
Administrative Rules
Public Act 82-674

Title 20: Corrections, Criminal Justice and Law Enforcement
Chapter V: Illinois Local Governmental Law Enforcement Officers Training Board
Part 1740
In-Service Training Financial Assistance

Sub-Part A: General Provisions

Section

- 1740.101 Purpose and Scope
- 1740.102 Definitions
- 1740.103 Confidentiality of Information
- 1740.104 Veracity of Information
- 1740.105 Date of Compliance

Sub-Part B: Mobile Team Organization

Section

- 1740.201 Mobile Team Creation
- 1740.202 Appointment of Advisory Board
- 1740.203 Duties of the Advisory Board
- 1740.204 Duties of Coordinator
- 1740.205 Duties of Financial Officer
- 1740.206 Cooperation with the Board

Sub-Part C: Applications

Section

- 1740.301 Completeness of Applications
- 1740.302 Filing Date of Permit Applications
- 1740.303 Additional Information
- 1740.304 Failure to Provide a Complete Permit Application or Failure to Provide Additional Information
- 1740.305 Board Review
- 1740.306 Conditional Approval by the Board
- 1740.307 Signatures to Permit Applications and Reports
- 1740.308 Financial Assistance Application
- 1740.309 Final Board Decision

Sub-Part D: Budget

Section

- 1740.401 Eligibility
- 1740.402 Prohibitions
- 1740.403 State Funding
- 1740.404 Other Sources of Funding
- 1740.405 Budget Content
- 1740.406 Budget Categories
- 1740.407 Operational Budget Requirements
- 1740.408 Non-Operational Budget Requirements
- 1740.409 Final Mobile Team Budget
- 1740.410 Budget Transfers
- 1740.411 Returning State Funds

AUTHORITY: Implementing Section 5 and authorized by Section 3 of the Intergovernmental Law Enforcement Officer's In-Service Training Act (Ill. Rev. Stat. 1981, ch. 85, pars. 565, and 563).

SOURCE: Adopted at 8 Ill. Reg. 4915, effective March 30, 1984; amended at 9 Ill. Reg. 5683, effective April 15, 1985.

ILLINOIS ADMINISTRATIVE CODE
TITLE 20: CORRECTIONS, CRIMINAL JUSTICE, AND LAW ENFORCEMENT
CHAPTER V: ILLINOIS LOCAL GOVERNMENTAL LAW ENFORCEMENT
OFFICERS TRAINING BOARD
PART 1740: IN-SERVICE TRAINING FINANCIAL ASSISTANCE
SUBPART A: GENERAL PROVISIONS

Section 1740.101 Purpose and Scope

Unless otherwise indicated, the rules set forth in this Part provide the general funding requirements and procedures which are applicable to all mobile teams created pursuant to the Intergovernmental Law Enforcement Officer's In-Service Training Act.

Section 1740.102 Definitions

- a) The definitions of terms used in this Part are the same as those found in the Intergovernmental Law Enforcement Officer's In-Service Training Act (Act) (Ill. Rev. Stat. 1981, ch. 85, pars. 561 et seq.).
- b) Notwithstanding paragraph (a) of this Section, the following terms are defined for purposes of this Part: "Act" means the Intergovernmental Law Enforcement Officer's In-Service Training Act (Ill. Rev. Stat. 1981, ch. 85, par. 561 et seq.) as amended. "Coordinator" means an employee of the mobile team who manages and directly supervises the ongoing operations of the mobile team. "Full Time" means one who is employed at least 35 hours a week as a law enforcement officer on a regular basis. "Law Enforcement Officer" means any employee of a local governmental agency who is primarily responsible for prevention or detection of crime and the enforcement of the criminal code, traffic, or highway laws of this state and any political subdivision thereof. "Officer" means "Law Enforcement Officer". "Roster" means the form listing the names of all law enforcement officers completing the requirements of a course approved by the Board under this Part. The information required on a roster form is the officer's date of appointment, his name, address, department, employment status and salary, and the name of the course and the date of completion.

Section 1740.103 Confidentiality of Information

- a) Claims of confidentiality must be asserted at the time of submission, by stamping the words "Confidential Business Information" on each page containing such information. If no claim is made at the time of the submission, the Board may make the information available to the public without further notice. No information will be submitted to parties involved in litigation without subpoena.
- b) Claims of confidentiality for the following information will be denied:
- 1) Name and address of any financial assistance applicant;
 - 2) Financial data submitted to the Board in order to receive funding.

Section 1740.104 Veracity of Information

No person shall make any false or misleading statement, representation or certification of any record, report or any other document filed with the Board or required by the Board.

Section 1740.105 Date of Compliance

Compliance with this Part is required on and after March 30, 1984, the effective date of this Part.

ILLINOIS ADMINISTRATIVE CODE
TITLE 20: CORRECTIONS, CRIMINAL JUSTICE, AND LAW ENFORCEMENT
CHAPTER V: ILLINOIS LOCAL GOVERNMENTAL LAW ENFORCEMENT
OFFICERS TRAINING BOARD
PART 1740: IN-SERVICE TRAINING FINANCIAL ASSISTANCE
SUBPART B: MOBILE TEAM ORGANIZATION

Section 1740.201 Mobile Team Creation

To be eligible to receive financial assistance, a Mobile Team must be established in writing pursuant to the Intergovernmental Cooperation Section, Article VII, Section 10, of the Illinois Constitution (Ill. Const., Art. VII, sec. 10). In addition, the Mobile Team must submit to the Board the following Mobile Team information:

- a) The Mobile Team's organizational design, structure, operating procedures, and purpose;
- b) The Mobile Team's goals;
- c) The names and addresses of each Mobile Team member;
- d) The name and address of the Mobile Team Financial Officer; and
- e) The dates of the Mobile Team's establishment, and the date of the Mobile Team's expiration, if applicable.

Section 1740.202 Appointment of Advisory Board

The Mobile Team must submit in writing to the Board the following Advisory Board information:

- a) The names and addresses of every member of the Advisory Board;
- b) Whether the Advisory Board is a general or not-for-profit corporation or some other appropriate structure under Illinois law.
- c) The date the Advisory Board was established;
- d) The name and address of the Director or Chairman of the Advisory Board; and
- e) A copy of the Advisory Board's policies and procedures, and by-laws, if applicable.

Section 1740.203 Duties of the Advisory Board

a) Failure of the Advisory Board to meet any of the requirements of the Act or its rules shall result in denial or postponement of financial assistance. In determining whether funds will be denied or postponed, the Board will examine the activities of the Mobile Team, and:

- 1) Funds will be denied if the Board finds that there has been a misuse of funds, fraud, material deception or a continuing pattern of violations of the Act and rules when, although minor in nature when viewed individually, but due to their continued repetition, jeopardize the standards developed by the Board under Section 1740.305 of this Part; and

2) Funds will be postponed when the Board finds that a Mobile Team does not comply with the requirements of the Act and rules, but does not negate the reasons for the approval by the Board under Section 1740.305 of this Part.

b) The Advisory Board shall be responsible for the over-all operation of the Mobile Team, including, but not limited to:

- 1) Selecting and supervising the Mobile Team Coordinator pursuant to Section 3 of the Act;
- 2) Supervising the Mobile Team Financial Officer pursuant to Section 3 of the Act;
- 3) Maintaining accurate records as is required in Sections 1740.204 and 1740.205 of these rules;
- 4) Insuring the Board received any reports required or requested under the Act or its rules; and
- 5) Constantly monitoring the operations of the Mobile Team to ensure the Mobile Team complies with the Act and its rules.

c) The Advisory Board shall prepare an annual report for the Board, to be delivered to the Executive Director of the Board no later than January 1 of each year. The report shall include the following information in detail:

- 1) The local and state financial assistance received and expended during the previous fiscal year;
- 2) A list of the courses offered, including the number of law enforcement officers who took the courses;
- 3) The types of course taken, and the cost of each course activity;
- 4) A description of accomplished programs and goals; and
- 5) The plans and proposals for the following year, containing an estimate of cost for training.

d) The Advisory Board must inform the Board in writing within seven days of any changes in the personnel of the Mobile Team, the Advisory Board, the Mobile Team Coordinator, or the Financial Officer.

e) The Advisory Board shall notify the Board in writing, within ten days, of canceled and added courses not specified in any approved application for financial assistance.

f) The Executive Director shall have authority to suspend until the following Board meeting any training program not specified in an approved application when the Executive Director finds the change specified does not conform with the Board's review criteria established in Section 1740.305 or Subpart C. Such finding by the Executive Director must be made in writing to the Mobile Team within ten days of his receipt of notice of any proposed change.

g) The Board shall hear and decide whether to approve or deny changes in approved programs suspended by the Executive Director pursuant to paragraph (f) of this Section at the Board meeting immediately following suspension of proposed changes in training programs.

(Source: Amended at 9 Ill. Reg. 5683, effective April 15, 1985)

Section 1740.204 Duties of Coordinator

- a) The Mobile Team Coordinator is responsible for maintaining all records and reports in accordance with the Local Records Act (Ill. Rev. Stat. 1981, ch. 116, pars. 43.101 et seq.) and rules promulgated thereunder;
- b) The Coordinator shall submit the course roster to the Board within 14 days after the completion of any course offered by the Mobile Team.
- c) The Coordinator of Mobile Teams shall be required to submit an annual report to the Board, due the first of each calendar year, containing the Mobile Team's assessment of training needs. In assessing its needs, the Mobile Team must describe the standards and criteria it uses to determine course selection.

Section 1740.205 Duties of Financial Officer

- a) Mobile Team Financial Officers shall report quarterly to the Board on forms provided by the Board. These reports will contain the information required in paragraph © of this Section.
- b) Financial Information Reports submitted to the Board must be received by the Board no later than April 15, July 15, October 15, and January 15 for the preceding quarter.
- c) Financial Information Reports submitted to the Board must include, but are not limited to, the following:
 - 1) The total money received and expended by the Mobile Team as a result of state and local funding;
 - 2) The total money received and expended by the Mobile Team from other sources for training;
 - 3) The total money received by the Mobile Team from state and local funding which is not spent;
 - 4) The anticipated need for state and local funding during the succeeding quarterly period;
 - 5) A record of the expenditures during the quarter for operating costs contained in the approved budget of the Mobile Team; and
 - 6) Certification by the Financial Officer that the financial report is accurate and true under the penalty of law.
- d) Financial Officers shall be bonded to cover the total amount of state and local funds received by the Mobile Team.

Section 1740.206 Cooperation with the Board

The Mobile Team shall cooperate with the Board to assist the Board in ensuring the training provided complies with the Board's responsibilities under this Act, the Illinois Police Training Act (Ill. Rev. Stat. 1981, ch. 85, par. 501 et seq.), and an Act in relation to Firearms training for peace officers (Ill. Rev. Stat. 1981, ch. 85, par. 515 et seq). Such assistance shall include, but not be limited to, providing firearms training at Board approved firearms training facilities in their Mobile Team area, monitoring Mobile

Team regional training-related programs, and informing the Board, as requested by the Board, of ongoing activities in the region.

ILLINOIS ADMINISTRATIVE CODE
TITLE 20: CORRECTIONS, CRIMINAL JUSTICE, AND LAW ENFORCEMENT
CHAPTER V: ILLINOIS LOCAL GOVERNMENTAL LAW ENFORCEMENT
OFFICERS TRAINING BOARD
PART 1740: IN-SERVICE TRAINING FINANCIAL ASSISTANCE
SUBPART C: APPLICATIONS

Section 1740.301 Completeness of Applications

- a) Applicants for financial assistance shall file with the Board a complete application for financial assistance in accordance with this Part.
- b) An application is complete when the Board receives an application form and any other supplemental information which is needed by the Illinois Local Governmental Law Enforcement Officers Training Board in order to approve or deny an application in accordance with Section 1740.305 of this Part.
- c) The completeness of any application for financial assistance shall be judged independently of any other application or activity.
- d) Applications are for financial assistance for an entire fiscal year beginning July 1 of any year and terminating June 30 of the following year.

Section 1740.302 Filing Date of Permit Applications

- a) An application for financial assistance shall be deemed filed on the date which the Board received the application, unless the Board notified the applicant within 30 days after the date of receipt of the application that the application is incomplete and the reason the Board finds it incomplete.
- b) An application to receive financial assistance must be received by the Board not later than April 1, and no earlier than January 1, for the fiscal year beginning July 1 of the same year.

Section 1740.303 Additional Information

Notwithstanding the applicant's filing of a complete application in accordance with 1740.301, an applicant for financial assistance shall, upon request by the Board:

- a) Provide additional information necessary to determine whether the activities comply with the Act or rules adopted thereunder; or
- b) Provide additional information necessary to clarify, modify or supplement previously submitted information.

Section 1740.304 Failure to Provide a Complete Permit Application or Failure to Provide Additional Information

The Board may deny an application if an applicant fails to comply with Sections 1740.301 or 1740.303. In determining whether to deny or conditionally approve an application, the Board shall examine the content of the application, and:

- a) Deny the application if the applicant has failed to provide information the Board needs to review an application under Section 1740.305 of this Part; and

b) Conditionally approve the application if there are minor deviations from the requirements, such as minor technical or other informational deficiencies, which do not impede the Board's ability to judge the compliance of the application with the review criteria of Section 1740.305.

Section 1740.305 Board Review

In reviewing an application, the Board must determine if the proposed program or project is necessary and in the public interest to promote and protect the health, safety and welfare of the public. Factors which the Board must consider include, but are not limited to, the need for the proposed program or project in this State, the specific training needs of the locality involved, and the financial practicality of the venture. Financial practicality, for purposes of these rules, includes, but is not limited to, the amount of money available for training, the quantity of police officers to be trained, the costs to administer the training, and the availability of other programs in a more centralized location for less cost.

Section 1740.306 Conditional Approval by the Board

a) Recipients of state financial assistance must comply with the application as approved by the Board and the conditions established by the Board pursuant to paragraph (b) of this Section.

b) The Board may impose conditions to its approval for receipt of financial assistance as may be necessary to accomplish the purposes of the Act and as are not inconsistent with the Act or Board rules.

c) Recipients of financial assistance who do not comply with the terms of paragraph (a) of this Section may have future financial assistance requests reduced or denied. In determining whether future financial assistance is reduced or denied, the Board will compare the terms of the approved budget with the actual practices of the Mobile Team, and;

1) Any variance from the approved application that results in the negation of the existence of the factors necessary for the approval of disbursements pursuant to Section 1740.305 of these rules shall result in the denial of disbursements; or

2) Any variance that does not negate the reasons for approval pursuant to Section 1740.305, but results in a requirement of a lesser amount of funds than approved previously, will result in a reduction of funds to that level actually required.

Section 1740.307 Signatures to Permit Applications and Reports

a) All applications shall be signed by the Advisory Board Chairman, Financial Officer, and Coordinator.

b) All reports or other information shall be signed by the persons described in paragraph (a) of this Section, except as is otherwise indicated in paragraph © of this Section.

c) Course roster reports required under Section 1740.204 and notices of canceled courses under Section 1740.203 shall be signed by the Coordinator.

d) Any person signing a document under paragraph (a) or (b) of this Section shall make the following certification: "I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based upon my inquiry of those individuals immediately responsible for obtaining information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

(Source: Amended at 9 Ill. Reg. 5683, effective April 15, 1985)

Section 1740.308 Financial Assistance Application

a) In addition to the other requirements of this Subpart, any applicant for financial assistance shall provide the following information to the Board, which shall include, but not be limited to:

- 1) The information required in Sec. 4 of the "Intergovernmental Law Enforcement Officer's In-Service Training Act";
- 2) The information required in Sections 1740.201 and 1740.202 of Subpart B of this Part;
- 3) The budgetary information required in Subpart D of this Part;
- 4) The total number of units of local government to be served, including the total number of counties and law enforcement departments to be served;
- 5) The population of officers to be served;
- 6) A Mobile Team's estimated course program schedule, indicating course titles, purposes, and designs;
- 7) A Mobile Team's description of the need for any program, and the anticipated number of officers who will attend;
- 8) The availability of training facilities;
- 9) A description of the Mobile Team's identified need for in-service training, and the Mobile Team's past project accomplishments and successes; and
- 10) Proof that the Mobile Team's Financial Officer is adequately bonded to receive state funds.

b) Applicants shall submit all information required by the Board on forms prescribed or provided by the Board.

c) The Board may waive informational requirements if the Board determines that information would be duplicative of information the Board has already received.

Section 1740.309 Final Board Decision

a) The Board shall notify the applicant in writing within thirty days after it decides to grant or deny the applicant financial assistance. Application denial letters shall state the reasons for denial to the applicant.

b) Disbursements to Mobile Team shall be made quarterly.

ILLINOIS ADMINISTRATIVE CODE
TITLE 20: CORRECTIONS, CRIMINAL JUSTICE, AND LAW ENFORCEMENT
CHAPTER V: ILLINOIS LOCAL GOVERNMENTAL LAW ENFORCEMENT
OFFICERS TRAINING BOARD
PART 1740: IN-SERVICE TRAINING FINANCIAL ASSISTANCE
SUBPART D: BUDGET

Section 1740.401 Eligibility

- a) The proposed Mobile Team budget must be developed and approved by the Advisory Board and submitted as a part of the application to receive state funds in accordance with Subpart C of this Part.
- b) The Advisory Board shall, pursuant to Section 3(6) of the Act, submit to the Board a copy of the equitable formulae it used to assure that participating units of local government provide their local share of costs to the Mobile Team. The Advisory Board must identify the standards and criteria it used to develop the formulae.

Section 1740.402 Prohibitions

- a) Funds received or generated by Mobile Teams shall be used solely for Board approved Mobile Team activities.
- b) No Mobile Team shall cause or allow the use of its funds except as finally approved by the Board pursuant to Section 1740.409, Final Mobile Team Budget, of this Part.
- c) No Mobile Team shall cause or allow transfers or funds within any budget approved by the Board, except as provided for in Section 1740.410 of this Subpart.

Section 1740.403 State Funding

- a) The amount of the State funds which a Mobile Team receives hereunder shall equal up to 50% of the total approved Mobile Team budget.
- b) The Mobile Team and the participating units of local government are jointly and severally liable for the remainder of the Mobile Team budget.
- c) The Mobile Team budget shall contain funds designated solely for Board approved mobile team training, and must be segregated in a financial account separate from other state or local fiscal accounts.

Section 1740.404 Other Sources of Funding

- a) Monies received by Mobile Teams from other sources in addition to local and state matching funds under these rules, including but not limited to tuition and federal grants, shall be segregated into a separate account and shall not be used except as provided for in paragraph (b) of this Section.
- b) Monies received by Mobile Teams from other sources may be used for Mobile Team activities after receiving written permission from the Executive Director if the Executive Director finds the Mobile Team's request conforms with the Board's review criteria established in Section 1740.305 of Subpart C. Requests by Mobile Teams shall be in writing to the Executive Director and must specify the intended use of those funds.

c) The Executive Director shall respond to Mobile Teams within 30 days after receipt of the request. The Executive Director shall have the authority to deny requests for spending under this Section and suspend until the following Board meeting any use of those funds.

d) Upon receiving a written request from the applicant, the Board shall review the Executive Director's denial during the Board meeting following his action and decide whether to allow the use of the funds as requested by the applicant.

Section 1740.405 Budget Content

a) The Mobile Team shall provide the Board with any budget information the Board requests, pursuant to Sections 1740.203, 1740.301, 1740.303 and 1740.306 of this Part.

b) The proposed Mobile Team budget must include all the proposed and anticipated operational and nonoperational expenditures for the applicable fiscal year beginning on July 1 and terminating June 30.

Section 1740.406 Budget Categories

a) Mobile Team budgets shall be separated into two categories, operational and non-operational.

b) The operational budget category shall be divided into sub-categories including, but not limited to, personal services, automobile and transportation expenses, contractual services, equipment, commodities, and training costs.

c) The non-operational budget category shall include the salaries of full-time law enforcement officers who attend training programs.

Section 1740.407 Operational Budget Requirements

a) The operational budget shall be separated into sub-categories in order for the Board to determine the necessary funding for each sub-category.

b) Participating units of local government shall provide at least 10% of the total Mobile Team budget before the Mobile Team's application is finally approved by the Board.

c) The Board shall approve up to 50% of the total Mobile Team budget for operational costs if the Mobile Team meets all the requirements in the Act and rules adopted pursuant thereto, including paragraph (b) of this Section, providing state funds are available.

Section 1740.408 Non-Operational Budget Requirements

a) Non-operational budget costs shall include only the salaries of full-time law enforcement officers who receive training under this Part.

b) The non-operational budget shall not exceed 40% of the total Mobile Team budget.

c) Proposed Mobile Team budgets including a non-operational budget category shall detail the number of full-time officers the Mobile Team expects to train, the total number of training hours planned, and the estimated salaries of the participating law enforcement officers.

Section 1740.409 Final Mobile Team Budget

- a) The Board shall approve, deny or conditionally approve the Mobile Team budget in accordance with Sections 1740.306 and 1740.309 of this Part.
- b) The Board shall, on a random basis, investigate the activities of a Mobile Team to ensure the Mobile Team is meeting the requirements of the approved budget.
- c) If the Board determines a Mobile Team is deviating from its budget, the Board may reduce or deny future disbursements. In determining whether there will be a reduction or denial of disbursements, the Board will compare the terms of the approved budget with the actual practices of the Mobile Team, and:
 - 1) Any variance from the approved application that results in the negation of the existence of the factors necessary for approval of disbursements pursuant to Section 1700.305 of these rules shall result in the denial of disbursements; or
 - 2) Any variance that does not negate the reasons for approval pursuant to 1700.305, but results in a requirement of a lesser amount of funds than approved previously, will result in a reduction of disbursements to that level actually required.

Section 1740.410 Budget Transfers

- a) No transfers of money within the budget is permitted, except as is provided for in paragraph (b) of this Section.
- b) A Mobile Team must obtain written authorization from the Executive Director to transfer budget funds from one sub-category to another sub-category. In determining whether there will be a transfer of funds, the Director will compare the terms of the approved budget with the proposed terms of the transfer, and:
 - 1) Any variance from the approved budget that results in the negation of the existence of the facts necessary for approval of disbursement pursuant to Section 1740.305 of Subpart C of this Part shall result in the denial of the request; and
 - 2) The Director must determine if the Mobile Team is complying with the Act and rules adopted pursuant thereto.

Section 1740.411 Returning State Funds

In the event a Mobile Team does not properly expend its funds as approved by the Board, or is in violation of the act or these rules, the mobile team, and the local governmental units creating the Mobile Team, shall be responsible for returning the money as follows:

- a) If the money received by the Mobile Team was appropriated out of the Traffic and Criminal Conviction Surcharge Fund, Ill. Rev. Stat. 1981, ch. 85, par. 509, the money shall be returned to the Board, payable to the Board, for the Board to redeposit the money into the Surcharge Fund pursuant to Section 10.14 of the State Comptroller's Act, (Ill. Rev. Stat. 1981, ch. 15, par. 210.14); or
- b) If the money received by the Mobile Team was appropriated out of the General Revenue Fund, the money shall be returned to the Board, payable to the Board, for the Board to redeposit the

money into the proper General Revenue Fund appropriation category, pursuant to Section 10.14 of the State Comptroller's Act.