

THE BRIEFING

A Publication of the Texas Commission on Law Enforcement

Inside this issue:

[Commission Meeting Highlights](#) 2

[Credentialing Division](#) 3

[Field Services Division](#) 4

[Government Relations](#) 5

[Special Services Division](#) 6

[Legal Division](#) 8

[New TCOLE Staff](#) 9

Year in Review...

By Chief Kim Vickers

The year 2018 was certainly eventful. TCOLE started out with our Tour of Texas, where we got to meet many of you and hear your questions, concerns, and ideas.

Later came a shooting at Santa Fe High School. This event, as well as the shooting at the First Baptist Church of Sutherland Springs just months prior, led to discussions about how peace officers in Texas are trained to respond to active shooter situations and many received additional training as a result. These events also led to a major increase in the number of school marshals licensed in Texas, quadrupling the number who had been in place previously.

Though one officer death is too many, the number of peace officer deaths in Texas decreased from 18 in 2017 to 13 in 2018. Whether this was because of the quality of training available or a little bit of luck, we will never know – but we at TCOLE will do everything in our power to ensure we continue to have the highest caliber and the best trained officers in the country.

Take care of your mind and body in 2019. Practice stress management, fire-arms safety, and for goodness' sake, wear your seatbelt! We look forward to all that the new year has to offer.

Upcoming Events

Quarterly Commission Meetings:

March 7, 2019

June 20, 2019

September 5, 2019

Commission Meeting Highlights

The latest Commission meeting was held at the J.J. Pickle Research Campus on Thursday, December 6, 2018. Here are a few highlights from the meeting:

Executive Director's Report: Staff changes were announced and the new employees were introduced. There were 869 people registered for the 2018 Training Conference; 821 attendees scanned into the sessions. Commissioner Hollingsworth thanked Director Merchant for pursuing the grant for the three new curriculum staff members and TCOLE staff for the work done on the conference. Commissioner Hester also thanked staff for the work done on the conference and Director Roth and the TCOLE team for the financial report.

Credentialing and Field Services Director's Report: The TCOLE website has a new tab named Technical Assistance Bulletins. It is located at the bottom of the home page. This is an additional resource on our website.

Enforcement and Special Services Director's Report: Thirty-eight new agencies have been opened since the last commission meeting. Racial Profiling will open in January of 2019. There are eight Telecommunicator classes on the TCOLE website. The new jailer course curriculum is out and will be required January 1, 2019. Staff is working with the Forensic Science Commission to add to the Basic Peace Officers Course. We are looking at a February release date. There was discussion about the final number of hours that would be added to the course.

Government Relations Director's Report: Thanks to the TCOLE staff that helped open the new agencies and the staff that worked on the School Marshal courses that were taught since June. The legislative session begins on January 8th. There have been 701 bills filed so far, with 30 of them law enforcement related. Three of the 30 law enforcement related bills filed will require possible changes to 1701.

For more information

Meeting Minutes: Other items, including line of duty deaths, waiver requests, proceedings for revocation, suspension, and other disciplinary actions, and previous meeting minutes, can be found under the Who We Are/The Commission section on our website at: www.tcole.texas.gov.

Live Recordings: Live and archived video recordings of the meetings can be found on our website on the Who We Are/The Commission page at: www.tcole.texas.gov.

Public Comment: Anyone wishing to make a public comment may do so at the following email address: public_comment@tcole.texas.gov.

Credentialing Division

Temporary Licenses

Occupations Code §1701.310 and §1701.3071 allow for the temporary licensing of a Jailer or Telecommunicator, respectively. This does not mean that persons who would not normally be eligible for a license can be “temporarily” appointed. It simply means that a person who meets all of the eligibility standards of Rule 217.1, and has the documentation to show such, may be appointed to the license BEFORE the required training is completed. A person with a Temporary license has all of the same rights, privileges, and requirements as a person with a regular license. The ability to make a temporary license appointment for a peace officer is not currently approved by statute.

In order to make the appointment as a Temporary Licensee, the agency must first complete all of the steps necessary to prove and document the eligibility of the applicant, including but not limited to physical/psychological exams, background investigation, criminal history checks, etc., as are listed on the [Law Enforcement Agency Checklist](#) from the Commission website. The Temporary License is good for a period of one year from the date of issuance. On that date, if the licensee has not met all of the training requirements to have the Temporary License upgraded to a regular license, the agency SHALL separate (F5) the person from the appointment and discontinue their use in that capacity. The applicant may be reappointed as a regular licensee at any time after they complete the training requirements. A new Temporary license cannot be issued until one year has elapsed from the time of expiration of the previous Temporary License.

The Executive Director allows agencies to appoint Jailers and Telecommunicators with an inactive license as Temporary Licensees. This allows the Temporary Licensee one year to complete the license reactivation process, to make their regular license active again. For more information on the reactivation process, see the Jailer and Telecommunicator Reactivation Packet on the TCOLE website. Please remember that sending an inactive licensee through a new basic licensing course does NOT reactivate their license - the Reactivation Application with applicable fees must still be submitted to the Commission, prior to the expiration of the Temporary License, to complete the reactivation.

Note- the L1 or L1T form used for the appointment of a regular or Temporary Licensee does not have a selection box to indicate that the agency wishes to have a Temporary License issued. That determination is made at the Commission and the appropriate regular or Temporary License issued.

Credentialing Division, Continued

Changes to Telecommunicator Proficiency Certifications Requirements

As of January 14, 2019, TCOLE will no longer require the courses listed below for the Basic, Intermediate, Advanced, and Master Telecommunicator Proficiency Certificates. All other requirements will remain unchanged. The below listed courses may continue to be required by DPS, FBI or other agencies for terminal access or other requirements.

- 3802 TCIC/NCIC for Full Access Operators
- 3807 TCIC/NCIC for Less than Full Access Operators
- 3809 NLETS/TLET
- 3811 TLETS/NLETS and TCIC/NCIC Basic Procedures

Field Services Division

Basic Instructor Certificate

We are often asked:

“At what point is an individual considered to be a TCOLE certified instructor?”

“If they have subject matter expertise and have already completed the Basic Instructor’s Course, do they still have to purchase the \$35 TCOLE Instructor Proficiency Certificate to teach?”

The complete answer to these questions is: you are not required to purchase a Basic Instructor Proficiency certificate to either teach or be certified as a subject matter expert. However, Rule 215.9 does require a training coordinator to screen and appoint “qualified” instructors – which means, an instructor without a TCOLE-issued Instructor Proficiency Certificate must have his or her training coordinator confirm his or her subject matter expertise in the particular topic being taught. And TCOLE needs that in writing!

A Basic Instructor certificate is also required for appointment as a training coordinator and must be purchased at least 3 years prior to application for an Advanced Instructor Proficiency Certificate.

Government Relations Division

Hurry up and Wait

It may be tempting to get a jump on developing a course based on legislation...but you really may want to consider holding off!

First, if the legislation hasn't passed yet, the bill and its requirements may change or the bill may not pass at all.

Second, once a bill with required training does pass, TCOLE convenes a committee to develop that course. The learning objectives set in the curriculum that ultimately is posted on the TCOLE website are the minimum standards. All courses to be taught under the designated course number, or to be considered for an equivalency, must meet or exceed those learning objectives. You can't match the learning objectives if they haven't been set yet!

Either way, you will have potentially spent valuable time developing curriculum that is rendered useless (or at least needs changes). We would never discourage new and innovative training; just be sure you're not spinning your proverbial wheels when it comes to legislative mandates.

You can keep up to date as the session rolls along by checking <http://www.tcole.texas.gov/content/bill-tracking>. There we will be posting the latest bills that affect license and training requirements with a link to the website of the Texas Legislature so you can check the status of those bills. Only about one-fifth of all bills filed actually become statute, so unless there is an Enrolled version (the final version), it's not law!



Special Services Division

How do I get a course “TCOLE certified”?

This is a question that we are asked fairly frequently. The short answer: there’s no such thing. Most of the time people ask this question, they are wondering how to ensure that their course is eligible for training hours. In this case, your first step should be to take a look at the current [course number catalog](#). With the exception of legislatively mandated courses, or proprietary courses that list a specific entity’s name (we’ll get to that later), training may be reported under the most appropriate existing course number. If you have questions, work with the training coordinator of the department or training provider who will be reporting the course to TCOLE for credit.

The only truly “TCOLE certified” or “TCOLE approved” courses are those developed by the Commission as a result of legislation. Legislatively mandated courses must be conducted by a [law enforcement academy](#) or [contract training provider](#). The exception to this is body-worn camera training, which is intended to be conducted by the department, regardless of whether they hold a training contract, to teach officers about their agency’s specific policies and how to use the equipment they are providing.

Training providers are expected to develop their lesson plans based on the minimum standards and learning objectives included in the materials posted on our [website](#). If you are looking to develop, or have developed, a course that you would like to serve as a substitute for any legislatively mandated course, please keep in mind that it must be designated as an equivalent before being taught. Courses approved as equivalents are listed on the [proficiency charts](#) for each proficiency level.

Back to proprietary course numbers. If you have developed a course and would like a proprietary course number, which can only be taught by your entity, you may submit your materials to our curriculum staff for review. This review will include an in-depth look to ensure that the course provides value to law enforcement, that it is presented in a standardized format that is usable by TCOLE training providers. There is a fee to cover the cost of staff time, which varies based on the length of the course (see table right). The latest fee schedule for this type of course review can also be found in the TCOLE Rules Handbook.

Number of Credit Hours:	
1 to 4	\$100
5 to 8	\$200
9 to 16	\$300
17 to 24	\$400
25 to 40	\$500
Over 40	\$100 for each additional 16 hours or portion thereof

Special Services Division, Continued

New TDD/TTY Courses now available on MyTCOLE

There are seven new TDD/TTY refresher courses available in your MyTCOLE account. The new course numbers are 396 – 402; see picture below.

The screenshot displays a grid of seven course cards on the MyTCOLE platform. Each card includes the course number, title, description, CEU value, and availability status. The courses are:

TCOLE Course Number	Course Title	CEU Value	Availability
TCOLE 402	TDD/TTY REFRESHER COURSE ADA LAWS AND REGULATIONS TELECOMMUNICATORS	- 1 CEU -	Free!
TCOLE 398	TDD/TTY REFRESHER COURSE CRIMES AGAINST PEOPLE WITH DISABILITIES TELECOMMUNICATORS	- 1 CEU -	Free!
TCOLE 397	TDD/TTY REFRESHER COURSE DEAF CULTURE TELECOMMUNICATORS	- 1 CEU -	Free!
TCOLE 401	TDD/TTY REFRESHER COURSE EFFECTIVE TTY CALL PROCESSING TELECOMMUNICATORS	- 1 hour -	Free!
TCOLE 400	TDD/TTY REFRESHER COURSE EMERGENCY MGMT FOR PEOPLE W/ DISABILITIES TELECOMMUNICATORS	- 1 CEU -	Free!
TCOLE 412	TDD/TTY (TCOLE 412) - 4 CEU	- 4 CEUs -	Free!
TCOLE 396	TDD/TTY REFRESHER COURSE TRS & EMERGENCY TECHNOLOGY TELECOMMUNICATORS	- 1 CEU -	Free!
TCOLE 399	TDD/TTY REFRESHER COURSE UNDERSTANDING ASL & USE OF INTERPRETERS TELECOMMUNICATORS	- 1 CEU -	Free!

To access these courses, log in to your MyTCOLE account, click on "Applications" in the upper left corner and launch the TCOLE Online Training App.

TCOLE recommends Telecommunicators take **one** of the TDD/TTY courses offered on the TCOLE Online Training site **every six months**. Each TDD/TTY course is available to be taken **only once** during the 2 year TCOLE training unit which ends August 31st of each odd-numbered year. **Do not take them all at once**, as they will not be become available again until the start of the next training unit.

Legal Division

License Actions

The following proceedings for revocation, suspension and other disciplinary actions took place at the December 2018 Commission Meeting. For a complete listing of these license actions, including names, departments, and case numbers, see the meeting agenda found on our website under

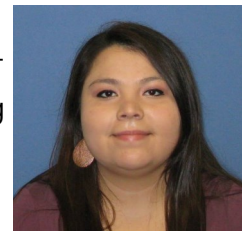
[Who We Are/The Commission/Meeting Minutes](#) at www.tcole.texas.gov.

Type of Action	Number of Licenses
Default Suspension Orders	3
Default Cancellation Orders	1
Default Revocation Orders	3
Proposal for Decision Orders	2
Agreed Suspension Waivers	1
Agreed Suspension Orders	5
Statutory Revocations	6
Statutory Suspensions	3
Permanent Surrenders	19
Reprimands for Administrative Violations	7
Suspensions for Failing to Complete Legislatively Required Continuing Education	77
Reprimands for Failing to Complete Legislatively Required Continuing Education	42

New TCOLE Staff

Credentialing

Rainee Trevino - Rainee joined TCOLE in October. She's from Elgin, TX, and is married with three little girls. She has a customer service background from the banking industry with four years. She enjoys hanging with her girls in her free time.



Curriculum

Rosemary Kelly - Rosemary has taught every grade level from kindergarten through graduate school. She received a Bachelor's Degree from Rowan University, a Master's Degree from Kean University, an Educational Specialist in Leadership from Nova Southeastern University, and is ABD in Psychology from the University of Florida. Most recently, Rosemary was principal at Legacy Early College High School. She worked as a crisis consultant and a rape crisis counselor partnering with both the Gainesville, Florida Police Department and the Alachua County Sheriff's Office. She is a certified Level II Trauma and Crisis Interventionist. Rosemary is an enthusiastic cross country skier and loves spending time with her extremely active grandsons.



(L to R) Clark Shaffer, Rosemary Kelly, David Guffey

Clark Shaffer - Clark is a native of Dallas, Texas. In addition to his work at TCOLE, Clark is currently adjunct professor at Austin Community College teaching a credit class tied to internships in Computer Science for graduating students. Clark comes to TCOLE with teaching experience ranging from Peace Corps service to training for the State of Texas employers through the Texas Workforce Commission. Clark completed his Master's degree in Education Administration in August of 2018. He is looking forward to being as productive and valuable to TCOLE as opportunity and time allow!

David Guffey - David was born in Killeen, Texas and grew up in Belton. David attended college at The University of Texas at Austin, the University of Mary Hardin-Baylor, Tarleton State University and Texas A&M University. He holds a Bachelor of Science in Education, Master's Degrees in Curriculum and Instruction, Biology and Educational Administration and is ABD on a Ph.D. in Educational Administration from Texas A&M. In Killeen ISD, David taught high school science, worked as a curriculum specialist and assistant principal. He moved to Belton ISD where he worked as Curriculum Coordinator and Director of Secondary Education, and finally as the Science Director for Austin ISD.

Commissioners

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