

STATEMENTS OF POLICY

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Department of Conservation and Natural Resources

The Executive Board approved a reorganization of the Department of Conservation and Natural Resources effective June 22, 2000.

The following organization chart at 30 Pa.B. 3470 (July 8, 2000) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of Code).

(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)

[Pa.B. Doc. No. 00-1166. Filed for public inspection July 7, 2000, 9:00 a.m.]

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Board of Probation and Parole

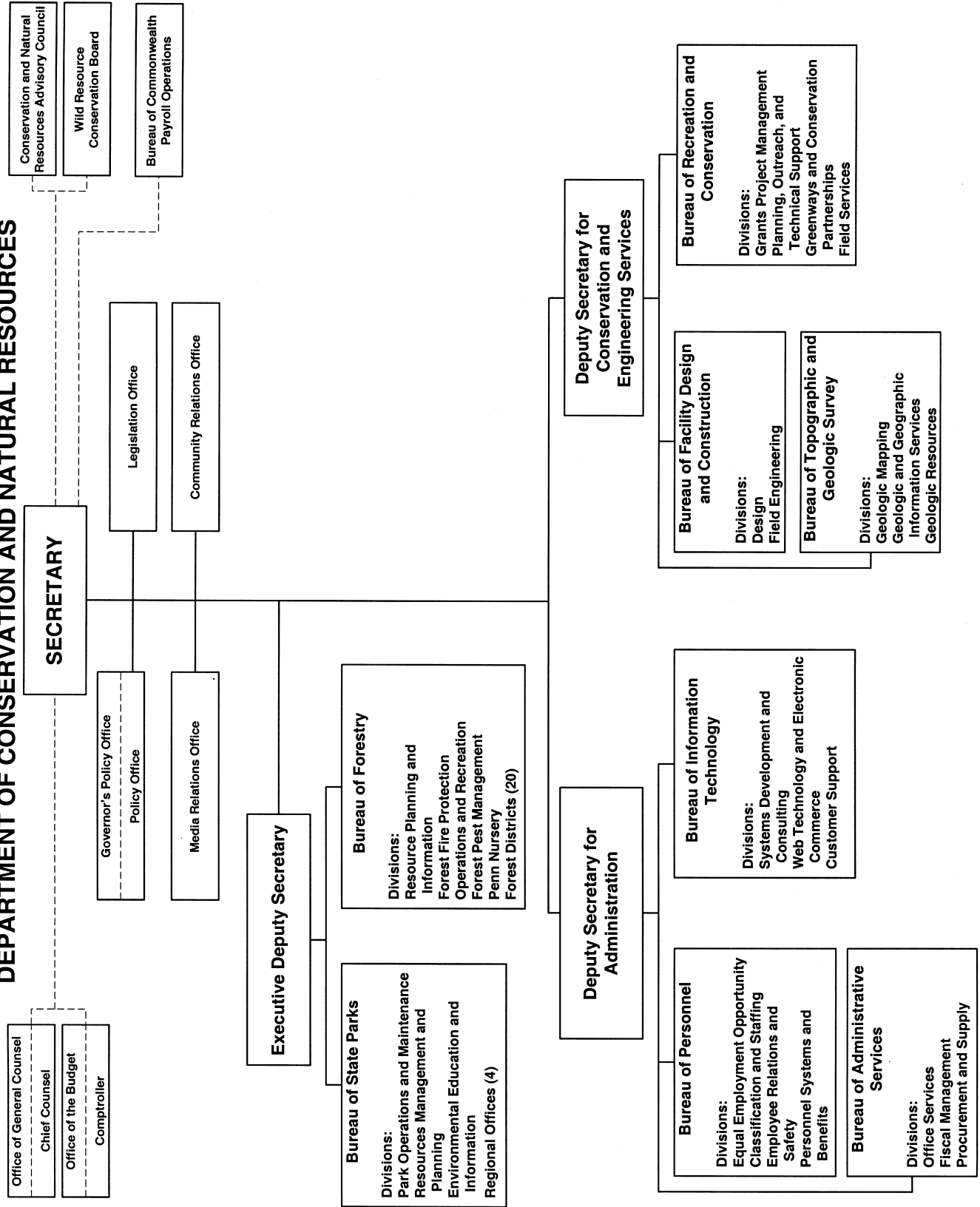
The Executive Board approved a reorganization of the Board of Probation and Parole effective June 22, 2000.

The following organization chart at 30 Pa.B. 3471 (July 8, 2000) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of Code).

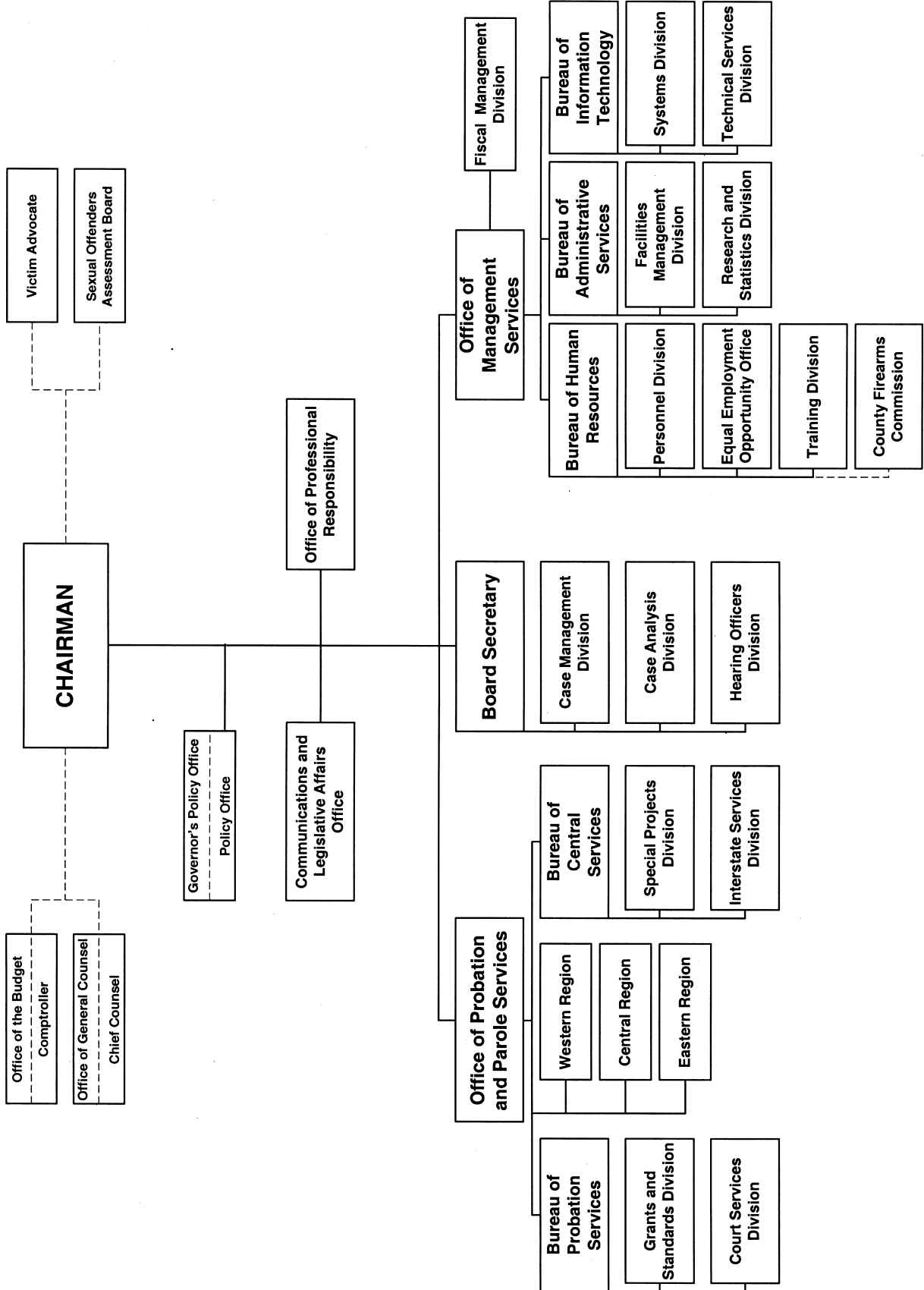
(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.

[Pa.B. Doc. No. 00-1167. Filed for public inspection July 7, 2000, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES



BOARD OF PROBATION AND PAROLE



Title 37—LAW

COMMISSION ON CRIME AND DELINQUENCY and DEPUTY SHERIFFS' EDUCATION AND TRAINING BOARD [37 PA. CODE CH. 421]

Basic Training and Continuing Education

The Commission on Crime and Delinquency (Commission) and the Deputy Sheriffs' Education and Training Board (Board), under the authority granted by the act of January 27, 1998 (P. L. 38, No. 10) (Act 10), are publishing these guidelines to administer the Board's training programs.

Purpose

Act 10 authorized the Board, with the review and approval of the Commission, to increase the hours and adjust the content of training programs for basic training of newly-hired deputies and continuing education of those already certified by the Board. With this publication, the Board and Commission are implementing that statutory authority by increasing substantially the hours of basic training that new deputy sheriffs are required to undergo within a year of hiring to continue to receive compensation for the performance of duties. In addition, this publication activates the 1998 amendment authorizing the Board and Commission to expand the hours of continuing education that certified deputy sheriffs are required to receive every 2 years. However, the Board at this time is not increasing the continuing education program beyond the current 20-hour curriculum.

The Board recently completed a study of the needs of the deputy sheriffs whom it trains and the various missions in which these deputies are engaged. Working with Temple University, its training development contractor, the Board has determined that a significant expansion of the basic training is warranted in order to better prepare new deputies for their traditional roles in the areas of civil and criminal process, court security and prisoner transport. Pilot courses commencing in July 2000 will contain an expanded curriculum for basic training of approximately 560 hours, compared to the existing curriculum of 160 hours. The pilot curriculum will expand basic training instruction in topics already included in basic training, as in § 421.11 (relating to basic training course), and will add additional related topics as discussed in these guidelines. The Board anticipates that further adjustments to basic training will be warranted upon conclusion of the 560-hour pilot program. The training development contractor in early 2001 will begin development of approximately 200 additional proposed hours to introduce topics relating to law enforcement.

Deputies who qualify under certain standards established by the Board based on prior education, training or experience with Board approval may attend an abbreviated course of study known as waiver training, or under certain limited circumstances may forego training entirely. The training for those granted a partial waiver currently consists of a 40-hour course, but the Board and Commission are increasing the hours of waiver training to approximately 100 hours effective with the date of this publication.

Authority

These guidelines are published under the authority of sections 5 and 6 of the Deputy Sheriffs' Education and Training Act (act) (71 P. S. §§ 2105 and 2106), as amended by section 2 of Act 10.

Section 7(a) of the act (71 P. S. § 2107) requires every sheriff of this Commonwealth to "assure that each full-time or part-time deputy employed by him . . . receives the training provided for [in the specified sections on training and continuing education]. . ." A deputy sheriff shall be ineligible to receive any salary or other consideration for the performance of deputy sheriff duties if the Board does not certify the deputy sheriff to have met all of the requirements established under the act, including the basic training and continuing education requirements. See section 7(c) and (d).

Section 5 of the act currently provides for 160 hours of training for newly-hired deputy sheriffs, the content of which shall be determined by regulation and from 16-20 hours of continuing education every 2 years for already-certified deputy sheriffs. See section 6 of the act. Act 10 authorized an increase in training hours. Specifically, section 2 of Act 10 sets forth a requirement for initial training of "not less than 160 hours which content and hours of instruction shall be determined by the board subject to the review and approval of the commission." 71 P. S. § 2105 (emphasis added). The amendment also provided for the Board to establish continuing education of "not less than 20 hours . . . concerning subjects the board may deem necessary and appropriate. . ." 71 P. S. § 2106 (emphasis added).

The 1998 amendment provided that the new requirements as to basic training and continuing education were not to become effective until notice is published in the *Pennsylvania Bulletin* that the programs have been developed and implemented. The requirement in the previous language to determine the number of hours by regulation has been eliminated. Accordingly, it is the Board's intention for this publication to constitute the required notice, thus triggering the effectiveness of the new language allowing curriculum expansion.

Contact Person

For additional information on the Board's training programs, contact Stephen Spangenberg, Manager of the Commission's Civil and Criminal Training Division, at (717) 705-3693 ext 3040.

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(Editor's Note: The regulations of the Commission, 37 Pa. Code Chapter 421, are amended by adding a statement of policy in §§ 421.101—421.104 to read as set forth in Annex A. For a notice regarding the subject matter of this statement of policy, see 30 Pa.B. 3474 (July 8, 2000).)

Fiscal Note: 35-25. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 37. LAW

PART VI. COMMISSION ON CRIME AND
DELINQUENCYCHAPTER 421. DEPUTY SHERIFFS' EDUCATION
AND TRAINING BOARDGUIDELINES FOR BASIC TRAINING AND
CONTINUING EDUCATION—STATEMENT OF
POLICY**§ 421.101. Code of conduct.**

(a) The Board or school may establish reasonable rules governing attendance and conduct expected of a deputy sheriff who is attending training required under the act.

(b) Violations of attendance policy or departures from the expected standards of conduct may result in the Board's imposition of disciplinary sanctions, which may include expulsion from the training or denying or withdrawing certification.

§ 421.102. Basic training.

(a) To be certified by the Board and to continue to receive compensation more than 1 year after being hired by a sheriff, a new deputy sheriff is required under sections 5 and 7(c) of the act (71 P.S. §§ 2105 and 2107(c)) to successfully complete basic training of approximately 560 hours.

(b) Basic training shall consist of expanded instruction in the topics listed in § 421.11 (relating to basic training course), as well as instruction in related topics such as defensive tactics, physical conditioning, emergency vehicle operations, communications, crisis intervention, ethics and professional development, families in crisis, less-than-lethal weapons, the Unified Court System of Pennsylvania and technology and law enforcement.

(c) A deputy sheriff shall attain at least the minimum score established by the Board on written tests designed for each topic area and shall demonstrate proficiency in all practical skills to be certified by the Board.

§ 421.103. Waiver of basic training.

Section 7(b) of the act (71 P.S. § 2107(b)) gives the Board discretion, with the review and approval of the Commission, to set criteria allowing a reduction of training hours for deputy sheriffs with requisite prior educa-

tion, training or experience. Waivers of training shall be governed by the following criteria:

(1) The Board may grant a full waiver of basic training upon application by a deputy sheriff who has served a full, 4-year term as sheriff within this Commonwealth.

(2) The Board may grant a partial waiver of training upon application by a deputy sheriff who meets one of the following categories:

(i) Trained by the Pennsylvania State Police and previously employed as a member of the Pennsylvania State Police.

(ii) Certified as a municipal police officer in this Commonwealth.

(iii) Graduated from a course of basic training approved by the Municipal Police Officers' Education and Training Commission.

(3) A deputy sheriff who is granted a partial waiver of basic training is required to undergo a basic training waiver course of approximately 100 hours.

(4) To be certified by the Board, a deputy sheriff with either a full or partial waiver of basic training shall meet the following conditions:

(i) Attain a passing score as established by the Board on a written examination designed for the applicable waiver classification.

(ii) Possess current basic first aid or equivalent and adult/child/infant cardio-pulmonary resuscitation (CPR) certification and current police firearms range qualification.

(iii) Demonstrate required practical skills during proficiency examinations.

§ 421.104. Continuing education.

(a) Effective July 8, 2000, the Board is triggering the effectiveness of the amending language of the act allowing the Board to set the hours of continuing education required by section 6 of the act (71 P.S. § 2106) at not less than 20 hours.

(b) The Board reserves the right to increase the hours of continuing education beyond the current level of 16-20 hours.

[Pa.B. Doc. No. 00-1168. Filed for public inspection July 7, 2000, 9:00 a.m.]