



# IOWA LAW ENFORCEMENT ACADEMY

## MEMORANDUM FOR RECORD

**FROM: DIRECTOR BRADSHAW**

**SUBJECT: 31 MARCH PROCLAMATION GUIDANCE**

**DATE: 20 APRIL 2020**

On Tuesday, March 31, 2020, Governor Reynolds issued A Proclamation of Disaster Emergency providing for, among other things, Professional Licensure Relief as a result of the outbreak of COVID-19. Proclamation of Disaster Emergency [hereinafter *Proclamation*], §§ 3-15 (March 31, 2020).

[https://governor.iowa.gov/sites/default/files/documents/Public%20Health%20Proclamation%20-%202020.03.31.pdf?utm\\_medium=email&utm\\_source=govdelivery](https://governor.iowa.gov/sites/default/files/documents/Public%20Health%20Proclamation%20-%202020.03.31.pdf?utm_medium=email&utm_source=govdelivery)

The Proclamation provides relief by, among other things, suspending various regulatory requirements relating to continuing education, certification deadlines, certification renewal deadlines. Pursuant to the Proclamation, Governor Reynolds directed individual licensing boards to “provide additional guidance to licensees regarding the effect of these suspensions.” *Id.*; see also Iowa Code § 29C.19 (“Any order issued or rule promulgated by a state agency during a declared disaster emergency and pursuant to the provisions of this chapter shall be exempt from being issued or promulgated as provided in chapter 17A.”). In light of and consistent with the foregoing, the Iowa Law Enforcement Academy Council (“Council”) hereby issues the following Guidance, regarding the effect of these suspensions, which shall, for all intents and purposes, be considered administrative rules pursuant to Iowa Code section 29C.19, and have the force and effect of law.

1. Pursuant to SECTION SIX of the Proclamation, the Iowa Law Enforcement Academy Council has implemented the following provisions due to COVID-19:
  - a. **Specialty Recertification** pursuant to IAC 501 - Ch 4 and 11:
    - i. Individuals who currently possess a specialty or instructor certification, expiring in calendar year 2020, **will have an additional twelve (12) months** past your applicable renewal deadline to take and obtain the required recertification training that would otherwise have been due at the time of your renewal.
    - ii. Individuals whose specialty or instructor certification expired in calendar year 2019 will be allowed to continue utilizing that certification for **an additional twelve (12) months** past the expiration date.
  1. To the extent possible, you are encouraged to attend web-based instruction at ILEA as available to meet recertification requirements in accordance with your renewal deadline.

2. If web-based recertification training is not available, you will automatically be granted the 12-Month Allowance:
  - a. The Iowa Law Enforcement Academy has identified the officers and agencies this applies to and will maintain said records to ensure each instructor completes their requirements within the required timeline.
- b. **Mandatory In-Service Training Requirements** pursuant to IAC 501 - Ch 8, 9, 10 and 13:
  - i. To the extent individuals are required in-person attendance to complete in-service training, you will have an additional twelve (12) months to take and obtain the in-service training that would otherwise have been due, if you were unable to obtain the training **due to circumstances related to COVID-19**.
    1. To the extent possible, you are encouraged to take distance education courses and try to meet all continuing education requirements in accordance with your renewal deadline. There is currently no limit on the number of continuing education hours that may be obtained through distance education.
    2. However, if not feasible, and if you need to take advantage of the 12-Month In-Service Training Allowance, it is the responsibility of the agency, to ensure all individuals under their direction receive the minimum hours of in-service training, subject to review by the Iowa Law Enforcement Academy.
- c. **Certification through Training Required for Law Enforcement Personnel** pursuant to IAC 501 – Ch 3 and 10:
  - i. Based on Governor Reynolds’ 17 April 2020 Emergency Proclamation, the upcoming Basic Academies that were set to begin 27 April are rescheduled to begin online June 1st 2020. ILEA Academies 292 & 293 will begin training on-line June 1st, with face to face instruction scheduled to begin in July 2020. ILEA staff, guest instructors, and students will be required to adhere to all Federal and State Public Health protocols and the Governor’s re-entry guidelines.

Upon acceptance for attendance at a Level I or Level II Basic Academy in calendar year 2020 all students will be granted a waiver to the 12-month certification window automatically. No automatic waiver to the 12-month certification window will apply to those hired, but not in attendance at a Basic Academy.
  - ii. Basic Academy Classes 290 and 291, were unable to meet the required moot court training due to the COVID-19 outbreak, that training requirement is waived. This will not prevent your certification, so long as all other

requirements for Basic Academy graduation have been completed.

- iii. To the extent reserve officers are required to attend in-person training to complete certification requirements, you will have additional twelve (12) months to take and obtain the training that would otherwise have been due, if you were unable to obtain the training **due to circumstances related to COVID-19.**

d. **Minimum Hiring Standards for Law Enforcement** pursuant to IAC 501 – Ch 2:

- i. To the extent officers are required to complete minimum hiring standards prior to Basic Academy attendance including vision, hearing, physical examination and fingerprinting, agencies will be granted an **additional four (4) weeks** beyond the date restrictions are lifted by the Governor to submit verification of those requirements to the Iowa Law Enforcement Academy. If, at that time, ILEA has not received the appropriate documentation that the applicant meets minimum qualifications, he/she will be removed from the Basic Academy.
- i. To the extent any provision in this Guidance is inconsistent with a provision in the Proclamation, the provision of the Proclamation shall prevail.
- ii. Unless specifically included or addressed within this Guidance, all other regulatory requirements enforced or administered by the Council shall remain in full force and effect. In addition, other than the requirements specifically identified and addressed in this Guidance, nothing contained in this Guidance shall be construed as an exemption from any other portion of the Iowa Code or Iowa Administrative Code.
- iii. If additional allowances from Board rules outside of the scope of the rules or issues addressed by this Guidance are required due to circumstances relating to COVID-19, such allowances shall be handled as individual petitions for waiver through the Academy Council.
- iv. The provisions of this Guidance shall be effective immediately, as of the date of signature, below, and shall extend coterminous with the Proclamation, including any extensions thereto, unless and solely to the extent otherwise stated herein or unless otherwise extended by subsequent order of the Board in a manner consistent with and permitted by the Proclamation.

**Issued this twentieth day of April, 2020**