

SPECIAL ORDER



DISTRICT OF COLUMBIA

Title	Education-based Development
Number	SO-16-11
Effective Date	August 11, 2016
Related to:	GO-PER-120.21 (Disciplinary Procedures and Processes)

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I. PURPOSE

The purpose of this order is to establish the procedures for education-based development. In certain circumstances, training may be a more appropriate response than disciplinary action for sworn employees who are recommended for corrective action or a suspension of one to ten days. The Department has developed training for these sworn employees to help correct their behavior and prevent future misconduct.

II. DEFINITIONS

When used in this directive, the following terms shall have the meanings designated:

1. Corrective action – a PD Form 750 (Dereliction Report), a letter of prejudice, or an official reprimand.
2. Education-based development (EBD) – an alternative to discipline offered to sworn members in lieu of corrective action or a recommended suspension of one to ten days. The program focuses on re-training the member and may be offered in one or more of the following methods as selected by their district or division commander or the Director of the Disciplinary Review Division (DRD):

- a. Completing one or more specified Acadis modules.

NOTE: Attachment A provides a sample listing of available modules.

- b. Reviewing relevant MPD policy with a commander's designee.

- c. Attending one or more specified courses offered by the Metropolitan Police Academy (MPA).
 - d. Attending specified, free, outside training (e.g., courses offered by the D.C. government at <http://dchr.dc.gov/page/center-learning-development>).
3. Member – sworn employee.

III. REGULATIONS

- A. EBD may be offered to members by their district or division commander or the Director of the DRD as an alternative to discipline in lieu of recommended corrective action or a recommended suspension of one to ten days.
- B. Prior to conducting a commander's resolution conference where MPA in-person or online training may be appropriate, the district or division commander or the Director of the DRD shall consult with the Commander of the MPA for appropriate recommendations.
- C. Members' participation in EBD shall be in lieu of, and not in addition to, receiving corrective action or serving the proposed suspension.
- D. Members shall only be eligible to participate in EBD one time within a three year period for similar conduct. All subsequent disciplinary action for similar conduct shall be handled in accordance with GO-PER-120.21 (Disciplinary Processes and Procedures).
- E. Participation in EBD by a member is voluntary. However, once a member agrees to EBD and signs the Commander's Resolution Conference Worksheet (Attachment B), he or she must successfully complete the training to include any required written examination. Members who fail to successfully complete EBD are subject to serving the original recommended discipline and to an administrative investigation that, if sustained, may result in disciplinary action.
- F. EBD is a duty assignment; therefore members who need to reschedule their EBD due to emergency circumstances shall contact their watch commander for approval.
- G. Members shall be aware that participation in EBD in lieu of discipline shall be entered in the Personnel Performance Management System (PPMS). Participation in EBD shall be removed from PPMS three years after the incident date as long as the member does not engage in similar conduct resulting in a sustained investigation. However, member's participation in EBD shall be maintained in the member's training record in accordance with the Department's Records Retention Schedule.

- H. Members shall be aware that during the three years that EBD is in the PPMS, the EBD may be considered in applicable selection processes for specialized assignments or programs with the exception of participation in the Motor Vehicle Take Home Program.

IV. PROCEDURES

- A. Members who choose to participate in EBD shall sign the Commander's Resolution Conference Worksheet (Attachment B) acknowledging their agreement to participate in EBD.
1. The Commander's Resolution Conference Worksheet shall specify the type of EBD that must be completed and a deadline for completion. Absent exigent circumstances (e.g., availability of training), EBD shall be completed within 15 calendar days of the member signing the worksheet.
 2. The Commander's Resolution Conference Worksheet shall list the official in the member's chain of command who shall be responsible for overseeing the member's completion of the EBD.
- B. District or division commanders shall:
1. When selecting EBD for a member, designate an official in their command to oversee the EBD.
 2. Ensure a signed copy of the Commander's Resolution Conference Worksheet and the completed EBD Worksheet (Attachment C) is emailed within 30 days of the signing to the Director of the DRD.
- C. Members who fail to successfully complete EBD by the assigned deadline without approval shall receive the original discipline and may be subject to an administrative investigation that, if sustained, may result in disciplinary action.
1. The EBD official shall notify the Director of the DRD when a member fails to successfully complete EBD by the assigned deadline.
 - a. The Director of the DRD shall determine if incident summary (IS) numbers should be obtained.
 - b. The member's element shall be responsible for completing the administrative investigation for failure to successfully complete EBD.

- D. Members who choose **not** to participate in EBD shall be governed by the existing disciplinary process, including all applicable appeals.

V. ROLES AND RESPONSIBILITIES

- A. Members designated by their commanding officer to oversee EBD sessions shall ensure:
1. In the case of policy reviews, a meeting is set up to discuss the relevant policies with the member.
 2. In cases of training, training is scheduled in accordance with the EBD deadline and any issues that may affect the successful completion of training are immediately brought to the attention of the Director of DRD through the chain of command.
 3. Member's compliance with EBD is monitored and any non-compliance is immediately reported (e.g., failure to attend training) in writing to the Director of the DRD through the chain of command.
 4. Upon confirmation of the member's successful completion of EBD, the EBD worksheet is forwarded to the Director of DRD through the chain of command.
- B. The Director of the DRD shall:
1. Ensure that members complete required EBD.
 2. Ensure EBD completion is documented in the Personnel Performance Management System (PPMS) and that it is removed from the system three years from the incident date as long as the member does not engage in similar conduct resulting in a sustained investigation.
 3. Ensure that the MPA is provided with documentation regarding completed EBD for inclusion in the member's training record where it shall be maintained in accordance with the Department's Records Retention Schedule.
 4. Submit an annual report to the Chief of Police by January 31 of each year for the previous calendar year assessing the effectiveness of the EBD program.

VI. CROSS REFERENCE

- A. GO-PER-120.21 (Disciplinary Processes and Procedures)

VII. ATTACHMENTS

1. Attachment A: Sample Acadis Modules for Education-based Development
2. Attachment B: Commander's Resolution Conference Worksheet
3. Attachment C: Education-based Development Worksheet



Cathy L. Lanier
Chief of Police

CLL:MBH:MOC:JC

Sample Acadis Modules for Education-based Development

Class
Dinner to Dismissal
Drive to Arrive Safety Video Module
Effective Use of Language Line Interpreters
GO-RAR-901.07 Use of Force
Handling and Accounting for Seized and Forfeited Property
Language Access
Language Access Training
LGBT Issues Bias-Related Crimes
Missing Piece of Leadership
Missing Piece of Leadership
Part I – LGBT Issues
Part II – LGBT Issues
Part III – LGBT Issues
Part IV – LGBT Issues
Part V – LGBT Issues
Seized Property
Strategic Management and Executive Leadership
Thinking Ethically
Use of Force – Module I
Use of Force – Module II

**CORPORATE SUPPORT BUREAU
Disciplinary Review Division
COMMANDER'S RESOLUTION CONFERENCE WORKSHEET**

Ltr. of Dec. _____

Last Name _____ First Name _____ Middle Initial _____ Rank _____ Unit _____ Date of Incident _____ **90th Day**

DRD # _____ IS# _____

OPC# _____ CRB# _____

Charge(s)

1) _____ 2) _____

3) _____ 4) _____

DRD Penalty Range: _____

Authorized by: _____ Results due in DRD: _____

Date of Resolution Hearing: _____ Agreement reached? _____

If Yes, Final Agreement: _____

If the Final Agreement allows a member to forfeit leave in lieu of suspension, ENSURE that the member has sufficient leave to cover the term of the agreement prior to signing below. If a portion of the agreement is to be held in abeyance, provide a breakdown of the final penalty. Absent an alternative agreement, days in abeyance will be held for 12 months from the date of the Resolution Hearing. If an agreement is reached regarding education-based development, document the type of education-based development and the deadline for completion in the Agreement section.

If no agreement is reached, advise member that the case will be handled in accordance with Article 12, Section 13, #4 of the MPD/FOP Labor Agreement)

Official Conducting Hearing: _____
Printed Name Signature

I have read the final agreement as stipulated and certify that it accurately reflects the agreement reached during the Resolution Hearing.

_____ Member's Printed Name _____ Member's Signature & Date

_____ Union/Employee Representative's Printed Name _____ Union/Employee Representative's Signature & Date

DISTRICT COMMANDER SECTION:

_____ Signature _____ Date

CORPORATE SUPPORT BUREAU
Disciplinary Review Division
EDUCATION-BASED DEVELOPMENT WORKSHEET

Member Information:

 Last Name First Name Middle Initial Rank Unit CAD # Date of Incident

Case Information:

DRD # _____ IS# _____

OPC# _____ CRB# _____

Charge(s)

1) _____ 2) _____

3) _____ 4) _____

Education-based Development:

EBD Type:
 (Check all that apply)

Policy Review Online Training Outside Training

MPA Training Other: _____

EBD completion deadline (15 calendar days absent exigent circumstances): _____

Policy Review:

Orders to Review: _____

Date Reviewed: _____

Training:

Course Title to be Completed: _____

Course Date (Attach proof of completion): _____

Certification:

"I certify that I have completed the above-listed education-based development as agreed to during the Commander's Resolution Conference for the incident referenced above."

 Print Member's Name (First, Last) CAD # Date Member's Signature

Certifying EBD Official/MPO:

 Print Name CAD # Date Signature