



# Fitchburg State University Police Department

<p><b>Subject:</b> ATTENDANCE AND PARTICIPATION IN AN MPTC POLICE ACADEMY</p> <p>Reference: IACLEA: MPAC:</p>		<p><b>General Order</b></p> <p><b>6.1</b></p>
<p><b>Effective Date:</b> May 30, 2023</p>	<p><b>Review Date:</b></p>	
<p><b>By Order of</b> Michael J. Cloutier, Chief of Police</p>		

**PURPOSE:**

An individual sponsored by the Fitchburg State University Police Department is subject to the policies, procedures, rules, and regulations of the appointing/sponsoring agency, the MPTC Municipal Police Training Committee, and the police academy in which the student officer is enrolled.

This General Order is to provide guidance, ensure proper communication, and provide parameters for those attending a full-time Municipal Police Training Committee-sanctioned academy, sponsored by the Fitchburg State University Police Department, either as part of the Fitchburg State University Police Program or as an employee for the department.

**POLICY:**

It is the policy of the Fitchburg State University Police Department to ensure compliance with all policies, procedures, rules, and regulations related to attendance and participation in an academy setting, and to work with the attending individual to be successful in their Training. It is also the policy of the Department to ensure that those individuals who have failed to demonstrate the ability to successfully complete the academic and practical skills required, or subsequent to the initial background investigation, the presence of either discretionary or mandatory disqualifiers, may have their sponsorship be withdrawn from the academy.

**Definitions:**

**Police Academy:** A basic recruit entry-level academy, operated or authorized by the Municipal Police Training Committee, that has the prescribed course of study that a law enforcement

officer must satisfactorily complete before performing police duties and functions in the Commonwealth of Massachusetts.

**Police Student:** An Individual who is enrolled in the Fitchburg State University's Police Program, and has not been enrolled in the Recruit Officer Class (Police Academy)

**Sponsored Candidate:** A student officer enrolled by a law enforcement agency in a police academy, but not a sworn law enforcement officer at the time of enrollment.

**Student Officer:** . An individual who is attending a police academy in order to perform police duties and functions.

**PROCEDURE:**

**A. General**

1. Prior to performing police duties and functions an individual shall be assigned to, and satisfactorily complete, a police academy, unless he or she is granted an exemption under 550 CMR 3.03(2)(a), are certified by POST pursuant to St. 2020, c. 253, § 102(b), or, have been granted a temporary waiver under 550 CMR 3.03(3).
2. Candidates accepted into a police academy must meet the following minimum requirements:
  - a. Be 21 years of age or older,
  - b. Appointed or sponsored by a law enforcement agency or, if authorized by the Committee, some other appointing authority,
  - c. Successfully completed a high school education or equivalent,
  - d. Pass a state and national background check pursuant to M.G.L. c. 6E § 4(1)(1),
    - i. See **General Order 5.4 Background Investigations** for standards set forth by the Fitchburg State University Police Department
  - e. Pass the Massachusetts Human Resource Division's Physical Ability Test (PAT),
  - f. Pass a medical examination within nine months prior to the start of a police academy,
  - g. Pass pre-academy fitness standards as set forth by the Committee,
  - h. Meet other standards established by the Committee,
  - i. Have a signed Waiver and Release form. All issues of civil liability shall be determined in accordance with M.G.L. c. 258 and other applicable law.

3. All individuals sponsored by the Fitchburg State University Police Department are expected to attend punctually and participate fully in all scheduled classes, assignments, field exercises, and formations, except in cases of the following excused absences:
  - a. Department-authorized bereavement;
  - b. illness or injury;
  - c. required court appearance as a witness or juror;
  - d. required civic duty;
  - e. military duty;
  - f. emergency;
  - g. or other absence authorized by the Academy Director or the Fitchburg State University Chief of Police.
4. Any student officer attending an academy requesting leave/absence for one of these enumerated reasons shall promptly notify the academy director and the Chief of Police or designee well in advance of the absence. All other absences shall be considered unexcused. Any student officer who misses a statutorily mandated class due to an absence must make up the class.
5. Every student officer shall successfully complete the requirements prescribed by the Municipal Police Training Committee in each of the three performance areas:
  - a. academic,
  - b. skills, and
  - c. health and wellness.
6. A student officer may become separated from a police academy at any time after beginning, but before completing the prescribed course of study. A Separation Notice shall be completed by the academy director and distributed in accordance with the directions on the form.

**B. Student Sponsorship**

1. Police Students will need to adhere to the policies, procedures, rules, and regulations of the Municipal Police Training Committee (MPTC). This includes provisions under 550 CMR 3.00 Massachusetts Police Recruit Training Requirements as contained in the MPTC Student Officer Guide, and the MPTC's Policies and Procedures for Police Academies and Reserve/Intermittent Training Programs. Police students will also need to adhere to the University rules and regulations as outlined in the Fitchburg State University Student Handbook and the Code of Conduct and Discipline Process Handbook. In cases where the policies or rules conflict, the stricter standards will apply.

2. Police Students must be aware that they are held to slightly different standards, rules, and policies while attending the police academy in the fifth (“+1”) year. These rules and regulations are also contained in this handbook under “Academy Life” and are also specifically addressed in the MPTC Student Officer Guide.
3. Police Students' academic progress and overall conduct and behavior will be closely monitored and guided to foster disciplined performance.
  - a. Police Students / Student Officers are sponsored by the Fitchburg State University Police Department unless otherwise hired by another police agency.
    - i. Sponsorship by the Fitchburg State University Police Department as a sponsor-only agency will be based on a collaborative decision between the Chief of Police, the academy director, and the Academic Affairs senior leadership team..
    - ii. The full list of expectations for sponsor-only student officers can be found in the Fitchburg State University Police Program Student Handbook.
    - iii. Police Students who are dismissed (separated) from the Police Program for academic or disciplinary reasons, will not be allowed back into the Program at any time. They may be allowed to remain in the Criminal Justice program if the academic or disciplinary issue which caused the dismissal does not conflict with University rules and policy.
  - b. Police Students / Student Officers who are sponsored by the Fitchburg State University Police Department, as an employee of the department, will follow the same expected code of conduct and behavior as their classmates.
    - i. Student Officers, although not compensated or benefited, will be considered full-time employees as of the Sunday following their undergraduate commencement.
    - ii. Once a police student becomes an employee, they will be held to the standards and requirements listed in the Employee Sponsorship section of this General Order.
4. All student officers shall be responsible for their own uniforms and equipment.
  - a. Upon graduation from the academy, employees of the department may be issued a clothing allowance proportional to the time left in the fiscal year for additional uniforms and equipment needed to perform their duties as officers of the university, in accordance with the collective bargaining agreement.

### **C. Employee Sponsorship**

## Chapter 6 - Training and Professional Development

1. As a condition of employment and/or continued employment as a police officer, an employee shall complete and successfully pass any and all training programs or certifications as required or determined by the Municipal Police Training Committee, and/or the Massachusetts Peace Officers Standards and Training Commission, or any successor agency or entity and must obtain and maintain their certification issued by the Massachusetts Peace Officer Standards and Training Commission or any successor agency or entity. Any employee who loses, has suspended, or cannot obtain the required certification shall not be employed in any capacity that is precluded by law.
2. Employees hired or promoted into Police Officer positions that require the successful completion of a job-related training program, and who have entered such training program prior to the end of their probationary/trial period as established in **Article 19, Section 4, or Article 27, Section 1**, shall be covered by the following provisions of the Collective Bargaining Agreement:
  - a. The probationary/trial period, as established in Article 19, Section 4, or Article 27, Section 1, shall continue until the completion of the designated training program or the time limits established above, whichever is greater.
  - b. For employees who fail to complete the designated training program successfully, the CEO shall have five (5) working days to make a determination regarding the employee's status in accordance with Article 19 or Article 27.
3. Prior to a change in the type of training required or where a University is instituting a required program, the CEO or designee shall notify the appropriate union official.
4. Individuals hired or promoted into public safety positions shall be notified, prior to their date of hire/promotion, of the type of training required. For Police Officer positions, the position posting for the vacant position shall indicate the type of training required by the University and the possible consequence of the failure to complete such training.
5. New employees hired into the bargaining unit shall be considered as probationary employees for the first seven (7) months of their continuous employment. Employees who are hired into the bargaining unit at less than full-time shall be deemed to be probationary employees until they have worked the equivalent of seven (7) months of full-time equivalent continuous employment.
  - a. The purpose of the new hire probationary period is to provide for the evaluation of an employee over a period of seven (7) months. Should that period be interrupted to a significant degree, the new hire's probationary period shall be extended to compensate for the interruption.
  - b. During the new hire probationary period, an employee may be disciplined or terminated without recourse to the grievance and arbitration

procedures provided herein, except for discipline or discharge for lawful and protected Union activity.

6. Any provision of the collective bargaining agreement to the contrary notwithstanding, the student officer who is enrolled at the expense of the University in a job-related training program shall, as a condition of employment, return to the service of the University for a period of service for each month or portion thereof that the employee was enrolled in such job-related training program.

- a. In default of the completion of such service, he/she will refund to the University an amount equal to such proportion of the salary received by him/her while enrolled in such job-related training program as the amount of service not actually rendered bears to the entire amount of service agreed to be rendered.

7. Clothing and Equipment

- a. The department shall establish a clothing and equipment allowance for each sworn Police Officer. The allowance shall be determined by the most recent collective bargaining agreement. Such allowance shall be per person and shall be for the purpose of purchasing clothing and equipment required **by the university**.

- b. The academy will provide the department with a list of uniforms and equipment required of the student officer in the academy. The following will guide the quartermaster and the student officers:

- i. Quartermaster will check existing department inventory for any uniform or equipment on the list, and issue the student recruit said items.

- ii. The Quartermaster will then bring the recruit to an authorized vendor to purchase any additional items, whose total value is equal or less than the allotted amount of the student officer's clothing and uniform allowance.

- iii. The department's firearm instructor will provide the student officer with the necessary items for firearms training, minus eye/ear protection will be the responsibility of the student officer.

- iv. The department may loan the student officer a suitable laptop or tablet for use while attending the academy.

- a. The laptop/ tablet shall be returned on the first assigned date of duty following completion of the academy, or the day of separation if separated from the academy for any reason.

- v. All remaining academy uniforms and equipment shall be the responsibility of the student recruit.

- c. Upon termination of a student officer's employment, the employee shall return all uniforms and equipment provided to the student officer by the department.

8. Notification

- a. As an employee of the University Police Department, attendance and participation in an academy are considered your duty assignment and workplace location.
  - i. Any absences, tardiness, or early dismissals require notification to an OIC and shall be appropriately documented on the student officer's timesheet.
  - ii. Any overtime must be approved ahead of time by the Chief of Police or designee.
  - iii. Overtime will not be granted for travel, study, or academy preparation.
- b. All disciplinary issues while in the academy will be first handled in accordance with the MPTC Recruit Officer Student Officer Guide.
  - i. Academy offenses are set forth in the MPTC's policies and procedures and may be supplemented by academy-specific operational rules approved pursuant to 550 CMR 3.05(2).
  - ii. In keeping with the concept of progressive discipline, corrective action shall be consistent with, and appropriate for, the student officer's conduct that resulted in the breach, and any other history of misconduct while at the academy.
  - iii. The student officer shall submit a copy of all To/ Forms or memorandum submitted to the academy for disciplinary or performance-related incidents.
- c. Any written disciplinary warning or notifications issued by the academy director shall be provided to the Chief of Police, or designee, by the student officer the day the student officer receives such notice.
- d. The department may consider additional disciplinary actions, based on department-issued General Orders, and consult with the University's Office of Human Resources if any disciplinary action will be imposed by the university.
  - i. Any notification of remedial training from the academy should be forwarded to the Operation Lieutenant, to be reviewed as part of the student officer's field training program.
  - ii. The department may offer additional assistance to the student officer, if such training and/ or assistance is available, and does not conflict with the training program of the academy.

Approval:

M. J. Clout

Chief of Police

5/30/23

Date

Attachment

Standard Student Officer Equipment List