Agency Name: South Carolina Criminal Justice Academy

Statutory Authority: 23-47-20(C)(15)

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House Committee: Judiciary Committee

Senate Committee: Judiciary Committee

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Subject: Allow E-911 Operators One Year to Attend Training at the Academy

History: 4369

By Date Action Description Jt. Res. No. Expiration Date

- 03/22/2013 Proposed Reg Published in SR

- 05/01/2013 Received by Lt. Gov & Speaker 04/07/2014

H 05/02/2013 Referred to Committee

S 05/02/2013 Referred to Committee

- 02/05/2014 Agency Withdrawal

 120 Day Period Tolled

- 04/04/2014 Resubmitted 06/04/2014

S 05/21/2014 Resolution Introduced to Approve 1316

- 06/04/2014 Approved by: Expiration Date

- 06/27/2014 Effective Date unless otherwise

 provided for in the Regulation

Resubmitted: April 4, 2014

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**SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY**

CHAPTER 37

Statutory Authority: 1976 Code Section 23-47-20(C)(15)

37-062. Training to Take Place within One Year of Hire

**Synopsis:**

S.C. Code §23-47-20(C)(15) authorizes the Law Enforcement Training Council to make regulations necessary for the training of telecommunication operators or dispatchers. The proposed addition to the regulation will allow 911 operators one year to attend training at the Academy, which is consistent with S.C. Code §23-23-40 which allows one year to attend training for law enforcement officers.

Notice of Drafting for the proposed amendments was published in the *State Register* on January 25, 2013.

Section-by-Section Discussion

37-062 This section is new and sets out that operator training must occur within one year of hire, which is consistent with S.C. Code §23-23-40 which allows one year to attend training for law enforcement officers.

**Instructions:**

Add new regulation as shown below.

**Text:**

37-062. Training to Take Place within One Year of Hire.

 A. No operator employed or appointed on or after the effective date of these regulations by any agency in this State is authorized to receive, process, transmit and/or dispatch emergency and non-emergency calls for police, fire, emergency medical and other public safety services via communication devices unless he or she has been certified as qualified by the Council, except that any agency in this State may appoint or employ as an operator, a person who is not certified if, within one year after the date of employment or appointment, the person secures certification from the Council. Exceptions to the one-year rule may be granted by the Director in these cases:

 1. military leave or injury occurring during the first year which would preclude the receiving of training within the usual period of time; or

 2. in the event of the timely filing of application for training, which application, under circumstances of time and physical limitations, cannot be honored by the training academy within the prescribed period; or

 3. upon presentation of documentary evidence that the candidate has successfully completed equivalent training in one of the other states which by law regulate and supervise the quality of operator training and which require a minimum basic or recruit course of duration and content at least equivalent to that provided in these regulations or by standards set by the Council; or

 4. if it is determined by documentary evidence that the training will result in undue hardship to the requesting agency, the requesting agency must propose an alternate training schedule for approval.

 B. Notwithstanding another provision of law, in the case of a candidate for certification who begins one or more periods of state or federal military service within one year after his date of employment or appointment, the period of time within which he must obtain the certification required to become an operator is automatically extended for an additional period equal to the aggregate period of time the candidate performed active duty or active duty for training as a member of the National Guard, the State Guard, or a reserve component of the Armed Forces of the United States, plus one hundred and eighty days. The Director must take all necessary and proper action to ensure that a candidate for certification as an operator who performs military service within one year of his employment or appointment is not prejudiced in obtaining certification as a result of having performed state or federal military service.

**Fiscal Impact Statement:**

As operators are already required to attend training prior to beginning work as an operator, there is no anticipated fiscal impact from this change.

**Statement of Rationale:**

Revisions to these regulations are necessary to allow 911 operators one year to attend training at the Academy, which is consistent with S.C. Code §23-23-40 which allows one year to attend training for law enforcement officers.