

TITLE 79 - LAW ENFORCEMENT - POLICE STANDARDS ADVISORY COUNCIL

CHAPTER 3 – RECIPROCITY CERTIFICATION OF LAW ENFORCEMENT OFFICERS IN LIEU OF ATTENDING STATE CERTIFICATION TRAINING COURSES

001 Purpose - To prescribe policies and procedures for certification of officers who have received training other than the State certification curriculum.

002 Reference - State Statutes 14-709, 23-1701.01, 81-1414, and Title 79, Chapter 8. Statute 81-1414(4) provides for the awarding of a certificate to a person who has completed a training program the Council finds equivalent to the State basic training curriculum.

The Council establishes the following standards whereby a person having received equivalent training may be granted reciprocity for law enforcement basic, supervision and management training that are required by State Statute.

003 Supervision and Management Certification - Applicants seeking reciprocity consideration for Supervision and/or Management certification shall submit to the Training Center such appropriate evidence, documentation, transcript, certificates and, curricula, for review and consideration by the Director. The Director shall review the submitted materials and determine whether the applicant's training and education meet the standards for reciprocity certification. The Director shall inform the applicant and the applicant's agency of his decision. A Director's decision to deny reciprocity certification may be appealed to the Council. The decision of the Council to grant or deny the application shall be final. Applicants not receiving Council approval, must attend the next available Training Center Supervision and/or Management course.

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004 Basic Law Enforcement Certification - A person who has been certified or licensed as a law enforcement officer by a recognized certifying agency as receiving formalized training by another state or federal law enforcement agency or a person who has been assigned as military police officer for one of the branches of the United States Armed Forces after receiving formalized training in order to be assigned to that military occupational specialty may receive certification in lieu of attending the State basic certification course provided that the applicant meets the requirements of this chapter and the other requirements as set out in the Nebraska Revised Statutes and Title 79 of the Nebraska Administrative Code.

004.01 After completion of the formalized training, the person applying for basic law enforcement reciprocity certification must have been either directly employed as a law enforcement officer by a municipal, county, state or federal law enforcement agency or as a military police officer performing the duties of a law enforcement officer for a branch of the United States Armed Forces for a period of not less than one hundred and eighty (180) consecutive days, within two (2) years of the date of application to the Training Center for basic certification training.

004.01A Upon request of the applicant, the Council may consider a waiver of an employment period of less than one hundred and eighty (180) consecutive days; however, no waiver shall be granted for the two year requirement.

004.01B When requesting a waiver, the applicant shall be required to present the existence of extenuating circumstances that justify the applicant not completing the minimum one hundred and eighty (180) day duration of employment. Such extenuating circumstances include but are not limited to: family emergencies, emergency relocation, and reduction in force layoffs.

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004.01C Persons requesting a waiver must still have verification from the previous law enforcement employer that he/she ended employment in good standing.

004.02 Applicants or their employing agencies shall be assessed the non-refundable fees as established by the Council for records processing and written examination administration to be paid to the Training Center.

004.03 All applications for reciprocity certification must be submitted in writing to the Training Center and shall provide proof that:

004.03A The applicant meets standards as set out in State Statutes: 81-1410, 81-1414 and Title 79, Chapter 8 before being further processed for reciprocity.

004.03B The applicant has received formalized training of equivalent course content from a state or federal recognized certifying agency. Formalized training of equivalent course content shall mean a basic course content that meets or exceeds the State's current Basic course; or a combination of a Basic Training course plus continuous in-service law enforcement training, which meets or exceeds the State's current Basic Training course. Training hours may be granted for relevant college course work and or military training; however all cases will be evaluated by the Director on an individual basis.

004.03B(1) The applicant shall provide the Director an official academy course transcript of his/her satisfactory completion of law enforcement certification training which identifies course titles and hours, along with a copy of the approved certificate(s)/license(s). The applicant must also submit official college course transcripts and/or documentation or certificate(s) for any in-service/specialized training or military training or

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education for which credit is requested for consideration.

004.03B(2) In the event that the applicant's formalized training is not the equivalent to the State's Basic Certification Course due to a deficiency in only one subject matter area as reflected in the Council-Approved Basic Curriculum, the Director may accept the training conditioned upon the applicant attending the corresponding training in that subject area in the next available basic certification course.

004.03B(2)(a) For the purposes of this section, subject matter areas shall be considered to be patrol procedures, officer survival, investigations, human understanding and traffic operations.

004.03B(2)(b) An applicant shall be considered deficient in a subject area when the applicant's training and basic certification curricula demonstrates that the applicant has not been previously trained in seventy (70) percent of the subject area's core content as determined by the Director.

004.04 The applicant shall have all past law enforcement employer(s)/agencies submit written verification to the Director regarding his/her dates of employment, duty assignments, departmental/agency rank, and that the left the agency in good standing. If the applicant was a military police officer, he/she shall submit written verification to the Director his/her dates of assignment as a military police officer, a description of official duties, rank and a letter of good standing from his/her last commanding officer.

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004.05 The Director shall make a determination as to whether an applicant meets the admission and training standards for reciprocity certification.

004.05A When the applicant's prior training has been approved and the applicant has met all basic certification admission standards, the applicant is eligible to take the written examination.

This written examination shall be based on the Training Center's current objectives used for the State_Basic curriculum excepting specific State Law. The topics to be tested on will be approved by the Council. Every applicant shall be required to pass the written examination with a minimum score of 70%. If an applicant fails to pass the written examination, he or she shall retake a different written examination based on the State basic curriculum. Upon meeting the above criteria, the applicant is eligible to attend the reciprocity course. Upon failure to attain a minimum passing score on the second attempt, the applicant shall be required to complete the entire Basic certification course at the next available class.

004.05B After the applicant has met the training and admission standards for Reciprocity certification and the applicant has successfully passed the written test, the applicant shall be admitted to a Council approved reciprocity training course. All qualification requirements, rules and regulations, and procedures for successful completion of certification training at the Training Center shall apply to the reciprocity course.

004.05C If the applicant was deemed deficient in only one subject matter area as set out in subsection 004.03B(2) of this chapter, the applicant must successfully complete the reciprocity certification course, before the applicant is enrolled in the next available basic certification course in order to make up the deficient subject matter area.

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004.05D Upon attending the deficient subject matter area course(s), the applicant must pass an examination over that subject area as established in Title 79 of the Nebraska Administrative Code, Chapter 5.

004.06 Following the successful completion of all of the standards set forth above and successful completion of a Council-approved reciprocity training program, including the completion of any required additional training, the applicant shall receive a diploma for the completion of to the reciprocity course. Upon employment and appointment as a law enforcement officer in the State, the applicant shall be eligible to receive certification as a law enforcement officer in the State.

004.07 If the applicant does not meet the criteria as described in this chapter, the applicant, if still desiring basic certification, will be enrolled in the next available basic training session provided that the applicant is eligible to attend.

004.07A In cases when the Director denies an applicant admission to the Reciprocity Training, the Director shall inform the applicant and/or his/her employing agency of his determination in writing. The Director shall document which standards the applicant did not meet for approval. Appeals based upon the applicant failing to meet the above standards shall be based upon the documentation of training, education and experience that was submitted to the Director for review. It shall be the responsibility of the applicant/petitioner to demonstrate the applicant meets the prerequisite training and experience requirements to be eligible for admission. The decision of the Council in such appeals is final.

004.07B Any person granted an appeal under the above sections must complete and meet all other standards set forth in this rule to be eligible reciprocity for certification.

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005 Agency Heads – The Council may waive all requirements for sheriffs or for individuals entering a law enforcement agency as an administrator/agency head, which serves a population of 5,000 or more people.

005.01 Persons requesting a waiver of certification training as an agency head must provide documentation to the Director of having held a supervisor or management rank as a law enforcement officer within the last two years for a law enforcement agency that serves a population of 5,000 or more.

005.02 Documentation of all law enforcement training, law enforcement experience, formal education, military training and experience or other relevant information must be included with the request for a waiver of certification training.

005.03 Persons requesting such a waiver must also complete the application for admission process set forth in Title 79, Chapter 8 and must meet all standards for certification training admission as set forth in State Statute and rule and regulation.

005.04 The Director shall review the documentation and make a recommendation to the Council to either grant or deny the request for a waiver. The Director shall notify the person making the request in writing of his or her findings and recommendation to the Council at least 14 days prior to the waiver being considered by the Council.

005.05 The Council shall determine whether to grant or deny the waiver. The person must make immediate application to attend the next basic or reciprocity certification course in cases where the Council denies the waiver. Decisions of the Council are final.

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005.06 Persons receiving a waiver in accordance with Section 005 shall receive a certification that is limited to serving as an administrator/agency head of a law enforcement agency that serves a population of 5,000 or more. Such certification shall not be valid for other law enforcement positions in the State.

Effective Date:

Revised from June 26, 2005