

**CHAPTER 17a. INTERIM GUIDELINES FOR APPROVAL OF
OPTIONAL TRAINING PROGRAMS FOR HUMANE SOCIETY
POLICE OFFICERS—STATEMENT OF POLICY**

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Source

The provisions of this Chapter 17a adopted March 22, 1996, effective March 23, 1996, 26 Pa.B. 1271, unless otherwise noted.

§ 17a.1. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

Act—The Humane Society Police Officer Enforcement Act (3 P. S. §§ 456.1—456.7).

Agricultural animal—A bovine animal, equine animal, sheep, goat, pig, poultry, bird, fowl, wild or semiwild animal or fish or other aquatic animal which is being raised, kept, transported or utilized for the purpose of or under agricultural production.

Agricultural production—The production and preparation for market of agricultural animals and their products and of agricultural, agronomic, horticultural, silvicultural and aquacultural crops and commodities.

Approved optional training program—An optional training program that meets the relevant requirements of section 4(a)—(c) of the act (3 P. S. § 456.4(a)—(c)) and has been approved by the Department under authority of section 4(g) of the act.

Cruelty to animals laws—The provisions of 18 Pa.C.S. § 5511 (relating to cruelty to animals).

Department—The Department of Agriculture of the Commonwealth.

Humane society police officer—A person appointed under 22 Pa.C.S. § 501 (relating to appointment by nonprofit corporations) to act as a police officer for

a society or association for the prevention of cruelty to animals. The term includes a person who is an agent of a society or association for the prevention of cruelty to animals as “agent” is used in 18 Pa.C.S. § 5511.

Land grant institution—Educational institutions located within or outside the geographic boundaries of this Commonwealth which have received a grant of public land made by the Congress of the United States for the support of education under the Morrill Act (7 U.S.C.A. §§ 301—308).

Optional training program—A course of instruction for the initial or continuous training of humane society police officers that is developed and administered by an accredited college, an accredited university, an accredited community college or any other public or private entity, and that satisfies the training requirements of section 4(a)—(c) of the act.

Optional training program for the continuous training of humane society police officers—An optional training program that meets the requirements of section 4(c)(5) of the act.

Optional training program for the initial training of humane society police officers—An optional training program that meets the requirements of section 4(c)(1)—(4) of the act.

Person—A corporation, partnership, association, government entity (other than the Commonwealth), estate, trust, foundation, natural person, society or association for the prevention of cruelty to animals, college, university or community college.

Society or association for the prevention of cruelty to animals—A nonprofit society or association incorporated under 15 Pa.C.S. Chapter 53, Subchapter A (relating to general provisions) for the purpose of the prevention of cruelty to animals.

§ 17a.2. Objectives.

This chapter sets forth interim guidelines establishing standards and procedures for approving those optional training programs that require the Department’s approval under section 4(g) of the act (3 P. S. § 456.4(g)). The act requires optional training programs to address a wide variety of subjects—including several subjects with respect to which the Department has no experiential basis. Although it is the objective of this chapter to establish a procedure by which optional training programs can be approved, this procedure is also intended to provide the Department with the experience necessary to develop more detailed regulations on the subject at some later date. The Department intends these interim guidelines to be flexible—requiring only that an optional training program meet the specific training requirements in section 4(a)—(c) of the act.

§ 17a.3. Approval of optional training programs required.

A person seeking to offer an optional training program that has been developed and would be administered by an accredited college, accredited university,

accredited community college or another public or private entity shall apply for and obtain the approval of the Department prior to administering the optional training program. A training program that has been developed by a land grant institution does not require the approval of the Department.

§ 17a.4. Obtaining an application.

A person may obtain an application for approval of an optional training program from the following address, upon request: Department of Agriculture, Bureau of Animal Industry, 2301 North Cameron Street, Harrisburg, Pennsylvania 17110-9408.

Cross References

This section cited in 7 Pa. Code § 17a.7 (relating to submitting the application); and 7 Pa. Code § 17a.14 (relating to revisions to a previously-approved optional training program).

§ 17a.5. Contents of a complete application.

A complete application for approval of an optional training program shall contain the following:

- (1) The complete name, address and telephone number of the applicant.
- (2) A statement of whether the applicant seeks approval of an optional training program for the “initial” training, the “continuous” training, or both the “initial” and “continuous” training of humane society police officers.
- (3) The name of the person who is expected to be an instructor at the optional training program, together with a statement of the relevant qualifications, education and experience of that person and a statement of the general subject matter upon which that person would instruct.
- (4) A complete and detailed syllabus of the optional training program, as described in § 17a.6 (relating to syllabus).
- (5) A copy of any book, handout or other printed material that would be distributed to persons taking the optional training program or that the persons would be expected to purchase for use at the optional training program.
- (6) A copy of the final examination required under section 4(c)(4) of the act (3 P. S. § 456.4(c)(4)), unless the program is for the continuous training of humane society police officers.
- (7) Other relevant documentation which the Department may request.

Cross References

This section cited in 7 Pa. Code § 17a.14 (relating to revisions to a previously-approved optional training program).

§ 17a.6. Syllabus.

(a) *General requirements.* A syllabus for an optional training program shall set forth in detail the material to be taught, the qualifications of the authors and

a list of resources, and shall specifically set forth the minimum amount of time which shall be devoted to each subject of instruction.

(b) *Optional training program for the initial training of humane society police officers.* A syllabus for an optional training program for the initial training of humane society police officers shall demonstrate that the program meets or exceeds the requirements of section 4(c)(1)—(3) of the act (3 P. S. § 456.4(c)(1)—(3)). Specifically, these requirements are that the program:

- (1) Include a minimum of 56 hours of instruction.
- (2) Include at least 32 hours of instruction in the following areas:
 - (i) Cruelty to animals laws.
 - (ii) Care and treatment of animals.
 - (iii) Pennsylvania rules of criminal law and criminal procedure.
- (3) Include at least 24 hours of instruction in the following areas:
 - (i) Animal husbandry practices constituting normal agricultural operation.
 - (ii) Practices accepted in agricultural industry in the raising, keeping and production of agricultural animals.
 - (iii) Characteristics of agricultural animals likely evidencing care that is violative of the cruelty to animals laws.
 - (iv) Proper care and handling of agricultural animals enforcement of the cruelty to animals laws.

(c) *Optional training program for the continuous training of humane society police officers.* A syllabus for an optional training program for the continuous training of humane society police officers shall demonstrate that the program meets or exceeds the requirements of section 4(c)(5) of the act. Specifically, these requirements are that the program:

- (1) Offer at least 6 hours of additional instruction within each 2-year period, at least 2 hours of which shall be in the areas of instruction set forth at section 4(c)(3) of the act and summarized at subsection (b)(3).
- (2) Attempt to provide instruction that differs from instruction previously provided to program participants in their initial or continuous training.

Cross References

This section cited in 7 Pa. Code § 17a.5 (relating to contents of a complete application).

§ 17a.7. Submitting the application.

An application for approval of an optional training program shall be submitted to the Department by mail or delivery to the address in § 17a.4 (relating to obtaining an application).

§ 17a.8. Incomplete application.

Within 20 days of receiving an application for approval of an optional training program, the Department will mail the applicant written notice of defects or omissions that cause the application to be incomplete.

§ 17a.9. Time requirement for review of a complete application.

Within 30 days of receiving a complete application for approval of an optional training program, the Department will review the application and mail the applicant written approval or disapproval of the application.

§ 17a.10. Criteria for approval.

The Department will review a complete application for approval of an optional training program to determine whether the program satisfies the training requirements of section 4(a)—(c) of the act (3 P. S. § 456.4(a)—(c)). The Department will approve an optional training program if it meets or exceeds these requirements.

§ 17a.11. Disapproval.

The Department's disapproval of an optional training program will set forth the reasons for disapproval and, if practicable, prescribe the changes, actions or documentation necessary for the optional training program to obtain the Department's approval.

§ 17a.12. Term of approval.

(a) *Initial training.* The Department's approval of an optional training program for the initial training of humane society police officers will be valid for no more than 5 years from the date of issuance.

(b) *Continuous training.* The Department's approval of an optional training program for the continuous training of humane society police officers will be valid for no more than 2 years from the date of issuance.

(c) *Reapproval.* A person may apply for reapproval of an optional training program in accordance with the application procedures in this chapter.

Cross References

This section cited in 7 Pa. Code § 17a.14 (relating to revisions to a previously-approved optional training program).

§ 17a.13. Withdrawal of approval.

(a) *General authority.* The Department may withdraw its approval of an optional training program if one or more of the following occur:

- (1) The optional training program fails to meet the minimum time, subject matter and other applicable requirements imposed by the act.

(2) A material misrepresentation was made on the application for approval of the optional training program.

(3) A material change is made in the optional training program without the approval of the Department.

(b) *Procedure.* The Department may withdraw its approval of an optional training program by providing written notice of this action to the address contained on the original application for approval.

§ 17a.14. Revisions to a previously-approved optional training program.

(a) *Approval required.* A person seeking to revise an approved optional training program shall apply for and obtain the approval of the Department prior to implementing the revisions.

(b) *Abbreviated application.* The application for approval of revisions shall be made on the application form described in §§ 17a.4 and 17a.5 (relating to obtaining an application; and contents of a complete application), but need only address the proposed revisions to the previously-approved optional training program.

(c) *Approval of revisions.* The Department's approval of revisions to a previously-approved optional training program will restart the applicable 2-year or 5-year term of approval described in § 17a.12 (relating to term of approval).

§ 17a.15. Monitoring by the Department.

A person conducting an approved optional training program shall allow at least one employe of the Department to attend and monitor the optional training program, and shall otherwise cooperate with the Department in its effort to establish and refine standards for optional training programs.

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