

INFORMATION FOR NEW CONSTABLES
AND DEPUTY CONSTABLES



pennsylvania
COMMISSION ON CRIME
AND DELINQUENCY

Constables' Education and Training Board

Revised January 2017

INFORMATION FOR NEW CONSTABLES AND DEPUTY CONSTABLES



The Constables' Education and Training Board ("Board") of the Pennsylvania Commission on Crime and Delinquency ("PCCD") has prepared this guide to provide newly elected or appointed constables and deputy constables with a summary of the training and certification programs and requirements established under the provisions of Act 2009-49. In addition, as a courtesy to the State Ethics Commission, this guide also contains a brief description of the financial disclosure responsibilities of constables and deputy constables as public officials (see page 9).

For more information, please visit PCCD's website at www.pccd.pa.gov or telephone the PCCD, at 717-265-8551, 717-265-8552 or 717-265-8554.

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REQUIREMENTS FOR CERTIFICATION

Act 1994-44, the Constables' Education and Training Act, established the Constables' Education and Training Board (CETB), to train and certify Pennsylvania Constables and deputy constables. In October 2009, Act 1994-44 was amended by Act 2009-49 and is known as Title 44 Pa.C.S. Act 49, which outlines the training and certification processes of the Board.

The Board operates with the oversight and staff support of the PCCD. The constables' training certification programs are continuously improved and modified to keep step with the changing constables' needs and their role in the criminal justice system. The training is provided by various regional contractors. PCCD's Bureau of Training Services supervises and coordinates these activities, which ensures proper curriculum development and delivery as well as timely and accurate constable certification and recertification.

TRAINING REQUIREMENTS

Training programs administered by the Board include: basic training, which is at the core of initial certification of constables, and annual continuing education, which provides for the recertification of constables. Training and certification is awarded only to individuals who actually hold the office of constable or deputy constable. Attendance and successful completion of these programs are required in order for a constable to be certified to perform and to be paid for performing judicial duties.

Title 49 Pa.C.S.A. §7142(a). Certification. provides that:

“No constable or deputy constable shall perform any judicial duties nor demand or receive any fee, surcharge or mileage provided by this subchapter unless he has been certified under this subchapter.”

Title 49 Pa.C.S.A. §7142(b). Liability insurance. also requires that:

“Every constable and deputy constable must file with the county clerk of courts proof that he has, currently in force, a policy of professional liability insurance covering each individual in the performance of his judicial duties with a minimum coverage of \$250,000 per incident and a minimum aggregate of \$500,000 per year.”

Title 49 Pa.C.S.A. §7142(c). Loss of certification. further states:

“Any constable or deputy constable who fails, neglects or refuses to maintain a current insurance policy as required by subsection (b) or to file proof thereof with the clerk of courts shall cease automatically to be certified to perform judicial duties upon the expiration of the policy of which proof has been filed with the clerk of courts.”

REGISTERING WITH PCCD

Act 49 training is available, free of charge, to all elected or appointed constables and deputy constables who are properly registered with the PCCD. Registration is the first step in obtaining certification and allows constables to receive training bulletins, training schedules, and other PCCD communications regarding training and certification.

Registration can be initiated via telephone by calling 717-265-8551, 717-265-8552 or 717-265-8554, and leaving your full name and telephone number, including area code. Program Staff will return your call and provide registration information. Registrants are asked to provide the following information: name, mailing address, email address, telephone number, social security number, date of birth, term of office dates, and appointing constable information for deputy constables. The registration process takes less than five minutes, and requires the submission of documentation of your status as a constable or deputy constable in the form of an election certificate or an appointment order signed by the President Judge of the county court of common pleas.

In order to enroll into training classes online, you must also be a registered user in the Constables' Certification, Education and Training System (CCETS).

The registration process can also be started by returning the completed Constable/Deputy Constable Registration Form (**Attachment 1**) by mail to: Pennsylvania Commission on Crime and Delinquency, Constables' Program, P.O. Box 1167, Harrisburg, Pennsylvania 17108-1167. The form can also be faxed to the PCCD at 717-783-7140. Program Staff will contact you directly if any other information is needed.

Please be advised that constables and deputy constables are not employed by the PCCD, the CETB or the Training Program, per Supreme Court Decision, In Re: Act 147 of 1990, which ruled that constables and deputy constables are "independent contractors for the minor judiciary". Neither the PCCD, the CETB nor Program Staff will sign off as an employing agency for a constable or deputy constable.

Constables' Certification, Education and Training System (CCETS)

All users must register in CCETS prior to a user account being assigned. The registration process is very easy and Program Staff have provided a "walk through" of the registration process through a video demonstration. Please go to the PCCD website at www.pccd.pa.gov for the links to the video presentation and register for CCETS. On the PCCD website, click on the "Training" link on the upper right side, you will see the constable training program information. At the bottom of the paragraph is a link "Constables' Education and Training Board web page"... , this will take you to the full constable training webpage. On the right there is a link: "Register/Login to CCETS".

TRAINING

Currently, the Constables' Education and Training Program mandated by Act 2009-49 provides six types of training: 80-Hours of Basic Training; 40-Hours of Basic Firearms Training; 20-Hours of Continuing Education Training; 20-Hours of Annual Firearms Training; 20-Hours of Advanced Firearms Training; and up to 16-Hours of Optional Training. Three regional training delivery contractors offer the training from January through October of each year at various locations throughout the state. Class enrollment is required prior to attending any constable training class.

The Constables' Training Schedule lists contact information for all three regional training delivery contractors. Although it is suggested that an individual attend training in his or her "home" region, a constable or deputy constable may attend training offered anywhere in the state. Training is on a first-come, first-served basis. Class space is limited due to the availability of training facilities, and to provide a proper training environment. To enroll, a completed Standard Registration Form must be mailed or faxed directly to the regional training delivery contractor. Enrollments cannot be accepted over the telephone. Constables can also enroll online through CCETS.

A constable or deputy constable must successfully complete the Basic Firearms Training in order to obtain initial certification to carry a firearm in the performance of constable duties. Following initial firearms certification, successful completion of Annual or Advanced Firearms Training every year is required in order to maintain firearms certification.

80-HOUR BASIC TRAINING:

All newly elected constables or appointed deputy constables are required, under Act 49-2009 §7142(a) to attend and successfully complete basic training in order to perform judicial duties and be paid. Constables or appointed deputy constables must be registered with PCCD, to register, please call the Constables' Training Program at 717-265-8551, 717-265-8552, or 717-265-8554 when leaving a message, and include full name and telephone number including area code.

Refer to Title 37 Law, Chapter 431, for Regulations relating to the certification of constables and deputy constables. In order to successfully complete basic training, an individual must attend and participate in all training as scheduled, achieve a passing score of at least 70% on each written examination administered during the course, and successfully demonstrate practical skills during each proficiency examination. There are 14 subjects covered in basic training. Constables and deputy constables are tested on each of the 14 subjects. An individual who receives less than 70% on any written exam will have only one opportunity to re-test in that subject. If an individual fails the re-test, that individual has failed the basic training course and will not be certified by the Board.

Basic training will consist of instruction in the following subjects: role of the constable in the justice system, professional development, civil law and process, criminal law and process, use of force, mechanics of arrest, defensive tactics, prisoner transport and custody, court security, crisis intervention, management of aggressive behavior (MOAB), expandable baton (MEB), and oleoresin capsicum (OCAT).

20-HOUR CONTINUING EDUCATION:

Constables and deputy constables are required to attend and successfully complete continuing education every year in order to renew their certifications for the following calendar year. For example, successful completion of the 20-Hour Continuing Education course in the current year will serve as the basis for the renewal of a constable's certification for the next year. In order to successfully complete continuing education, an individual must attend and participate in all training as scheduled, achieve a passing score of at least 70% on each written examination administered during the course, and successfully demonstrate practical skills during each proficiency examination. Based upon successful completion of continuing education by October, constables and deputy constables will be issued new certification cards in December, which will indicate certification for the following year.

8-HOUR OPTIONAL TRAINING:

(Participants must complete all 8-hours of instruction. Participants will not be permitted to pick and choose which segment to complete).

OCAT Oleoresin Capsicum (OC) course (4-Hours) – This program has been designed to “train and certify” Pennsylvania's constables in the safe, correct, and legal use of Oleoresin Capsicum (also known as OC or pepper spray). This course will instruct constables on how to use OC in a safe and reliable manner on standards that are accepted nationwide. Upon successful completion of both the practical and written examinations, constables will receive certification that is valid for three (3) years after issue.

- and

Monadnock Expandable Baton (4-Hours) - In this four hour certification course constables will be introduced to basic baton techniques including; stance, patterns of movement, grip, methods of carry, draws, two-handed grip blocks, counter strikes, and retention. Constables will receive certification that is valid for three (3) years after issue.

FIREARMS TRAINING

Firearms training is optional, in that constables are not required to carry a firearm in the performance of their judicial duties. That choice is left to the discretion of each constable or deputy constable. However, the Pennsylvania Unified Judicial System, Constable Policies, Procedures and Standards of Conduct dated May 2013, states under IV. Security and Transports, subsection B. Weapons. No constable shall carry a firearm in the performance of judicial duties unless he or she has received firearm certification pursuant to 44 Pa.C.S.A. §7144 and complied with all regulations established by the Constables' Education and Training Board.

Act 49 mandates firearms training and certification for any constable or deputy constable who intends to carry a firearm during the performance of his or her constable duties. Board Regulation states that constables and deputy constables must be at least twenty-one years of age before attending firearms training.

A constable or deputy constable must successfully complete basic firearms training one time in order to obtain initial certification to carry a firearm in the performance of constable duties. Following initial firearms certification, successful completion of annual or advanced firearms training every year is required in order to maintain firearms certification.

40-HOUR BASIC FIREARMS:

The Basic Firearms Training has been designed to provide essential grounding in acceptable law enforcement techniques for any constable who is not certified to carry a firearm by the PCCD. It consists of 40 hours of basic firearms training and qualification. While the training is not mandatory, it is available to any constable who has completed the 80-Hour Basic Training course, has acquired a certification number, and is at least twenty-one years of age.

The 40-Hour Basic Firearms course consists of a series of lectures, laboratory activities, and practical exercises that provide a basic understanding of the safe manipulation of a revolver or semi-automatic pistol. It starts with the presumption that the participant has little or no formal training. The course stresses safe handling techniques, proper cleaning, correct weapons handling skills, and marksmanship.

The constable will be exposed to firing in reduced light and to interactive judgmental shooting scenarios. Successful course completion will require passing all practical exercises and written tests, and demonstrating proficient, safe weapons handling skills. The constable qualification course (CQC) is divided into two stages. A shooter must qualify on each phase with a score of at least a 75%. The shooter who fails to pass one of the phases will be permitted to repeat the phase on which he or she did not meet the 75% threshold. This will be the shooter's one remedial attempt to qualify.

20-HOUR ANNUAL FIREARMS:

The Annual Firearms Training consists of 20 hours of instruction focused on the improvement of basic marksmanship skills. Along with a qualification course, it includes reduced-light and judgmental training, as well as modules designed to improve marksmanship and weapons handling skills.

Daily range evaluations and assessments will evaluate each student's skills and will provide information to enhance future firearms training programs for constables. Satisfactory course completion requires a passing score (75%) on the written examination. In addition, the constable must achieve a qualification standard of 75% (45 points) or better on each phase of the constable qualification course (CQC) using their duty weapon.

20-HOUR ADVANCED FIREARMS:

IN ORDER TO QUALIFY TO ATTEND THE 20-HOUR ADVANCED FIREARMS TRAINING COURSE, CONSTABLES MUST HAVE SUCCESSFULLY COMPLETED AN ANNUAL, BASIC OR ADVANCED FIREARMS TRAINING COURSE WITH A CONSTABLE QUALIFICATION COURSE (CQC) SCORE OF 88% OR HIGHER IN THE PREVIOUS TRAINING YEAR.

The 20-Hour Advanced Firearms training consists of a series of assessments, laboratory, and practical exercises that will assist the constable in meeting the PCCD firearm certification requirements. This includes the reduced light, judgmental, and qualification course. Satisfactory course completion requires a passing score (75%) on the written examination. In addition, the constable must achieve a qualification standard of 75% or better on each phase of the constable qualification course (CQC) using their duty weapon. However, to continue to attend future advanced firearms modules, the constable must score an 88% or higher on the CQC. In the advanced firearms module, the CQC is conducted once weapons are inspected, function checked, and the reduced light portion of the training is completed. Unlike the basic and annual modules, there is no practice attempt on the CQC. A constable failing to qualify is not permitted to continue in the advanced class and may reschedule to an annual course *at no cost to the constable*.

TRAINING QUALIFICATION WITH AN ADDITIONAL WEAPON

Qualification with two weapons is permitted, *subject to time constraints and range conditions*. The constable must provide sufficient ammunition for that additional weapon. Constables must qualify with weapon 1 before they will be permitted to attempt to qualify with weapon 2.

In the event that a constable fails to achieve the required score during a weapon 1 qualification attempt and re-shoots the portion of the course failed but still fails to qualify, that constable will not be permitted to attempt qualification with weapon 2.

ATTENDANCE POLICIES

Please see the attendance policies outlined in Board Regulation below. All calls should be made “to the director of the school or a designee” directly.

§431.25(a), §431.35(a) and §431.47(a). Attendance policies.

States in part . . . A notification shall be deemed timely if it is delivered to the director of the school or a designee no later than 7 calendars prior to the start of classes.

Constables and deputy constables should not call or inform the class instructors as to the non-attendance of themselves or others.

All attendance calls should be made directly “to the director of the school or a designee”.

If you have an emergency prior to, or on any of the scheduled class dates, contact the training delivery contractor as soon as possible.

PLEASE DO NOT CONTACT PROGRAM STAFF TO ENROLL, WITHDRAW OR TRANSFER TRAINING CLASSES.

PA CONSTABLES' CLASSROOM CODE OF CONDUCT

All newly elected or appointed constables and deputy constables must sign off on the PA Constables' Classroom Code of Conduct prior to enrolling into any constable training classes. (See **Attachment 2**)

WAIVERS OF TRAINING FOR LAW ENFORCEMENT

BASIC TRAINING WAIVERS:

Applications for waivers of constables' basic training are allowed for those constables and deputy constables who have completed legislatively mandated basic training and are certified as municipal police officers under Act 120 by the Municipal Police Officers' Education and Training Commission, or as deputy sheriffs under Act 2 by the Sheriffs' and Deputy Sheriffs' Education and Training Board. A constable or deputy constable who is currently employed as a municipal police officer or a deputy sheriff may apply for a waiver of constables' basic training, provided that his or her training and certification is current, in-force, and up-to-date upon application for waiver of constables' basic training.

In addition, a constable or deputy constable who was formerly employed as a Pennsylvania State Trooper, a municipal police officer, or a deputy sheriff is eligible to apply for a waiver of constables' basic training within two years of terminating such employment. Constables and deputy constables who terminated their law enforcement employment within the last two years must have evidence that the appropriate training and certification, applicable to the level of law enforcement employment, was current, in-force, and up-to-date upon termination of that employment.

A basic training law enforcement waiver application may be obtained by calling 717-265-8551, 717-265-8552 or 717-265-8554. Include name, mailing address and telephone number with area code when leaving a message. The Basic Training Waiver Application for Law Enforcement Officers is also available in the Constables' Training Program section of the PCCD website at www.pccd.pa.gov.

FINANCIAL DISCLOSURE REQUIREMENTS OF THE STATE ETHICS COMMISSION

FINANCIAL INTEREST STATEMENTS: WHAT YOU NEED TO KNOW

Each year, thousands of public officials and public employees across Pennsylvania are confronted with a task that is almost as enjoyable as filing tax returns - filing their yearly Ethics Financial Interest Statements. While the filing of a Financial Interest Statements may not be enjoyable, it is a yearly duty for those public officials and public employees who meet the criteria established by the Public Official and Public Employee Ethics Law, commonly referred to as the Ethics Act, including constables, and deputy constables. In addition to mandating the filing of the forms, the Ethics Act also designates the State Ethics Commission as the agency responsible for the administration of the process.

As a result of that requirement, the State Ethics Commission, each year, handles numerous questions about how to complete the forms. The following article is offered by the State Ethics Commission in an attempt to address frequently encountered questions and problems.

Constables and deputy constables have been required to file Financial Interest Statements since 1993 with the issuance of Opinion 92-008 by the State Ethics Commission.

As required by the Ethics Act, all elected and most appointed public officials must file their statement by May 1 of each year. The same holds true for constables/deputy constables. Constables are required by law to file their Financial Interest Statements directly with the State Ethics Commission. Financial Interest Statement forms are available from the State Ethics Commission at www.ethics.pa.gov, the PCCD at www.pccd.pa.gov, County Boards of Elections and managers of townships and boroughs throughout the Commonwealth.

WHO IS REQUIRED TO FILE A FINANCIAL INTEREST STATEMENT?

All elected and most appointed public officials, including constables and deputy constables are required to file an annual Financial Interest Statement. In addition, many public employees are also subject to the annual Financial Interest Statement filing requirement. Constables and deputy constables are required to file Financial Interest Statements as well even if they do not work as a constable and even if they do not earn money as a constable. Further, constables and deputy constables must file even if they are not certified through required class work to perform the role of constable/deputy constable. The key standard is whether the constable/deputy constable has taken the oath of office. If so, then the constable/deputy constable must file a Financial Interest Statement. These rules apply whether the constable/deputy constable is elected or appointed to fill a vacancy.

Second, other public employees who are not elected, but meet the criteria set forth in the Ethics Act, also must file Financial Interest Statements. The entire criteria are too lengthy to be repeated herein, but may be found in the language of the Ethics Act itself, as well as the accompanying regulations, which are listed at 51 Pa. Code, at Sections 11, 15, 17 and 19. In general, though, some of the considerations that will determine whether someone is required to file include whether the person has supervisory authority over other employees, the scope of decision making authority of the person, the ability to expend funds on a discretionary basis, and responsibility for carrying out laws or regulations. Also, part-time and full-time municipal solicitors are required to file Financial Interest Statements.

Candidates or nominees for office must file Financial Interest Statements as well. Candidates for the position of constable must file a Financial Interest Statement on or before the last day for filing a petition to appear on the ballot for election. Candidates who do not file may be disqualified from appearing on the election ballot. With regard to nominees, they must file a Financial Interest Statement at least ten days before their nomination is scheduled to be reviewed for approval or rejection.

The public is thus given access to the financial interest information of its public servants, who are in positions of decision-making authority. In this way, the need of the public to be assured that financial interests of its public officials do not conflict with their public duties is fulfilled.

FAILURE TO COMPLY WITH FINANCIAL INTEREST STATEMENT REQUIREMENTS

With these suggestions in mind, a person may wonder what happens if they fail to properly file a Financial Interest Statement form for a particular year.

Each year, the State Ethics Commission conducts numerous random audits of the Financial Interest Statements on file at the state, county and local levels. These audits often reveal either forms not being filed by individuals who are required to file, or deficient forms. Since the forms are required to be available to the public, members of communities across the Commonwealth often contact the Commission with what they believe are problems with Financial Interest Statements filed by their government officials. This information enables the Commission to monitor whether each governmental body is following the law with regard to Financial Interest Statements filing requirements.

Once the Commission discovers information concerning un-filed or deficient forms, an enforcement process begins. First, constables/public officials are often given the opportunity to correct the forms themselves by the Ethics Commission. This involves filing a new form and addressing problem areas that may have been identified. If the individual complies with the Commission's request and files an appropriate form, no further action is taken.

If the constable/public official refuses to comply with the request, or files another deficient form, a formal legal process then begins. Individuals are then subject to a process that can involve an order from the Ethics Commission imposing a fine and directing them to comply with their Financial Interest Statement requirements, and those orders can be enforced in the Commonwealth Court of Pennsylvania. Failure to comply with those orders can lead to fines, contempt of court citations, and even imprisonment. Each year, across Pennsylvania, government officials spend additional time, effort and expense due to their failure to properly comply with the Financial Interest Statement requirement in the first place.

The Ethics Commission wants to avoid this process whenever possible. It is much preferable to have people be able to correctly follow the process of filing the forms in the first place, rather than have to resort to a legal process to finish the job. It is the State Ethics Commission's belief that the more information that is made available about the process, the easier it will be to comply with, which is to everyone's benefit.

CONCLUSION

The Financial Interest Statement process is designed to allow the public to be informed about the financial interests of its government officials. In this way, citizens can be aware of whether or not their government officials have any outside interests that may impact upon their decision-making. That kind of information helps all of us achieve good government.

It is the belief of the State Ethics Commission that the paper forms have been made more user-friendly, so those officials that are required to file them can do so as easily as possible. In addition to the paper form, the State Ethics Commission also has available an online form which can be found at www.ethics.pa.gov. Click on the link in the right corner entitled "Online Filing" and following the instructions. An email confirmation with a PDF copy of your filing is also provided upon completion. In order to make that process as efficient as possible, the State Ethics Commission wants to make as much information available as it can. We encourage questions or

comments about this process, and can be reached at their toll-free telephone number, (800) 932-0936, between 8:00 a.m. and 5:00 p.m. Monday through Friday, or by e-mail at ethics@pa.gov. In addition, the State Ethics Commission has a website, which can be found at www.ethics.pa.gov. This website has substantial information regarding the workings of the State Ethics Commission, as well as updates in the Ethics Law, and a complete listing of the law and regulations of the State Ethics Commission. We feel this is an excellent source of information and we encourage individuals to take advantage of it.

The State Ethics Commission pledges to make the Financial Interest Statement process as efficient and effective as possible, so that government officials can more easily get to the business of governing. We look forward to working with constables and other officials from all across Pennsylvania to achieve this goal.

Attachment 1
CONSTABLE/DEPUTY CONSTABLE REGISTRATION FORM

Please complete and mail or FAX this form to the address below.

**BUREAU OF TRAINING SERVICES-CONSTABLES' PROGRAM
PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY
P.O. BOX 1167
HARRISBURG, PENNSYLVANIA 17108-1167
FAX: (717) 783-7140**

IMPORTANT: YOU MUST INCLUDE PROOF OF YOUR STATUS AS A CONSTABLE OR DEPUTY CONSTABLE IN THE FORM OF AN ELECTION CERTIFICATE OR AN APPOINTMENT ORDER SIGNED BY THE PRESIDENT JUDGE OF YOUR COUNTY COURT OF COMMON PLEAS. FAILURE TO PROVIDE THIS ESSENTIAL DOCUMENTATION WILL DELAY COMPLETION OF YOUR PCCD REGISTRATION. YOU WILL NOT BE ABLE TO ENROLL IN ANY ACT 2009-49 CONSTABLE TRAINING CLASS UNTIL PCCD REGISTRATION HAS BEEN COMPLETED. PROSPECTIVE ACT 49 STUDENTS MUST PROVE THEY HOLD THE OFFICE OF CONSTABLE OR DEPUTY CONSTABLE BEFORE THEY ARE PERMITTED TO ENROLL IN CONSTABLE TRAINING.

NAME: _____
Last First MI

SOCIAL SECURITY NUMBER: _____ **DATE OF BIRTH:** _____

MAILING ADDRESS: _____
PLEASE INCLUDE 4-DIGIT ZIP CODE SUFFIX _____

COUNTY: _____

BUSINESS TELEPHONE NUMBER: _____

ALTERNATIVE TELEPHONE NUMBER: _____

E-MAIL ADDRESS: _____

I AM A	<input type="checkbox"/> CONSTABLE	<input type="checkbox"/> DEPUTY CONSTABLE
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FOR CONSTABLES AND DEPUTY CONSTABLES:

DATE YOU BEGAN CURRENT TERM OF OFFICE: _____

EXPIRATION DATE OF YOUR CURRENT TERM: _____

FOR DEPUTY CONSTABLES:

NAME OF CONSTABLE WHO APPOINTED YOU:

Last First MI

APPOINTING CONSTABLE'S CERTIFICATION NUMBER: _____

The Program will require the Appointing Constable's election or appointment paperwork if not currently on file.

Attachment 2



PA CONSTABLES' CLASSROOM CODE OF CONDUCT

Constables' Classroom Code of Conduct:

I. Testing

- A. Mandatory tests and proficiency examinations will be given for each major section of the curriculum. In order to complete the course and receive certification, a trainee must pass all tests and proficiency examinations.
- B. Test and proficiency examinations will be scheduled and announced to the class in advance.
- C. All examination material must be returned to the instructor supervising each test at the end of the examination period.
- D. Cheating on examinations will be grounds for discipline by the training provider. Cheating includes copying from another person's examination, utilizing references or notes without the instructor or proctor's approval, theft of test materials, removal of test materials from the classroom, using test materials stolen by another or providing answers to, receiving answers from, or giving assistance to another person during any phase of an examination session.

II. Attendance

- A. A constable or deputy constable who registers for basic training, continuing education or firearms qualification course may withdraw from the course without penalty upon timely notification to the director of the school conducting said course. A notification shall be deemed timely if it is delivered to the director of the school or his or her designee no later than seven calendar days prior to the start of classes. The school may assess a failing grade for all or part of the basic training if the constable or deputy constable fails to provide timely notification or to show good cause.
- B. A constable or deputy constable must attend and complete all hours of the training class to receive credit for the class.

III. Unprofessional Conduct

A. Unprofessional conduct is defined as conduct that reflects poorly upon the image of the Constables' Education and Training Board (Board) and the constables of the Commonwealth. Examples include, but are not limited to: disruptive talking in the classroom; disrespect to instructors; sleeping, eating, or smoking in class; disrupting other activities occurring on the training site; false fire alarm; vandalism; illegal parking; lying to training delivery or Board staff or any other person; refusal to cooperate with staff investigations; and other criminal offenses committed at the training site. Cell phone usage during training classes would be deemed disruptive and disrespectful to the instructors and other students. Utilizing any other electronic device could also be disruptive and disrespectful to the class environment.

B. Attendance at training sessions while under the influence of alcohol or illegal drugs is prohibited and is grounds for immediate dismissal from training. Immediate dismissal from a training class while under the influence of alcohol or illegal drugs will constitute a class failure and the constable or deputy constable shall bear financial responsibility for the cost of attending an additional training course.

C. All trainees are expected to respect the rights of their fellow classmates.

D. Unprofessional conduct is grounds for sanction and the imposition of appropriate disciplinary action.

E. Harassment or discrimination against an individual or group by reason of race, color, familial status, religious creed, ancestry, age, sex, national origin, handicap or disability will not be tolerated and is grounds for dismissal from the classroom.

1. Physical Harassment/Abuse: this includes unwanted physical contact to include touching, fondling, patting, pinching, kissing and all legal classifications of assault.
2. Verbal Harassment/Abuse: this includes name calling, innuendoes, insults, threats, requests or demands for sexual favors, propositions, questions about a person's sexual practices, lewd comments, "wolf whistles," racial, religious, ethnic, or explicit sexual jokes.
3. Visual Harassment/Abuse: this includes obscene, explicit or insulting gestures, leering or displays, pictures, objects, materials or crude cartoons.



F. Sexual Harassment: Is further defined, to include unwanted sexual advances, requests for sexual favors and other verbal or physical conduct such as that described above when it is of a sexual nature and when such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

IV. Disciplinary Action

A. Violations of the Code of Conduct may subject a trainee to disciplinary action.

B. Disciplinary action may include but is not limited to:

1. An oral reprimand;
2. A written warning;
3. Restitution for damages;
4. Dismissal from the training provider for the course of instruction;
5. Permanent bar from the training provider's training sites.

C. Imposition of disciplinary action by a training provider's director does not waive the training provider's or the Board's right to impose additional or more severe disciplinary action against a trainee when the circumstances require such action. Imposition of disciplinary action by a training provider's director also does not waive the training provider's or the Board's right to impose no or less severe disciplinary action against a trainee. An Act 49 Constable Training Grievance Form can be used by a constable to file a formal grievance with the Board for any disciplinary action taken against a constable. A copy of this grievance form can be found on the PCCD website or by writing to PCCD-Bureau of Training Services, PO Box 1167, Harrisburg, PA 17108-1167.



Statement of Understanding

I, _____, have read and understand the PA Constables' Classroom Code of Conduct and agree to abide by its provisions. Refusal to sign off on this PA Constables' Classroom Code of Conduct will prohibit the constable or deputy constable from attending Act 49 Constable Training.

Print Name

Signature

Date