



PHONE: (717) 783-5417
FAX: (717) 783-2664
irrc@irrc.state.pa.us
<http://www.irrc.state.pa.us>

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INDEPENDENT REGULATORY REVIEW COMMISSION
333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

December 14, 2005

Honorable Jeffrey B. Miller, Commissioner
Municipal Police Officers' Education and Training Commission
1800 Elmerton Avenue
3rd Floor, Department Headquarters
Harrisburg, PA 17112

Re: Regulation #17-68 (IRRC #2501)
Municipal Police Officers' Education and Training Commission
Administration of the Training Program

Dear Commissioner Miller:

Enclosed are the Commission's comments for consideration when you prepare the final version of this regulation. These comments are not a formal approval or disapproval of the regulation. However, they specify the regulatory review criteria that have not been met.

The comments will be available on our website at www.irrc.state.pa.us. If you would like to discuss them, please contact me.

Sincerely,


Kim Kaufman
Executive Director

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Enclosure

cc: Honorable John C. Rafferty, Jr., Chairman, Senate Law and Justice Committee
Honorable Sean F. Logan, Minority Chairman, Senate Law and Justice Committee
Honorable Dennis M. O'Brien, Majority Chairman, House Judiciary Committee
Honorable Thomas R. Caltagirone, Democratic Chairman, House Judiciary Committee

Comments of the Independent Regulatory Review Commission

on

Municipal Police Officers' Education and Training Commission Regulation #17-68 (IRRC #2501)

Administration of the Training Program

December 14, 2005

We submit for your consideration the following comments on the proposed rulemaking published in the October 15, 2005 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the Municipal Police Officers' Education and Training Commission (Training Commission) to respond to all comments received from us or any other source.

1. Section 203.35. Emergency suspension of school certification. – Reasonableness; Clarity.

In this section, the Training Commission is deleting provisions which state how a school can correct conditions which led to a suspension of the school's certification and how the results of a reinspection will be communicated to the school. The deleted provisions contain valuable information which does not appear to be listed elsewhere in the Training Commission's existing regulations. The final-form regulation should specify the procedures to be undertaken by a school to correct violations as well as the reinspection procedures to be followed by the Training Commission.

2. Section 203.37. Minimum standards for school directors. – Reasonableness; Clarity.

Grandfathering

This section establishes minimum education and experience requirements for school directors. However, the regulation does not specify if current school directors will be grandfathered or if they will be given a certain time frame within which they must demonstrate compliance with the requirements after the regulation is effective. The final-form regulation should either contain a grandfathering provision or establish a time frame for current school directors to demonstrate compliance.

Paragraph (4)

This paragraph lists one of the minimum professional experience requirements as "Possess experience and ability as an instructor." This requirement is vague. The type and duration of experience required should be specified. Additionally, the regulation should state how the Training Commission will evaluate an individual's "ability as an instructor," and what documentation an individual must provide to demonstrate ability.



Facsimile Cover Sheet

Kristine M. Shomper
Administrative Officer



Phone: (717) 783-5419
Fax #: (717) 783-2664
E-mail: kriss@irrc.state.pa.us
Website: www.irrc.state.pa.us

INDEPENDENT REGULATORY REVIEW COMMISSION
333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

To: Major John M. Gallaher, Executive Director
Agency: Municipal Police Officers' Education & Training Program
Phone: 346-7749
Fax: 346-7782
Date: December 14, 2005
Pages: 3

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2005 DEC 14 AM 8:51
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REVIEW COMMISSION

Comments: We are submitting the Independent Regulatory Review Commission's comments on the Municipal Police Officers' Education & Training Program's regulation #17-68 (IRRC #2501). Upon receipt, please sign below and return to me immediately at our fax number 783-2664. We have sent the original through Interdepartmental mail. You should expect delivery in a few days. Thank you.

Received FAX Sheila A. [Signature]
12/14/05

Accepted by: _____ **Date:** _____