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LAW ENFORCEMENT OFFICERS TRAINING COUNCIL: Authority to determine education requirements for law enforcement officers.

The Law Enforcement Officers Training Council has the authority to determine when completion of courses of study at individual schools will satisfy the statutory instructional requirement for the training of law enforcement officers.

Opinion No. 4790

August 28, 1973.

Honorable William Haywood
State Representative
House of Representatives
The Capitol
Lansing, Michigan

You have asked my opinion whether an employer may accept graduation from a community college with an associate degree in Police Administration as having met the 240 hours required of peace officers by the Law Enforcement Officers Training Council Act of 1965.

Section 9 of the Act, 1965 PA 203, as amended MCLA 28.609, MSA 4.450(9), establishes the authority and responsibility of the council to prepare and publish the minimum employment standards, including the 240 instructional hours, with which an individual must comply in order to acquire peace officer authority. The council has the authority to approve training schools, MCLA 28.609(1) (b), MSA 4.450(9) (1) (b), to set qualifications for instructors, MCLA 28.609(1) (e), MSA 4.450(9) (1) (e), to enter into agreements with colleges and universities, MCLA 28.610, MSA 4.450(10), and, finally, to authorize certificates of graduation, MCLA 28.611 (c), MSA 4.450(11) (c). It is my opinion that the legislature has indicated its intent that the Training Council should have the authority to determine when the minimum instructional requirements have been satisfied; consequently, it is not the prerogative of the employer of a prospective peace officer to make that determination.

Should the council, after inquiry and evaluation, determine that a particular course of study at a particular school satisfies or exceeds their instructional requirements, they may accept completion of those studies as meeting the statutory requirement. However, this determination would rest, on a case by case basis, within the sound discretion of the Training Council, and not with the individual employer.

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Attorney General.
