

# **SPECIFICATION S-18**

## **S-18**

A.C.A. 12-9-101, et seq. provides for the certification of training programs by the Commission.

**TITLE: CERTIFICATION OF SCHOOLS OR COURSES**  
(Refer to Regulation 1017)

### **DEFINITIONS**

**“SCHOOL”** - is any school, college, university, academy or local training program which offers law enforcement training or education programs and includes within its meaning the combination of course curriculum, instructors, and facilities for training.

**“COURSE”** – is any grouping of classes or series of lessons or lectures combined to attain a particular education or law enforcement training or educational objective.

**“CLASS”** - is a single meeting or session devoted to a specific law enforcement related subject or topic.

### **REQUIREMENTS**

1. Certification of schools will generally be offered on the basis of on-site inspections conducted by the Commission staff members. Such inspections will be conducted according to guidelines established by the Commission and will include, but are not limited to, examination of instruction, facilities and administration.
2. Certification of courses will generally be offered on the basis of information supplied on Form F-5. On-site evaluations may be conducted by Commission staff members. Certified courses should be open to all qualified area law enforcement officers.

### **PROCEDURES**

1. An outline and course description of the subject material being offered, a schedule of classes, brief background showing qualifications of instructors, and name of the school director or coordinator should accompany the request.

2. Agencies or schools requesting course certification shall communicate in writing, using Commission Form F-5, at least thirty (30) days prior to the start of the course. A copy of the proposed course announcement (inviting area law enforcement officers), a course outline, course descriptions, and applicants for instructor certification, Form F-8, if appropriate, shall accompany the request.
3. Within ten (10) days of completion of the course, an attendance roster, Form F-18, listing those attending the classes offered must be forwarded to the Commission. The roster shall show full name, department, social security number and examination score for each student completing the course and be signed by the school director or coordinator. If the course was a seminar and no examination was given, indicate satisfactory or unsatisfactory participation.

## **GUIDELINES – CERTIFIED COURSES**

1. Law enforcement agencies or any college, university, or academy may align their training or education programs with the standards set by the Commission on Law Enforcement Standards and Training (See Specification S-9, S-10, S-11, S-12, S-13, and S-14) and apply for course certification. Certified courses should be open to qualified law enforcement officers in the general area. The Commission will assist in any way possible if requested.

### **2. SUMMARY OF STEPS**

- (a) Select a school director or coordinator and facilities. (See Regulation 1001(14).
  - (b) Select instructors and send completed Application for Instructor Certification Form F-8, if current F-8 is not already on file.
  - (c) Apply to the Commission for course certification on Form F-5.
  - (d) Forward class attendance roster on Form F-18 to the Commission within ten (10) days of completion of the course.
3. Certification of a course by the Commission will consist of a letter from the Deputy Director for Standards subject to ratification by the Commission. ~~Upon request, certificates of completion will be issued by the Commission to those completing courses with 20 or more classroom hours.~~ School directors and coordinators are encouraged to design and distribute their own certificates. Commission Form F-6 may be used in lieu of a certificate.

4. The school director or coordinator has the responsibility for administering the course and supervising the preparation of the curriculum to insure its compliance with the requirements of the Commission. He also selects facilities to be used for the course, obtains instructors and develops rules and regulations for governing the operation of the facilities and conduct of the trainees. The school director or coordinator maintains all forms required by the Commission and forwards them within the stipulated time period.
5. Each trainee shall be required to attend **ALL** sessions of the course. The school director or coordinator may authorize absences of no more than 10% of the class hours. Training credit will be awarded **ONLY** for actual hours and classes completed.

**QUESTIONNAIRE FOR FILING PROPOSED RULES AND REGULATIONS**  
**WITH THE ARKANSAS LEGISLATIVE COUNCIL AND JOINT INTERIM COMMITTEE**

**DEPARTMENT/AGENCY** Commission on Law Enforcement Standards and Training  
**DIVISION** Office of Law Enforcement Standards  
**DIVISION DIRECTOR** Jami Cook  
**CONTACT PERSON** Jami Cook  
**ADDRESS** 4 State Police Plaza Drive Little Rock, AR 72209  
**PHONE NO.** 5016822260 **FAX NO.** 5016821582 **E-MAIL** jami.l.cook@arkansas.gov  
**NAME OF PRESENTER AT COMMITTEE MEETING** Jami Cook  
**PRESENTER E-MAIL** jami.l.cook@arkansas.gov

**INSTRUCTIONS**

- A. Please make copies of this form for future use.  
B. Please answer each question **completely** using layman terms. You may use additional sheets, if necessary.  
C. If you have a method of indexing your rules, please give the proposed citation after "Short Title of this Rule" below.  
D. Submit two (2) copies of this questionnaire and financial impact statement attached to the front of two (2) copies of the proposed rule and required documents. Mail or deliver to:

Donna K. Davis  
Administrative Rules Review Section  
Arkansas Legislative Council  
Bureau of Legislative Research  
One Capitol Mall, 5<sup>th</sup> Floor  
Little Rock, AR 72201

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1. What is the short title of this rule? Specification S-18, Certification of Schools or Courses
2. What is the subject of the proposed rule? Defines schools, courses and class and describes requirement, procedures and guidelines for certifying law enforcement schools and courses
3. Is this rule required to comply with a federal statute, rule, or regulation? Yes ☐ No ☒  
If yes, please provide the federal rule, regulation, and/or statute citation. \_\_\_\_\_
4. Was this rule filed under the emergency provisions of the Administrative Procedure Act? Yes ☐ No ☒  
If yes, what is the effective date of the emergency rule? \_\_\_\_\_
- When does the emergency rule expire? \_\_\_\_\_

Will this emergency rule be promulgated under the permanent provisions of the Administrative Procedure Act?

Yes ☐

No ☐

5. Is this a new rule? Yes ☐ No ☒

If yes, please provide a brief summary explaining the regulation. \_\_\_\_\_

Does this repeal an existing rule? Yes ☐ No ☒

If yes, a copy of the repealed rule is to be included with your completed questionnaire. If it is being replaced with a new rule, please provide a summary of the rule giving an explanation of what the rule does. \_\_\_\_\_

Is this an amendment to an existing rule?

Yes ☒ No ☐

If yes, please attach a mark-up showing the changes in the existing rule and a summary of the substantive changes. **Note: The summary should explain what the amendment does, and the mark-up copy should be clearly labeled "mark-up."**

6. Cite the state law that grants the authority for this proposed rule? If codified, please give the Arkansas Code citation. 12-9-104

7. What is the purpose of this proposed rule? Why is it necessary? Under Guidelines-Certified Courses, Section 3, the reference to certificates of completion is deleted.

8. Please provide the address where this rule is publicly accessible in electronic form via the Internet as required by Arkansas Code § 25-19-108(b). CLEST.org

9. Will a public hearing be held on this proposed rule? Yes ☒ No ☐

If yes, please complete the following:

Date: January 14, 2016

Time: 10:00am

Place: ALETA East Camden

10. When does the public comment period expire for permanent promulgation? (Must provide a date.)

January 13, 2016

11. What is the proposed effective date of this proposed rule? (Must provide a date.)

February 1, 2016

12. Do you expect this rule to be controversial? Yes ☐ No ☒

If yes, please explain. \_\_\_\_\_

13. Please give the names of persons, groups, or organizations that you expect to comment on these rules? Please provide their position (for or against) if known.

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## FINANCIAL IMPACT STATEMENT

### PLEASE ANSWER ALL QUESTIONS COMPLETELY

**DEPARTMENT**      Commission on Law Enforcement Standards and Training  
**DIVISION**        Office of Law Enforcement Standards  
**PERSON COMPLETING THIS STATEMENT** \_\_\_\_\_  
**TELEPHONE NO.** 501-682-2260 **FAX NO.** 501-682-1582 **EMAIL:** jami.l.cook@arkansas.gov

To comply with Ark. Code Ann. § 25-15-204(e), please complete the following Financial Impact Statement and file two copies with the questionnaire and proposed rules.

**SHORT TITLE OF THIS RULE**    Specification S-18, Certification of Schools or Courses

1. Does this proposed, amended, or repealed rule have a financial impact?      Yes ☐      No ☒
2. Is the rule based on the best reasonably obtainable scientific, technical, economic, or other evidence and information available concerning the need for, consequences of, and alternatives to the rule?      Yes ☐      No ☐
3. In consideration of the alternatives to this rule, was this rule determined by the agency to be the least costly rule considered?      Yes ☐      No ☐

If an agency is proposing a more costly rule, please state the following:

- (a) How the additional benefits of the more costly rule justify its additional cost;

\_\_\_\_\_

- (b) The reason for adoption of the more costly rule;

\_\_\_\_\_

- (c) Whether the more costly rule is based on the interests of public health, safety, or welfare, and if so, please explain; and;

\_\_\_\_\_

- (d) Whether the reason is within the scope of the agency's statutory authority; and if so, please explain.

\_\_\_\_\_

4. If the purpose of this rule is to implement a federal rule or regulation, please state the following:

- (a) What is the cost to implement the federal rule or regulation?

**Current Fiscal Year**

General Revenue	_____
Federal Funds	_____
Cash Funds	_____
Special Revenue	_____
Other (Identify)	_____

**Next Fiscal Year**

General Revenue	_____
Federal Funds	_____
Cash Funds	_____
Special Revenue	_____
Other (Identify)	_____

Total \_\_\_\_\_

Total \_\_\_\_\_

(b) What is the additional cost of the state rule?

**Current Fiscal Year**

General Revenue 0  
Federal Funds \_\_\_\_\_  
Cash Funds \_\_\_\_\_  
Special Revenue \_\_\_\_\_  
Other (Identify) \_\_\_\_\_

Total \_\_\_\_\_

**Next Fiscal Year**

General Revenue 0  
Federal Funds \_\_\_\_\_  
Cash Funds \_\_\_\_\_  
Special Revenue \_\_\_\_\_  
Other (Identify) \_\_\_\_\_

Total \_\_\_\_\_

5. What is the total estimated cost by fiscal year to any private individual, entity and business subject to the proposed, amended, or repealed rule? Identify the entity(ies) subject to the proposed rule and explain how they are affected.

**Current Fiscal Year**

\$ 0

**Next Fiscal Year**

\$ 0

6. What is the total estimated cost by fiscal year to state, county, and municipal government to implement this rule? Is this the cost of the program or grant? Please explain how the government is affected.

**Current Fiscal Year**

\$ 0

**Next Fiscal Year**

\$ 0

7. With respect to the agency's answers to Questions #5 and #6 above, is there a new or increased cost or obligation of at least one hundred thousand dollars (\$100,000) per year to a private individual, private entity, private business, state government, county government, municipal government, or to two (2) or more of those entities combined?

Yes ☐ No ☒

If YES, the agency is required by Ark. Code Ann. § 25-15-204(e)(4) to file written findings at the time of filing the financial impact statement. The written findings shall be filed simultaneously with the financial impact statement and shall include, without limitation, the following:

- (1) a statement of the rule's basis and purpose;
- (2) the problem the agency seeks to address with the proposed rule, including a statement of whether a rule is required by statute;
- (3) a description of the factual evidence that:
  - (a) justifies the agency's need for the proposed rule; and



- (b) describes how the benefits of the rule meet the relevant statutory objectives and justify the rule's costs;
- (4) a list of less costly alternatives to the proposed rule and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (5) a list of alternatives to the proposed rule that were suggested as a result of public comment and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (6) a statement of whether existing rules have created or contributed to the problem the agency seeks to address with the proposed rule and, if existing rules have created or contributed to the problem, an explanation of why amendment or repeal of the rule creating or contributing to the problem is not a sufficient response; and
- (7) an agency plan for review of the rule no less than every ten (10) years to determine whether, based upon the evidence, there remains a need for the rule including, without limitation, whether:
  - (a) the rule is achieving the statutory objectives;
  - (b) the benefits of the rule continue to justify its costs; and
  - (c) the rule can be amended or repealed to reduce costs while continuing to achieve the statutory objectives.