

Nebraska Commission on Law Enforcement and Criminal Justice

OPERATING INSTRUCTION
NUMBER 50-31

December 2, 1994

SHERIFFS CONTINUING EDUCATION

PURPOSE: To prescribe the policies and procedures approving courses and certifying hours for sheriffs continuing education.

- (1) **SCOPE:** Applicable to Council and Training Center
- (2) **REFERENCE:** State Statute 23-1701.01 (effective date - July 19, 1980), Operating Instruction no. 50-10 (4) (c), and Operating Instruction No 50-35.
- (3) **GENERAL:** State Statute 23.1701.01 states that “. . .Each sheriff shall attend twenty hours of continuing education in criminal justice and law enforcement courses approved by the council each year following the first year of such sheriff’s term of office. . .”
- (4) **PROCEDURE:**
 - (a) The Council, through the Training Center will design and schedule 20 hours of in-service training each year specifically to assist sheriffs in meeting the continuing education requirement of the statute.
 - (b) Numerous agencies, institutions and other organizations provide seminars, conferences and continuing education programs and a sheriff may apply for credit for these courses by forwarding to the Law Enforcement Training Center the following:
 - i. Verification of attendance at the program/activity by submitting to the training Center a completed Continuing Education Report (CER) with appropriate supporting documentation.
 - ii. Documentation must contain course title, content and/or outline, location and time of the course, number of classroom hours involved, and a list of the instructional staff.

- iii. The CER shall be maintained as permanent record in the sheriff's file. Supporting documentation will not be maintained longer than the following calendar year. The maintenance of documentation sent to the Training Center in support of the CER's is the responsibility of each sheriff.

(5) **SUSTAINING CERTIFICATION:** The Training Center Director or his or her designee may approve a "sustaining" certification to an organization or agency sponsoring sheriffs continuing education, provided the Council reserves the right to audit the programs for compliance with these Operating Instructions. The Director or his or her designee may certify the course provided that the sponsoring organization or agency provides:

- (e) Course content, title and/or outline, location and time of the course, number of classroom hours involved, and a list of the instructional staff.
- (f) Statement that the qualified instructional personnel are directly involved in conducting the educational activity.
- (g) Credit shall be awarded on the basis of an hour for each classroom hour actually spent in attendance at an approved course.

(6) **INELIGIBLE PROGRAMS:** The following types of programs or activities do not merit the award of sheriffs continuing education credit hours:

- (a) Programs leading to high school equivalency;
- (b) Programs which deal with the internal affairs of the sheriffs organizations;
- (c) Committee meetings;
- (d) Board meetings, delegate assemblies, or similar meetings for policy making purposes;
- (e) Meetings and conventions of societies and associations, educational activities programmed independently and associated with these meetings may meet sheriffs continuing education requirements.

- (f) Attendance at lecture series, cultural performances, entertainment, recreational meetings or activities, and participation in travel groups,
 - (g) Writing of articles or research reports or the presentation of reports outside of a planned, directed, educational activity.
- (7) **ANNUAL REPORT:** The Law Enforcement Training Center shall make an annual report in October of each year to the Commission on compliance with the statute on sheriffs continuing education.
- (8) **ISSUANCE OF A CERTIFICATE:** The Director of the Law Enforcement Training Center shall maintain records of completion of the 20 hours of continuing education for sheriffs and issue a certificate attesting to compliance.
- (9) **NON-COMPLIANCE:** A sheriff is non-compliant when he or she has not attended a total of 20 hours of continuing education in a Commission-approved criminal justice and law OI #50-7 enforcement course within the prescribed statutory time period of “each year following the first year of such sheriff’s term of office.”
- (10) **DETERMINATION OF NON-COMPLIANCE:** The Council may excuse a sheriff from the continuing education requirement if the sheriff is able to “show good cause” for said non-compliance. The procedure for determination of non-compliance shall be as follows:
- (a) The Nebraska Law Enforcement Training Center shall make an annual report in October of each year to the Council on the compliance status of Nebraska sheriffs with the sheriffs continuing education statute. A letter informing a sheriff of his/her potential non-compliance will be sent from the Nebraska Law Enforcement Training Center by the first of November of each year.
 - (b) During the month of December, sheriffs who have not satisfied the requirements of the statute will be notified by letter that they will be delinquent on December 31. This notice will include the specifics of the allegations of non-compliance.
 - (c) A sheriff who is alleged to be in non-compliance with the statute will be given until the January Council meeting to prepare an explanation for his or her non-compliance and may appear before the Council to provide further justification for excusing his or her non-compliance.

- (d) If the Council does not grant a waiver for non-compliance, it shall forward its findings and recommendations to the Commission.
 - (e) A hearing will be conducted by the full Commission, at which time a sheriff will be given an opportunity to appeal the Council's decision.
 - (f) The Commission will, at the conclusion of this hearing, make a final determination as to whether or not the sheriff has shown good cause for the sheriff's failure to meet the requirements of continuing education.
- (11) **ENFORCEMENT:** Once the Commission has determined that the sheriff is non-compliant and has been unable to show good cause for such non-compliance, the matter shall be turned over to the Attorney General for enforcement pursuant to 23-1701.01 Nebraska Revised Statutes.

ALLEN L. CURTIS
Executive Director

Division: Training Center
Supersedes: OI No. 50-11 dated January 31, 1986