

## **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** - Neb. Rev. Stat. 14-709, 23-1701.01, 81-1414, 81-1414.13, and Title 79, Chapter 8. Neb. Rev. Stat. 81-1414(2)(c) and 81-1414.13(3)(c) provide 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 will submit to the Training Center such appropriate evidence, documentation, transcript, certificates and, curricula, for review and consideration by the Director. The Director will review the submitted materials and determine whether the applicant's training and education meet the standards for reciprocity certification. The Director will 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 will be final. Applicants not receiving Council approval, must attend the next available Training Center Supervision and/or Management course.

**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 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 Applicants or their employing agencies will 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.

004.02 All applications for reciprocity certification must be submitted in writing to the Director and must provide proof that:

004.02A The applicant meets standards as set out in Neb. Rev. Stat. 81-1410, 81-1414, 81-1414.13, and Title 79, Chapter 8 before being further processed for reciprocity.

004.02B The applicant must provide proof that the applicant was awarded a certificate or diploma attesting to satisfactory completion of a training program determined by the council to be equivalent to the curriculum in subdivision (2)(a) of section 81-1414.

004.02B(1) An applicant will be deemed to have had the training equivalent to the curriculum in subdivision (2)(a) of section 81-1414 if the applicant is able to provide the Director with a valid certificate or diploma from a state approved academy in the state they are or were most currently employed and verification of a minimum of two consecutive years of full-time employment as a certified law enforcement officer with independent arrest powers.

Time completing a law enforcement academy will not count towards time of employment. For states who will not certify until a probationary period or field training hours are met, probationary periods or field training hours may count towards the two years of employment.

004.03 The applicant will 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 confirmation that they left the agency in good standing.

004.03A The applicant will provide information verifying the current classification status of his/her law enforcement certificate/license. The applicant may not have been unemployed or had his/her law enforcement status declared inactive for a period exceeding four (4) years immediately prior to making application.

004.03B The applicant will provide documentation that his/her law enforcement certificate/license is not under investigation, suspension or revoked.

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

004.04A 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 and physical fitness testing.

004.04A(1) This written examination will be approved by the Council. Every applicant will 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 will retake a different version of the written examination. Upon failure to attain a minimum passing score on the second attempt, the applicant will not be eligible to obtain reciprocity certification.

004.04A(2) 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 physical fitness test. The physical fitness test will be approved by the Council. The Council will establish the passing score. If an applicant fails to pass the physical fitness test, he or she will retake the physical fitness test. Upon failure to attain a minimum passing score on the second attempt, the applicant will not be eligible to obtain reciprocity certification.

004.05 Following the successful completion of all of the standards set forth above and successful completion of a Council-approved reciprocity the applicant will receive a diploma for the completion of the reciprocity course. Upon employment and appointment as a law enforcement officer in the State, the applicant will be eligible to receive certification as a law enforcement officer in the State.

004.06 If the applicant does not meet the criteria as described in this chapter, the applicant, if still desiring basic certification may apply for admission into basic certification training.

004.06A In cases when the Director denies an applicant admission to the Reciprocity program, the Director will inform the applicant and/or his/her employing agency of his determination in writing. The Director will document which standards the applicant did not meet for approval. It will be the responsibility of the applicant/petitioner to demonstrate that the applicant meets the prerequisite training requirements to be eligible for admission. The decision of the Council in such appeals is final.

004.06B Any person granted an appeal under the above sections must complete and meet all other standards set forth in this rule to be eligible for reciprocity certification.

**005 Agency Heads** – The Council may waive all requirements for individuals entering a law enforcement agency as an administrator/agency head, other than a Sheriff, which serves a population of 5,000 or more people and does not regularly perform the duties of a law enforcement officer as defined in Neb. Rev. 81-1401.

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 will review the documentation and make a recommendation to the Council to either grant or deny the request for a waiver. The Director will 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 will determine whether to grant or deny the waiver. The person must make immediate application to attend the next basic or reciprocity program in cases where the Council denies the waiver. Decisions of the Council are final.

005.06 Persons receiving a waiver in accordance with Section 005 will receive a certification that is limited to serving only as an administrator or agency head of a law enforcement agency that serves a population of 5,000 or more.

