training is completed. The director with the approval of the commission shall adopt rules and regulations regarding such education or training. Such education or training may include procedures for law enforcement to follow when responding to an allegation of stalking. Every city, county and state agency shall annually send to the director certified reports of the completion of such education or training. The director shall maintain a record of the reports in the central registry.”

III. THE STATUTORY MANDATE

A. THE ANNUAL IN-SERVICE TRAINING REQUIREMENT

Again, beginning the second full Kansas Law Enforcement Training Center Fiscal Year after certification, full-time police officers or law enforcement officers shall comply with the annual in-service training requirements. K.S.A. 74-5607a(b).

Question: What does “the second full year after certification” mean?

Answer: **The Central Registry operates on a *fiscal year* basis. In other words, the “training year” for in-service training compliance purposes runs from July 1 through June 30.**

EXAMPLE: *Officer A* graduates from KLETC on May 1, 1996. To determine in which year his in-service requirement is triggered, remember to use the fiscal year. So, the first *full fiscal year after May 1, 1996*, runs from July 1, 1996, through June 30, 1997; the second full year starts on July 1, 1997. It is in that *second full year* that the in-service obligation begins. Accordingly, *Officer A* must complete 40 hours of in-service training between July 1, 1997, and June 30, 1998, and each year thereafter.

Question: *Who must comply with this law?*

Answer: **All Certified full-time Kansas officers. This includes full-time officers who fit into any of these categories:**

- **“Grandfathered” Officers.** Those who received permanent appointments as full-time police officers or law enforcement officers prior to July 1, 1969.
- **Kansas Academy Graduates.** Officers who graduated from a basic course of instruction offered at the Kansas Law Enforcement Training Center, or a certified state or local law enforcement training school.
- **“Reciprocity Certified” Officers.** Officers who received their initial certification from another state *and* who have been granted reciprocity certification by the Director of Police Training pursuant to K.S.A. 74-5608a.
- **Railroad Officers.** Officers employed by railroads in Kansas who do not qualify for the federal certification exemption.

Question: *Who has the responsibility to see that an officer receives the required 40 hours of in-service training?*

Answer: **K.S.A. 74-5607a(b) imposes upon THE INDIVIDUAL OFFICER the obligation to receive the training. In other words, it is ultimately up to the officer to ensure that he/she receives the required training.**

However, K.S.A. 74-5617(g) requires the officer’s *agency* to provide the *opportunity* to receive training; in other words, the agency must take reasonable steps to allow its officers the opportunity to obtain the required number of training hours.

B. EXTENSIONS, WAIVERS, AND MODIFICATIONS OF THE REQUIREMENT

In certain cases, the Executive Director of the Kansas Commission on Peace Officers’ Standards and Training (KS-CPOST) may modify, extend, or waive an annual in-service training requirement. K.S.A. 74-5607a(d) states:

“...The director...may extend, waive or modify the annual continuing education requirement, when it is shown that the failure to comply with the [mandated in-service training requirement] was not due to the intentional avoidance of the law...”

Requests for modifications, extensions, or waivers of the in-service training requirement shall be considered on a case-by-case basis; such requests must be directed, in writing, to the Director.

1. Extensions

Requests for extensions of the time period in which to satisfy the in-service training requirement must be submitted to the Director using KSCPOST form CR323, Extension/Modification/Waiver Request; the request must be signed by the agency head or appointing authority, and shall set forth the grounds upon which the request is based.

Generally, the extent of an in-service delinquency determines the length of any extension the Director may grant. Extension lengths shall run from the last day of the training year (June 30th) and will, in the absence of extenuating or special circumstances, be as follows:

<u>Hours Delinquent</u>	<u>Extension Length</u>
1-4	60 days
5-10	75 days
11-20	90 days
21-30	120 days
31-40	160 days

2. Modifications

Generally speaking, modifications of the annual in-service training requirement are appropriate only when an officer, previously-certified *in Kansas*, has left Kansas law enforcement service but then returns to work as a Kansas officer. Requests for modifications must be submitted to the Director on agency letterhead; the request must be signed by the agency head or appointing authority, and shall set forth the grounds upon which the request is based.

For example, *Officer A* is a certified Kansas law enforcement officer. He leaves service as an officer and is employed outside the law enforcement area. However, he later is re-employed as a Kansas officer during another training (KLETC Fiscal) year. The extent of his in-service training obligation for that year must be determined. Generally speaking, these guidelines control that determination:

- An officer previously certified in Kansas, hired ***during the period of July 1 through December 31***, and has a *full 40-hour in-service training obligation*.
- An officer previously certified in Kansas, hired ***during the period January 1 through March 31***, has a *twenty (20) hour in-service training obligation*.
- An officer previously certified in Kansas, hired ***during the period April 1 through June 30***, has *no in-service training obligation*.
- Cases involving officers who terminate employment ***but then return to employment as officers during the same fiscal year***, or cases ***involving officers who change employment status (i.e., from full to part-time) during the same fiscal year***, will be reviewed on a case-by-case basis.

3. Waivers

The Director may waive, in whole or part, an officer's in-service training obligation when, due to circumstances that do not demonstrate intentional avoidance of the law, the officer was unable to satisfy the obligation. For example, extended medical leaves, or other situations necessitating extended absences from work, may prevent an officer from obtaining in-service training. In such cases, the Director may, upon proper application, grant a whole or partial waiver of the in-service training requirement.

Requests for waivers must be forwarded to the Director and must specify the grounds upon which the request is made. The request must be made on agency letterhead, must be signed by the agency head or appointing authority, and must be accompanied by supporting documentation. Supporting documentation must set forth the dates of the officer's absence from work, and it must be shown that the in-service obligation would, unless waived, be unduly burdensome for the officer/agency.

4. Director's Discretion

The Director may depart from the general guidelines described in this document when, in the exercise of his discretion, he finds that extenuating or special circumstances so dictate.

IV. TRAINING GUIDELINES

Compliance with these guidelines should ensure that training will meet all requirements for ultimate approval and crediting to all officers' Central Registry training records.

A. MINIMUM REQUIREMENTS

To be considered for application toward satisfaction of an officer's in-service training requirement, all courses of instruction must meet certain minimum requirements. They must, pursuant to K.S.A. 74-5607a(b):

- **RELATE DIRECTLY TO A LAW ENFORCEMENT TOPIC**

And they also must

- **BE APPROVED IN ADVANCE BY THE AGENCY HEAD OR THE AGENCY HEAD'S DESIGNEE.**

1. Training Sources

Training submitted to satisfy the annual in-service training requirement may be obtained from a variety of sources, as long as the training meets all requirements set forth herein. Sources may include, but are not necessarily limited to, agency training; training received from an accredited institution of higher learning, such as a university or community college; workshops; seminars; specialized schools; and certain video/satellite-based training materials. In-service credit may also be earned by teaching/instructing law enforcement courses, or by delivering law enforcement training as an approved Field Training Officer (FTO). Requirements for each of these sources are listed in this document.

a. University/college/community college credits

University, college, or community college credits earned may be applied toward satisfaction of the annual in-service requirement if:

- **They are earned during the applicable training year;**
- **They are earned in subjects related directly to law enforcement;**
- **They are earned from an accredited institution; *and,***
- **They are earned with the agency head's approval.**

Such credits will be counted as 15 hours of training per semester credit hour earned. *For example*, an officer who receives credit for a three credit hour course in Juvenile Delinquency should be credited with 45 in-service hours. Obviously, such credit would entirely satisfy the officer's in-service training requirement for that year.

b. Agency training

Kansas law enforcement agencies may offer and develop in-service training programs for their own officers, and may also make those programs available to officers from other agencies. Such programs may be developed by any person approved by the agency head. Completion of such training may be applied toward satisfaction of the annual in-service requirements if:

- **The course relates directly to a law enforcement topic;**
- **The course is approved in advance by the agency head or the agency head's designee; and,**
- **Instructors of the course conducted solely as departmental in-service training are approved and recognized by the agency head as being qualified to instruct the subject matter.**

Note: Special rules apply to in-service firearms training. See Paragraph IV.A.1.e, below.

c. Workshops, seminars, and out-of-state training

Training received by officers in workshops and seminars that are not delivered by their agencies, and from direct attendance at out-of-state classes, seminars, and workshops, may be applied toward satisfaction of annual in-service requirements if:

- **The course relates directly to a law enforcement topic; and**
- **The course is approved in advance by the agency head or the agency head's designee**

Upon request, agency heads shall provide proper documentation that such training is job related, required, and/or useful to the department.

d. Instructor credit

Officers may earn in-service training credit by teaching other officers. Such teaching or instructing may be applied toward satisfaction of the annual in-service training requirement if:

- **The officer is recognized and approved, in advance, as being qualified to instruct the subject matter by the provider of the training;**
- **The course taught relates directly to a law enforcement topic; and,**
- **The course is taught, in a classroom environment, to at least one other officer; courses of “self-instruction” are not acceptable for in-service training credit.**

1. Law enforcement officer audience requirement

Instructor credit shall be granted only in those instances where officers teach other officers, or other officers are included in the instructor’s audience. *Instruction delivered to non-law enforcement audiences will not be applied toward satisfaction of the annual in-service training requirement.* For example, a class taught by an officer to a public school class does not qualify as instructor credit for in-service training purposes.

2. Instructor credit limit

Only twenty (20) hours of instructor credit may be used to satisfy the annual in-service training requirement. In other words, an officer who instructs other officers for 20 hours must also obtain 20 hours as a student.

e. Firearms training

Any agency conducting firearms training programs shall meet certain minimum requirements.

1. Instructor qualifications

Any individual instructing a firearms training program must be a certified police firearms instructor *or* an individual recognized by the agency head as being qualified to instruct such a program.

2. Course Content

A qualification course, or in-service firearms training program, must be approved by the agency head.

3. Course of fire & qualification standards

Courses of fire and qualification standards shall be approved by the agency head and should be designed to reflect competency in the use of police firearms.

4. Instructor presence

At least one firearms instructor who meets the requirements of Paragraph IV.A.1.e.1. above must be present during firearms qualifications.

5. Firearms training credit limit

Only sixteen (16) hours of requalification time may be used to satisfy the annual in-service training requirement.

6. Annual qualification recommendation

Every officer who is required, or allowed, to carry a firearm by an agency must qualify at least once per training year with that weapon.

f. Field training officers

Training delivered by an officer in his/her capacity as an approved Field Training Officer (FTO) may be applied toward satisfaction of the FTO's annual in-service training requirement if that delivery meets certain minimum requirements.

1. Minimum FTO training requirements

To receive in-service training credit for the delivery of training as an FTO, the FTO must, *prior to delivering training in the capacity of an FTO*, have successfully completed a formal training program for field training officers of at least sixteen (16) hours which has been approved by the agency head.

2. Minimum program requirements

To receive in-service training credit for the delivery of training as an FTO, the FTO must deliver the training in a program meeting these minimum requirements:

- **Formalized lesson plans outline all phases of the program;**
- **The program must be a minimum of twelve (12) weeks in length;**
- **The program must provide for at least weekly written evaluations of the trainee by the FTO; a minimum of twelve (12) evaluations must be completed; *and*,**

- **The FTO must have at least twenty (20) contact hours with his/her trainee.**

3. Program manual approval

No FTO may receive in-service training credit for delivering training as an FTO unless, *prior to the delivery of that training*, the agency head has submitted a copy of the agency's field training officer manual to the Director of the Kansas Law Enforcement Training Center. The manual shall include a list of all field training officers who meet the FTO training requirement set forth in Paragraph IV.A.1.f.1. above. The Director shall immediately forward the program particulars and manual, for review and approval, to the Kansas Law Enforcement Training Commission committee established for such purpose.

4. FTO Training Credit Limit

Only twenty (20) hours of delivery of training as a Field Training Officer may be used to satisfy the annual in-service training requirement.

g. Travel time

Time spent traveling to, or from, training sites and programs does not qualify as training and will not be applied toward satisfaction of the annual in-service training requirement.

h. Video/computer/multi-media/online e-Learning/satellite-based training

Advancing educational and training technologies have made new training sources available to Kansas agencies. These sources include video tape; multi-media resources such as computer-driven compact discs (CD-ROM); and training delivered by satellite transmission, such as LETN, or compressed video such as Telenet 2 and online e-Learning classes. Receipt of training via these mediums may be applied toward satisfaction of the annual in-service training requirement if that training meets certain minimum standards and requirements.

HOWEVER, ONLY TWENTY (20) HOURS OF THIS TRAINING, IN THE AGGREGATE, MAY BE APPLIED TOWARD PARTIAL SATISFACTION OF THE ANNUAL IN-SERVICE TRAINING REQUIREMENT. In other words, officers cannot receive 40 hours credit if they attend 20 hours of video- tape training and 20 hours of tested online e-Learning training; rather, they will receive only 20 hours.

1. Video training

Time spent viewing law enforcement-related video training, such as direct video tape or film viewing; computer-based compact disc (CD-ROM) viewing; laser disc viewing; or watching video training sessions broadcast via satellite, or delivered by compressed video or desktop video-conferencing may be applied toward partial satisfaction of the annual in-service training requirement if:

- The agency head, or their designee, approves such training in advance and the training is directly related to law enforcement;
- Viewing of the video, film or disc occurs in a classroom setting; and
- A training coordinator or other department official is present to facilitate discussion or answer questions. A training coordinator need not be present if a post-viewing objective-based examination covering the instructional material is administered to the student by the agency head and/or their designee, or administered via computer, and the student has no access to the examination or the computer system to affect, alter, or destroy the examination questions or examination results;
- The student achieves a minimum passing score of 70% or above on a post-viewing examination, scored by the agency head, their designee, or the computer. A passing score of 70% or above is required before the training hour(s) received may be applied toward partial satisfaction of the in-service training requirement.

i. Tested video training limit

Only twenty (20) hours of video training may be applied toward satisfaction of the annual in-service training requirement.

ii. Records requirement

All post-viewing examinations administered, and their results, shall be maintained by the agency for five years from the date the examination was administered. These records shall be made available for inspection upon request.

2. Tested online e-Learning instructional training

Training received via online e-Learning instructional training programs utilizing computer-generated or agency-administered testing may be

applied toward partial satisfaction of the annual in-service training requirement if:

- The training program is conducted on a designated computer in a recognized learning environment such as, but not limited to, an agency's designated training classroom, a community college or university, or other recognized training classroom site or any other computer and venue as approved by the agency head;
- The training program is approved by the agency head or their designee, and the instructional topic is related directly to law enforcement;
- An examination covering the instructional material is administered to the student by the agency head and/or their designee, or administered via the computer as part of the online e-Learning class or course, and the student has no access to the examination or the computer system to affect, alter, or destroy the examination questions or examination results;
- The student achieves a minimum passing score of 70% or above on an examination, scored by the agency head, their designee, or the computer as part of the online e-Learning class. A passing score of 70% or above is required before the training hour(s) received may be applied toward partial satisfaction of the in-service training requirement.

i. Tested online e-Learning instructional training limit

Only twenty (20) hours of training via tested online e-Learning instructional training hours may be applied toward partial satisfaction of the annual in-service training requirement.

ii. Records requirement

If an examination at the completion of the online e-Learning training is administered by the agency head or designee, the examinations administered, and their results, shall be maintained by the agency for five years from the date the examination was administered. If the testing occurs as part of the online e-Learning class or course, the agency shall only be required to maintain a record that the officer successfully completed the class or course. These records shall be made available for inspection upon request.

3. Live, interactive multimedia training

Time spent viewing live law enforcement-related training delivered by streaming or video file format, satellite transmission, desktop video-conferencing such as Telenet 2 or other interactive live media where an instructor, facilitator or training coordinator is present at the delivery site to answer questions during the training program, may be applied toward partial satisfaction of the annual in-service training requirement if:

- **The agency head, or their designee, approves such training in advance and the training is directly related to law enforcement;**
- **Viewing of the live, interactive training must occur in a recognized learning environment such as, but not limited to, an agency's designated training classroom, a community college or university, or other recognized training classroom site or any other venue as approved by the agency head;**
- **Only twenty (20) hours of live, interactive multimedia training may be applied toward satisfaction of the annual in-service training requirement.**

i. Emergency Medical Training

Medical training and/or emergency first aid related training and/or recertification training that an officer receives may be used to satisfy no more than 16 hours of his or her annual in-service training obligation.

V. REPORTING PROCEDURES

A. CONDUCTING TRAINING

Any agency which conducts any specialized course, class, or other departmental in-service training may make its training program available to other agencies or departments.

B. RECORD KEEPING AND DOCUMENTATION

1. Attendance Records

The course director or coordinator shall keep a record of all persons who attend the training program, but *shall not* be responsible for submitting evidence of attendance of personnel from other agencies, the agency head of any agency that conducts in-service training programs shall maintain a record of the following, which shall be provided, upon request, to the Director of the Kansas Commission on Peace Officers' Standards and Training:

- **Titles of the class or course; *and*,**
- **Outlines of the course taught; *and***
- **Dates and times of presentations; *and***
- **Number of instructional hours presented; *and***
- **Names of instructors; *and***
- **Names of students; *and***
- **Location of the course or class.**

2. Evidence of Training Received

Individual agencies shall be responsible for submitting reports that *their* officers have successfully completed the annual in-service training or continuing education annual requirement. Reports of training received shall be forwarded to the Kansas Commission on Peace Officers' Standards and Training for certification by the Director; in fact, Kansas Law, at K.S.A. 74-5607a(b), expressly requires the submission of such records to KS-CPOST.

a. Content of records

Individual training records shall be submitted on forms, including computer generated forms, approved or supplied by the Kansas Commission on Peace Officers' Standards and Training, and shall contain at least the following information:

- **Officer's full name; *and*,**
- **Officer's social security number, or other Central Registry-approved identifier; *and*,**
- **Course subject title and brief description of course class content; *and*,**
- **Agency ORI (Originating Agency Identifier) number; *and*,**
- **Date(s) the course was held; *and*,**
- **Number of hours to be credited; *and*,**
- **Location held; *and***
- **Name of instructor.**

Such training records shall be mailed to:

Central Registry
Kansas Commission on Peace Officers' Standards and Training
1999 N Amidon Ste 350
Wichita KS 67203-2180

Forms necessary for the reporting of in- service training are available for download at www.kscpost.org

b. Deadline for submission

Training reports evidencing receipt of training to be applied toward the annual in-service training requirement shall be submitted to KS-CPOST *no later than thirty (30) days after the training concludes.*

VI. HAZARDOUS MATERIALS TRAINING

*Effective in May, 1996, the Kansas Law Enforcement Training Commission officially changed its Hazardous Materials continuing education (in-service) training requirements. **THE COMMISSION NO LONGER MANDATES SUCH AN INSERVICE TRAINING REQUIREMENT.***

Applicable federal law in this area requires that, after receiving awareness level training, officers who may encounter hazardous materials events must receive annual refresher training *or* demonstrate continuing competency; applicable law mandates no specific hour requirement.

Accordingly, the Commission now considers in-service hazardous materials training as a matter to be determined at the local level. *The Commission reminds agencies; however, that federal law requires some annual refresher training, or annual demonstration of competency.*

Any person who provides Hazardous Materials training shall have successfully completed a training course, such as courses offered by the U.S. Fire Academy, for teaching such subject matter, *or* shall possess the training/academic credentials and instructional experience necessary to demonstrate competent knowledge of the subject matter and instructional skills.

THE KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING RESERVES THE RIGHT TO DECIDE THOSE MATTERS PERTAINING TO LAW ENFORCEMENT TRAINING NOT COVERED HEREIN.