

Chapter 01: Applicant Evaluation, Employment and Certification Procedures

adopted - 07/1993; rev - 05/2005, 10/2005, 05/2006, 10/2007 and 10/2008

Purpose

100 This section establishes policy and procedure for certification of emergency telecommunicators.

Policy

101 The board shall certify as emergency telecommunicators those persons who meet the employment guidelines established in accordance with Mississippi Code as Annotated Section 19-5-353.

101.1 Certification under the Emergency Telecommunications Training Program (ETTP) is limited by law to emergency telecommunicators only. An emergency telecommunicator is defined in the statute [Section 19-5-303 (m) and Section 19-5-357 (5)] as any person who is:

1. Engaged in or employed as a telecommunications operator by any public safety, fire or emergency medical agency or public or private entity or business, company or corporation,
2. Responsible for the receipt or processing of calls for emergency services provided by public safety, fire or emergency medical agencies,
3. Charged with the dispatching of emergency services provided by public safety, fire or emergency medical agencies,
4. Responsible for disseminating information relative to emergency assistance by telephone or radio,
5. On duty for an average of eight (8) hours or more per month.

101.2 All emergency telecommunicator applicants **must meet the following guidelines to be employed as an emergency telecommunicator:**

1. Be at least eighteen (18) years of age,
2. Be a high school graduate or obtain a GED (refer to Chapter-01, Section-102, Subsection-102.01, Paragraph-4 for full description),
3. Be a U. S. citizen,

4. Be capable of performing the duties under conditions inherent to the profession (~~See Appendix, Core Job Descriptions~~), and
5. Be of good moral character as evidenced among other things by having neither a conviction nor a plea of guilty or nolo contendere, probation, pre-trial diversion or payment of any fine for a felony or a misdemeanor involving moral turpitude. Fitness for service as it relates to moral character must be verified by an appropriate background investigation. (**See Background Investigations**)

101.3 Individuals who meet both the definition for an emergency telecommunicator in 101.01 above and who meet the minimum employment guidelines in 101.02 above are eligible to be employed as an emergency telecommunicator.

1. Such emergency telecommunicators must successfully complete prescribed training and obtain certification within a certain time period.
 - a. Persons in the employment of any public safety, fire, 911 PSAP or emergency medical agency as a telecommunicator on 1 July 1993, shall have three years to be certified in the minimum training standards courses provided they have been employed by such agency for a period of more than one year prior to 1 July 1993. (Since the Board of Emergency Telecommunications Standards and Training became operational in April 1994, the deadline date for these telecommunicators would be April 1997.)
 - b. Persons employed for less than one year prior to 1 July 1993 shall be required to have completed all the requirements for minimum training standards within a one-year time period. (Since the Board became operational in April 1994, the deadline date would be April 1995).
 - c. Any person hired as an emergency telecommunicator after July 1, 1993 shall complete the minimum training standards within twelve (12) months of their employment or within twelve months from the date that the Board shall become operational. (Since the Board became operational in April 1994, the deadline date would begin in April 1995).
2. The one-year or three-year probationary periods, whichever applies, are cumulative in nature and can not be enlarged by additional or multiple employments. If a telecommunicator transfers from one agency to another prior to certification, the total time served will count toward the one-year or three-year periods. For example, in the case of a one-year probationary period, if a telecommunicator began employment and quit after three months, that person would have nine months remaining upon subsequent employment. The full one-year period may only be reinstated upon a break in

service of two years or more.

- 101.4 The ETP makes no provision to waive, enlarge, or extend the one-year or three-year periods nor does the Act authorize the Board of Emergency Telecommunications Standards and Training to waive, enlarge or extend the one- year or three-year periods. The Act does however make provision to penalize agencies that employ emergency telecommunicators without obtaining certification beyond the one-year or three-year periods. These penalties include a loss of emergency telecommunicator powers and authorization to receive a salary. To avoid these penalties, agencies should consider all contingencies in the planning of the evaluation, employment and training of their personnel.

Procedures

102 All emergency telecommunicator employers shall follow these steps in the evaluation, employment and certification of emergency telecommunicators.

102.1 The employing agency must evaluate each emergency telecommunicator applicant to ensure each meets the minimum employment criteria prior to employment. This evaluation must include:

1. A complete background investigation (**See Background Investigations**). This investigation is a critical factor in determining whether emergency telecommunicator applicants meet the requirements established under the ETP. The primary purpose of the investigation is to provide the emergency telecommunicator employer with enough factual information to determine that a candidate would ensure the continued public trust in the competence and reliability of the department.
2. The submission of the applicant's fingerprints to the Criminal Information Center of the Mississippi Department of Public Safety as a part of the background investigation. This can only be done through the emergency telecommunications agency's law enforcement parent or through a law enforcement agency which is served by that particular telecommunications agency.

Note: Non-criminal justice agencies with emergency telecommunicators (i.e., fire, EMS) may be impeded by FBI policy. Such agencies should make every effort to submit fingerprints through the local law enforcement agency (i.e., as part of a public safety contract). Agencies who find themselves unable to submit fingerprints to CIC may obtain a waiver of this requirement until possible state legislation is passed. All agencies are reminded that they must complete a background check. Examples of this may come in the form of local driver's license checks or from calls to previous employers. (See Background Investigations).

Do not send fingerprints to the Board or to the training course directors. Neither of these entities will forward your applicant's prints.

3. A review of the official Certificate of Release or Discharge From Active Duty, DD Form 214 for all applicants who have military service. Individuals must have been discharged from the armed forces under honorable conditions.
4. A review of appropriate official documents to certify successful completion of high school or the general equivalency degree (GED). High School graduate is defined as graduating from a secondary school in an accredited school district having earned the required Carnegie units and successfully completed any and all subject area testing as specified by the Mississippi Department of Education in the year the diploma was awarded.
 - a. Accredited schools include those accredited by the Departments of Education from each State, the Private School Association from each State, the Association of Christian Schools International, the Southern Association of Colleges and Schools (SACS) or one of the six regional bodies of the Association of Colleges and Schools.
 - b. If an applicant has not obtained a high school diploma from an accredited school, the applicant must obtain a GED through the Mississippi Department of Education or obtain an equivalent score on a GED test administered by the American Council on Education.
 - c. Applicants may provide a standardized test score on the ACT of 15 or higher in lieu of a GED score.
5. A review of appropriate official documents to certify age and citizenship.
6. A review of appropriate documents to verify current certification status for those applicants transferring from another emergency telecommunications agency or jurisdiction.

Telecommunicators who transfer from another Mississippi emergency telecommunications agency with a valid certificate (w/break in-service of less than two years) must continue to meet all the minimum employment standards. Therefore, agencies must conduct a background investigation of all applicants to include those telecommunicators who may already hold certification.

- 102.2 Once the employer has verified all the minimum employment standards and has employed the candidate, the employing agency shall create and maintain an individual personnel file containing a release of information form signed by the

applicant, documentation of the aforementioned minimum employment specifics, and documentation of the background investigation (i.e. official diplomas, birth certificate, DD Form 214, naturalization forms, FBI fingerprint report, etc.). The individual personnel file shall be maintained by the agency as long as the named telecommunicator is employed as an emergency telecommunicator officer within the agency. The agency head shall readily make the contents of the file available to the Board of Emergency Telecommunications Standards and Training upon receipt of a written request.

- 102.3 **Emergency telecommunications agencies must notify The Board of Emergency Telecommunications Standards and Training within thirty days of the date of hire of any emergency telecommunicator.** This notification shall be in the form of an Emergency Telecommunicator Application for Certification. The Board of Emergency Telecommunications Standards and Training will use this forms to determine if the applicant meets the minimum employment and training standards required for certification.

Note: "Application for Certification" forms may be submitted through Standards and Training's internet based "Forms & Certification Management System" (<https://www.state.ms.gov/mspost/>). Agencies must submit a "MSPOST Client Agency Information" form by mail, facsimile or email to request a User ID and to be assigned a password. The CJA information form can be completed on-line from the Office of Standards and Training's portion of the MS Department of Public Safety's web-site (<http://www.dps.state.ms.us>). In order to submit any other forms on an individual in the web-based system, an "Application for Certification" must first be submitted and approved for that individual.

Warning: MCA § 97-7-10 Fraudulent Statements and Representations provides for severe penalties for misrepresentations or fraudulent statements to a Board. This statute authorizes a fine of up to ten thousand dollars (\$10,000) and a jail sentence of up to five (5) years. Further, the Emergency Telecommunications Training Program authorizes the Board in MCA § 19-5-353 (8) to cancel and recall any certificate obtained through misrepresentation or fraud.

1. The agency head is responsible for conducting a background investigation. The investigation should reveal whether the applicant is a certified emergency telecommunicator or an emergency telecommunicator who has not obtained certification in Mississippi.
 - a. The Application for Certification Form shall be submitted for either telecommunicators who have not obtained certification in this state or telecommunicators who have had a break in service of two years or more. The Application for Certification must be signed by the agency

head or an authorized designee.

- b. If the telecommunicator has been certified and has a break in service of less than two years, the agency head must submit an Application for Certification form to transfer the certification. This form must also be signed by the agency head or an authorized official.
 - c. Agency heads must designate persons to sign BETST forms in writing. Such authorizations shall be submitted to the Board.
 - d. If the applicant for certification is the agency head, (i.e. Chief or director) forms must be signed by the next individual in the chain of command such as a mayor or college dean.
2. To obtain credit for completion of Board-approved training courses, agencies must submit appropriate documentation with the Application Form. Appropriate documentation shall consist of a copy of a training certificate, a score sheet or a letter authenticated by a course instructor. Credit may also be granted for completion of an advanced training course.
3. ~~In all cases where an emergency telecommunicator works in a law enforcement environment,~~ The employing agency must submit an Application Affidavit for Certification within thirty days. The application affidavit lists several questions with a choice of a "yes" or "no" answer for each question. The form explains that answering "yes" may not necessarily disqualify an applicant from certification. Further, the application affidavit contains a statement to be signed by the applicant and a statement to be signed by the emergency telecommunications agency head or designee.
- a. **Any question (items 1 - 10) that has a "yes" answer must be explained in writing to the board. All crimes (regarding questions 4 and 5) must be reported. The only exceptions to this requirement are traffic offenses where the fine is less than one hundred dollars (\$100.00) and where the applicant has had fewer than four (4) traffic offenses within the preceding twenty-four (24) months. (Excluding drug or alcohol related offenses).**
 - b. **Traffic offenses where the fine was more than one hundred dollars (\$100.00) or offenses that involve drugs or alcohol must be reported and explained. If the applicant has had four (4) or more traffic offenses within the previous twenty-four (24) month period, the date and disposition of each offense must be listed.**
 - c. **All other types of offenses are crimes and must be reported, regardless of the fine, pleas entered, or the adjudication status. This would include but**

is not limited to cases that are non adjudicated, nolle prossed, dismissed or acquitted.

d. Employers may choose to write an explanation on the form itself or enclose a separate sheet if additional space is needed to provide a full explanation. Explanation of crimes or related matters should include date of the offense and the status of the case.

4. Agencies should submit documentation of course training if applicable. No other forms or documents should be sent to the Board unless requested by the staff in writing. Other diplomas, in-service training certificates, birth records, fingerprint cards etc. should be retained in the agency personnel file.

102.4 The Board Certification Section shall review each set of forms submitted to the Board. The Certification Section:

1. Shall determine that all appropriate forms are included.
2. Shall analyze each document to verify certification specifics which the Board must consider in accordance with established policy and procedure.
3. Shall determine the Certification Status of each applicant;
 - a. Eligible for transfer of current certification (break in service is less than two years) to another emergency telecommunications agency,
 - b. Eligible for certification after completion of a Board-approved training course, or
 - c. Not eligible for certification.
4. Shall communicate with the employing agency in writing to clarify information as needed and to inform the agency of the applicant's certification status.
5. Shall track progress toward completion of assigned training of all applicants.

102.5 After the staff has notified the agency head of the applicant's certification status, the agency head must then ensure that all arrangements are made to enroll the telecommunicator in an appropriate training program. Once the applicant has successfully completed the prescribed training and the Board has approved the individual or group of applicants, the staff will distribute certificates and provide reimbursement of authorized expenses.

102.6 Individuals aggrieved by the actions of the BETST staff may request to present

their request before the Board at a regularly scheduled meeting. Such requests must be presented to the staff in writing not later than 10 working days prior to the next regularly scheduled Board meeting.

Chapter 02: Professional Certificates

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Purpose

- 100 This section establishes policies and procedures governing professional certificates.

Policy

- 101 Vested by law with ownership of and full responsibility for emergency telecommunicator's certificates, the board's policy is to ensure that certificates are issued only to fully qualified telecommunicators and revoked when appropriate and that all certificates are accounted for at all times. The law specifies that any certificate for an emergency telecommunicator issued as a result of the Emergency Telecommunicator Training Program is the property of the board. Although the certificate is issued in the name of the individual telecommunicator, the board shall place the certificate in the stewardship of the employer and shall retain the right to require return of the certificate to the board. The employer shall not transfer a certificate issued by the board to any person or agency except through the board director.

Procedures

- 102 All emergency telecommunications employers included under the Emergency Telecommunicator Training Program as described in this Policy and Procedures Manual should follow these steps in safekeeping certificates issued to their employees by the board.
- 102.1 The employer, upon receiving the certificate from the board director, should record the certificate number and the date issued in the employee's personnel file.
- 102.2 The certificate should remain in the physical custody of the employer at a site which houses agency operations. The employer may provide the employee with a photo-static copy of the certificate.
- 102.3 The certificate, if defaced, destroyed, misplaced, or stolen while in the stewardship of the employer, will normally be replaced with a photo-static copy. The production of duplicate certificates shall be minimized. The staff will evaluate each incident prior to the issuance of a duplicate certificate.
- 102.4 The employer should return the certificate to the board director, along with a complete Termination/Reassignment form, within ten working days after:

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1. the employee no longer meets all of the qualifications for employment;
2. the employee has been either convicted of or pleaded guilty or nolo contendere, probation, pre-trial diversion or payment of any fine to a felony or a crime involving moral turpitude (the employer shall provide official documentation of such conviction);
3. receiving written notice from the board of evidence that the certificate was obtained through misrepresentation or fraud;
4. the employee dies, resigns, laterally transfers or is terminated;
5. the employee takes leave or is assigned leave from actual performance of emergency telecommunicator duties from the employer for any reason for an indefinite period or for a period planned to last more than twelve months;
and
6. receiving written notice from the board that the certificate shall be returned for other due cause as determined by the board.

102.5 The staff shall decide the disposition of a certificate within a reasonable time after receiving notice that a certificate has been returned. The staff board may decide to:

1. delay consideration of the return of the certificate;
2. inactivate the certificate;
3. assign stewardship of the certificate to a new emergency telecommunicator employer or;
4. cancel/recall ~~annul/voke~~ a certificate, if issued in error or through misrepresentation or fraud.

102.6 In the case of lateral transfer, the staff shall forward the certificate to the appropriate employer.

102.7 The staff shall maintain the certificate and all other file information of telecommunicators who have died or whose certificates have been inactivated in the board files.

102.8 When the staff has inactivated a certificate because a telecommunicator:

1. is no longer in emergency telecommunications employment as described in this Policy and Procedures Manual,

2. is on indefinite leave or leave for more than one year, or
 3. for other reasons, the Board Director may reactivate the certificate when the certified telecommunicator resumes employment for the employer who returned the certificate or under a new emergency telecommunications employer included under the Emergency Telecommunications Training Program. In either case, the employer may initiate the reactivation process by forwarding a new Application for Certification (Parts I, II and III) to the board director. The board director shall forward a reactivated certificate to the employer.
- 102.9 When the certificate of a telecommunicator certified by statute remains inactivated for more than three years, the certificate shall lapse. Upon receiving a request to reactivate the certificate, the board director shall notify the employer by letter that the certificate has lapsed and that the employee must re-qualify for certification by the board in order to be employed as a full-time emergency telecommunicator for more than one year.
- 102.10 The Professional Certificates issued by the Board shall expire three years from the date of certification of the area(s) of discipline (911, EMS, fire, law enforcement). At that time, the Board will require the telecommunicator to have completed training in accordance with the existing standards for re-certification (see Chapter 11: Re-Certification of Emergency Telecommunicators).
- 102.11 The Board hereby relegates to the staff the authority to certify and recertify all emergency telecommunicators upon satisfactory completion and verification of all requisite training.
- 102.12 The Board further authorizes the staff to issue Professional Certificates on the first day of each month and furnish a list at the Board meetings for official recognition of certification.

Chapter 04: Compliance Monitoring and Noncompliance

adopted - 07/1993; rev. - 10/2008

Purpose

- 100 This section establishes the policy and procedures for compliance monitoring and for addressing any instances of noncompliance that may come to the board's attention.

Policy

- 101 The intent of the Legislature in enacting the Emergency Telecommunications Training Program (ETTP) was clearly to establish standards for the selection and training of emergency telecommunicators as soon as possible upon beginning the telecommunicator's career. This action was for the benefit of all the people of the state in that trained telecommunicators could better meet the needs of a complex society. Due to that very complex nature of today's society, coupled with the ever increasing demands for the services of the emergency telecommunications professional, the need for competent, capable and credible telecommunicators has never been greater. The issue of competence will become a much-debated topic in the nation's courts as the incidence of litigation against emergency telecommunicators for negligence inevitably will begin to rise. To further exacerbate matters, emergency telecommunications agencies, towns, cities, counties and even state levels of government are being named by litigants for negligence. Simply stated, the potential penalty for failure to do the right thing at the right time is so great that the state and local governments can not afford to ignore the risks. In a large measure, training and standards reduce the risk potential for failure on the part of emergency telecommunicators. The board's policy is to ensure that the established standards are enforced to the maximum extent practically possible and that telecommunicators receive needed training throughout their careers. As a part of ensuring that standards are met, the board will strive to encourage agencies and telecommunicators to achieve compliance by utilizing every asset and resource available to the board.

Procedures

- 102 The primary tools the board will use in compliance monitoring are the various forms in Appendix A of this manual. These forms provide the board information upon which to base decisions as to the eligibility of an applicant to become an emergency telecommunicator and the level of training required to meet or exceed the mandated requirement. The board will use other sources of information as necessary to determine who is serving as an emergency telecommunicator and whether or not the individual is certified and thereby authorized to serve.

Note: “Application for Certification” forms may be submitted through Standards and Training’s internet based “Forms & Certification Management System” (<https://www.state.ms.gov/mspost/>). Agencies must submit a “MSPOST Client Agency Information” form by mail, facsimile or email to request a User ID and to be assigned a password. The CJA information form can be completed on-line from the Office of Standards and Training’s portion of the MS Department of Public Safety’s web-site (<http://www.dps.state.ms.us>). In order to submit any other forms on an individual in the web-based system, an “Application for Certification” must first be submitted and approved for that individual.

- 102.1 Compliance shall be evaluated on both an individual and organizational basis.
1. The individual must supply information to the board through his employer. The employer must conduct a background investigation to verify the board certification specifics (see Application for Certification, Part III). This information will be reviewed by the staff to determine eligibility and training. Random checks of the information will be conducted to obtain independent verification. Once the review is completed, the board will inform the individual on the type of training required to obtain certification. The individual will have achieved compliance only after successful completion of the training and the board's formal action of certification. Individuals must obtain certification within one year after their date of hire or within three years if their date of hire was before July 1, 1992.
 2. Emergency telecommunications agencies must establish a policy that ensures only authorized (certified) telecommunicators perform duties as a full-time emergency telecommunicator. In addition to this policy, the agencies must provide requested information to the board on a timely basis. The one year probation period should prove to be ample time to achieve certification for any emergency telecommunicator. Delays in submitting required paperwork and procrastinating in completing required training can easily result in noncompliance. No provisions are provided to waive, excuse or nullify the requirement to achieve certification within one year. Agencies who have telecommunicators who cannot achieve certification within the established time limit must reassign the affected individuals to other duties or terminate their employment.
- 102.2 The board staff will make every reasonable effort to assist agencies in achieving compliance. The staff, the board and the Emergency Telecommunicator Training Program (ETTP) exist to serve the needs of the emergency telecommunications community. Hopefully, a spirit of understanding and cooperation will prevail in order that the emergency telecommunications profession will continue to advance and obtain the recognition so richly deserved. The board will strive to keep lines of communication open and provide assistance in overcoming

problems with the certification process before the probation period expires, thereby avoiding serious problems requiring drastic measures.

1. The staff will attempt to contact the agency head to resolve any conflicting information or problems with compliance.
2. The heads of related agencies such as the mayor, board of supervisors, etc., will be contacted as needed to resolve problems.
3. Communication with agencies shall be in writing with additional backup communication through the use of telephone and staff visits.

102.3 In addition to the information on compliance that the staff discovers through routine monitoring, the staff receives information from a variety of other sources, such as the media and citizen complaints. Information that indicates a potential compliance problem will be reviewed to determine if further information is required. Before taking any action on such information, the staff will attempt to verify the information with the agency head involved.

102.4 The board will make every effort to identify the need for compliance and assist those agencies in meeting the requirements of the Act prior to the expiration of the one year probation period.

1. If the board discovers that a violation of the Act has been committed (i.e., an individual performs emergency telecommunicator duties in excess of one year from their date of hire without obtaining board certification), the board will notify the agency head in writing of their potential liability. The board will further notify the State Auditor that public funds may have been paid out in violation of state law. A copy of this notification will be provided to the local executive officer.
2. In addition to the above measures, the board will not reimburse the training costs incurred by any agency who is not in compliance with the Act or the provisions of this Policy and Procedures Manual. Simply stated, the payment of an emergency telecommunicator's salary when that person performs emergency telecommunicator duties in excess of one year (or three years past April 1994 if hired on or before July 1992) without obtaining certification is prohibited. Therefore, the board cannot reimburse any cost of salary incurred in excess of the one year (or three year) limits by a telecommunicator in training, even if the agency is otherwise in compliance. Also, the board cannot reimburse the salary of those certified individuals who receive mandated re-certification training beyond the expiration of their state certificates.

102.5 In the event an agency disagrees with the board as to the certification or re-

certification process pertaining to their organization, the agency is encouraged to submit a request in writing to have a representative appear before the board at the next regularly scheduled meeting.