



Substitute Senate Bill No. 425

Public Act No. 14-212

AN ACT CONCERNING THE STATE EDUCATION RESOURCE CENTER.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (*Effective from passage*) (a) There is hereby established and created a body politic and corporate, constituting a public instrumentality and political subdivision of the state of Connecticut established and created to be a public educational authority acting on behalf of the state of Connecticut, to be known as the State Education Resource Center. The center shall not be construed to be a department, institution or agency of the state.

(b) (1) The powers of the center shall be vested in and exercised by a board of directors, which shall consist of the following members: (A) Four appointed by the Governor, with the advice and consent of both houses of the General Assembly; (B) two appointed by the State Board of Education, with the advice and consent of both houses of the General Assembly; (C) one appointed by the president pro tempore of the Senate; (D) one appointed by the majority leader of the Senate; (E) one appointed by the minority leader of the Senate; (F) one appointed by the speaker of the House of Representatives; (G) one appointed by the majority leader of the House of Representatives; (H) one appointed by the minority leader of the House of Representatives; and (I) the

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Commissioner of Education, or the commissioner's designee. Each member appointed by the Governor or the State Board of Education shall serve at the pleasure of the Governor but not longer than the term of office of the Governor or until the member's successor is appointed and qualified, whichever term is longer. Each member appointed by a member of the General Assembly shall serve in accordance with the provisions of section 4-1a of the general statutes. Any appointed member who fails to attend fifty per cent of all meetings of the board held during any calendar year shall be deemed to have resigned from the board. Each appointing authority shall make his or her initial appointment to the board not later than August 15, 2014. The first meeting of the board shall take place not later than September 15, 2014.

(2) The Governor shall appoint the chairperson of the board from among the members of such board with the advice and consent of both houses of the General Assembly. Such chairperson shall serve at the pleasure of the Governor.

(3) The chairperson shall, with the approval of the members of the board of directors, appoint an executive director of the center who shall be an employee of the center and paid a salary prescribed by the board. The executive director shall supervise the administrative affairs and technical activities of the center in accordance with the directives of the board.

(c) A majority of the appointed members of the board shall constitute a quorum for the transaction of any business or the exercise of any power of the State Education Resource Center. For the transaction of any business or the exercise of any power of the center, and except as otherwise provided in this section and sections 2 to 4, inclusive, of this act, the center may act by a majority of the members present at any meeting at which a quorum is in attendance.

(d) Members shall receive no compensation for their services but

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shall be entitled to reimbursement for such members' actual and necessary expenses incurred during the performance of such members' official duties. Members may engage in private employment, or in a profession or business, subject to any applicable laws, rules and regulations of the state regarding official ethics or conflict of interest. It shall not constitute a conflict of interest for a trustee, director, partner or officer of any person, firm or corporation, or any individual having a financial interest in a person, firm or corporation, to serve as a member of the board of directors of the center, provided such trustee, director, partner, officer or individual shall comply with all applicable provisions of chapter 10 of the general statutes.

Sec. 2. (NEW) (*Effective from passage*) (a) The purposes of the State Education Resource Center, established pursuant to section 1 of this act, shall be to assist the State Board of Education in the provision of programs and activities that will promote educational equity and excellence. Such activities shall be limited to: Training, technical assistance and professional development for local and regional boards of education, school leaders, teachers, families and community partners in the form of seminars, publications, site visits, on-line content and other appropriate means; maintaining a state education resource center library; publication of technical materials; research and evaluation; writing, managing, administering and coordinating grants for the purposes described in this subsection; and any other related activities directly related to the purposes described in this subsection. The center may support programs and activities concerning early childhood education, in collaboration with the Office of Early Childhood, improving school and district academic performance, and closing academic achievement gaps between socio-economic subgroups, and other related programs and activities. For such purposes the center is authorized and empowered to:

- (1) Have perpetual succession as a body politic and corporate and to

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adopt bylaws for the regulation of its affairs and the conduct of its business;

(2) Adopt an official seal and alter the same at pleasure;

(3) Maintain an office at such place or places as it may designate;

(4) Sue and be sued in its own name and plead and be impleaded;

(5) (A) Employ such assistants, agents and other employees as may be necessary or desirable who shall not be employees, as defined in subsection (b) of section 5-270 of the general statutes; (B) establish all necessary or appropriate personnel practices and policies, including those relating to hiring, promotion, compensation, retirement and collective bargaining, which need not be in accordance with chapter 68 of the general statutes, and the center shall not be an employer as defined in subsection (a) of section 5-270 of the general statutes; and (C) engage consultants, attorneys and appraisers as may be necessary or desirable to carry out its purposes in accordance with this section and sections 1, 3 and 4 of this act;

(6) Receive and accept aid or contributions from any source of money, property, labor or other things of value, to be held, used and applied to carry out the purposes of this section and sections 1, 3 and 4 of this act, subject to such conditions upon which such grants and contributions may be made, including, but not limited to, gifts or grants from any department, agency or instrumentality of the United States or this state for any purpose consistent with this section and sections 1, 3 and 4 of this act;

(7) Make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this section and sections 1, 3 and 4 of this act, including contracts and agreements for such professional services as the center deems necessary, including, but not limited to, those services provided

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by financial consultants, underwriters and technical specialists;

(8) Acquire, lease, purchase, own, manage, hold and dispose of personal property, and lease, convey or deal in or enter into agreements with respect to such property on any terms necessary or incidental to the carrying out of these purposes;

(9) Invest in, acquire, lease, purchase, own, manage, hold and dispose of real property and lease, convey or deal in or enter into agreements with respect to such property on any terms necessary or incidental to carrying out the purposes of this section and sections 1, 3 and 4 of this act, provided such transactions shall be subject to approval, review or regulation by any state agency pursuant to title 4b of the general statutes or any other provision of the general statutes;

(10) Procure insurance against any liability or loss in connection with its property and other assets, in such amounts and from such insurers as it deems desirable and to procure insurance for employees;

(11) Account for and audit funds of the center and funds of any recipients of funds from the center;

(12) Hold patents, copyrights, trademarks, marketing rights, licenses, or any other evidences of protection or exclusivity as to any products as defined in this section and sections 1, 3 and 4 of this act, issued under the laws of the United States or any state or any nation;

(13) Establish advisory committees to assist in accomplishing its duties under this section and sections 1, 3 and 4 of this act, which may include one or more members of the board of directors and persons other than members; and

(14) Do all acts and things necessary or convenient to carry out the purposes of this section and sections 1, 3 and 4 of this act, and the powers expressly granted by this section and sections 1, 3 and 4 of this

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act.

(b) The State Education Resource Center shall establish a Connecticut School Reform Resource Center either within the State Education Resource Center or by contract through a regional educational service center, established pursuant to section 10-66a of the general statutes. The Connecticut School Reform Resource Center shall operate year-round and shall focus on serving the needs of all public schools. The Connecticut School Reform Resource Center shall (1) publish and distribute reports on the most effective practices for improving student achievement by successful schools; (2) provide a program of professional development activities for (A) school leaders, including curriculum coordinators, principals, superintendents and board of education members, and (B) teachers to educate students that includes research-based child development and reading instruction tools and practices; (3) provide information on successful models for evaluating student performance and managing student data; (4) develop strategies for assisting such students who are in danger of failing; (5) develop culturally-relevant methods for educating students whose primary language is not English; and (6) provide other programs and materials to assist in the improvement of public schools.

(c) The State Education Resource Center shall be subject to (1) rules, regulations and restrictions on purchasing, procurement, personal service agreements and the disposition of assets generally applicable to Connecticut state agencies, including those contained in titles 4, 4a and 4b of the general statutes, section 4e-19 of the general statutes, and (2) audit by the Auditors of Public Accounts under section 2-90 of the general statutes.

Sec. 3. (NEW) (*Effective from passage*) The members of the board of directors of the State Education Resource Center, established pursuant to section 1 of this act, shall adopt written procedures, in accordance with the provisions of section 1-121 of the general statutes, for: (1)

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Adopting an annual budget and plan of operations, including a requirement of board approval before the budget or plan may take effect; (2) hiring, dismissing, promoting and compensating employees of the center, including an affirmative action policy and a requirement of board approval before a position may be created or a vacancy filled; (3) acquiring real and personal property and personal services, including a requirement of board approval for any nonbudgeted expenditure in excess of an amount to be determined by the board; and (4) contracting for financial, legal, consulting and other professional services, including a requirement that the center solicit proposals at least once every three years for each such service which it uses.

Sec. 4. (NEW) (*Effective from passage*) For the fiscal year ending June 30, 2015, and each fiscal year thereafter, the State Education Resource Center shall annually submit a yearly budget, projected revenue statement and financial audit to the State Board of Education and the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a of the general statutes.

Sec. 5. Subdivision (12) of section 1-79 of the 2014 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(12) "Quasi-public agency" means Connecticut Innovations, Incorporated, and the Connecticut Health and Education Facilities Authority, Connecticut Higher Education Supplemental Loan Authority, Connecticut Housing Finance Authority, State Housing Authority, Connecticut Resources Recovery Authority, Capital Region Development Authority, Connecticut Lottery Corporation, Connecticut Airport Authority, Health Information Technology Exchange of Connecticut, Connecticut Health Insurance Exchange, [and] Clean Energy Finance and Investment Authority and State Education Resource Center.

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Sec. 6. Subdivision (1) of section 1-120 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(1) "Quasi-public agency" means Connecticut Innovations, Incorporated, and the Connecticut Health and Educational Facilities Authority, Connecticut Higher Education Supplemental Loan Authority, Connecticut Housing Finance Authority, Connecticut Housing Authority, Connecticut Resources Recovery Authority, Capital Region Development Authority, Connecticut Lottery Corporation, Connecticut Airport Authority, Health Information Technology Exchange of Connecticut, Connecticut Health Insurance Exchange, [and] Clean Energy Finance and Investment Authority and State Education Resource Center.

Sec. 7. Section 1-124 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Connecticut Innovations, Incorporated, the Connecticut Health and Educational Facilities Authority, the Connecticut Higher Education Supplemental Loan Authority, the Connecticut Housing Finance Authority, the Connecticut Housing Authority, the Connecticut Resources Recovery Authority, the Health Information Technology Exchange of Connecticut, the Connecticut Airport Authority, the Capital Region Development Authority, the Connecticut Health Insurance Exchange, [and] the Clean Energy Finance and Investment Authority and the State Education Resource Center shall not borrow any money or issue any bonds or notes which are guaranteed by the state of Connecticut or for which there is a capital reserve fund of any kind which is in any way contributed to or guaranteed by the state of Connecticut until and unless such borrowing or issuance is approved by the State Treasurer or the Deputy State Treasurer appointed pursuant to section 3-12. The approval of the State Treasurer or said deputy shall be based on

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documentation provided by the authority that it has sufficient revenues to (1) pay the principal of and interest on the bonds and notes issued, (2) establish, increase and maintain any reserves deemed by the authority to be advisable to secure the payment of the principal of and interest on such bonds and notes, (3) pay the cost of maintaining, servicing and properly insuring the purpose for which the proceeds of the bonds and notes have been issued, if applicable, and (4) pay such other costs as may be required.

(b) To the extent Connecticut Innovations, Incorporated, and the Connecticut Higher Education Supplemental Loan Authority, Connecticut Housing Finance Authority, Connecticut Housing Authority, Connecticut Resources Recovery Authority, Connecticut Health and Educational Facilities Authority, the Health Information Technology Exchange of Connecticut, the Connecticut Airport Authority, the Capital Region Development Authority, the Connecticut Health Insurance Exchange, [or] the Clean Energy Finance and Investment Authority or the State Education Resource Center is permitted by statute and determines to exercise any power to moderate interest rate fluctuations or enter into any investment or program of investment or contract respecting interest rates, currency, cash flow or other similar agreement, including, but not limited to, interest rate or currency swap agreements, the effect of which is to subject a capital reserve fund which is in any way contributed to or guaranteed by the state of Connecticut, to potential liability, such determination shall not be effective until and unless the State Treasurer or his or her deputy appointed pursuant to section 3-12 has approved such agreement or agreements. The approval of the State Treasurer or his or her deputy shall be based on documentation provided by the authority that it has sufficient revenues to meet the financial obligations associated with the agreement or agreements.

Sec. 8. Section 1-125 of the general statutes is repealed and the

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following is substituted in lieu thereof (*Effective from passage*):

The directors, officers and employees of Connecticut Innovations, Incorporated, and the Connecticut Higher Education Supplemental Loan Authority, Connecticut Housing Finance Authority, Connecticut Housing Authority, Connecticut Resources Recovery Authority, including ad hoc members of the Connecticut Resources Recovery Authority, Connecticut Health and Educational Facilities Authority, Capital Region Development Authority, the Health Information Technology Exchange of Connecticut, Connecticut Airport Authority, Connecticut Lottery Corporation, Connecticut Health Insurance Exchange, [and] the Clean Energy Finance and Investment Authority and the State Education Resource Center and any person executing the bonds or notes of the agency shall not be liable personally on such bonds or notes or be subject to any personal liability or accountability by reason of the issuance thereof, nor shall any director or employee of the agency, including ad hoc members of the Connecticut Resources Recovery Authority, be personally liable for damage or injury, not wanton, reckless, wilful or malicious, caused in the performance of his or her duties and within the scope of his or her employment or appointment as such director, officer or employee, including ad hoc members of the Connecticut Resources Recovery Authority. The agency shall protect, save harmless and indemnify its directors, officers or employees, including ad hoc members of the Connecticut Resources Recovery Authority, from financial loss and expense, including legal fees and costs, if any, arising out of any claim, demand, suit or judgment by reason of alleged negligence or alleged deprivation of any person's civil rights or any other act or omission resulting in damage or injury, if the director, officer or employee, including ad hoc members of the Connecticut Resources Recovery Authority, is found to have been acting in the discharge of his or her duties or within the scope of his or her employment and such act or omission is found not to have been wanton, reckless, wilful or

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malicious.

Sec. 9. Section 10-4q of the 2014 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

[(a) The State Board of Education shall establish a State Education Resource Center to assist the board in the provision of programs and activities that will promote educational equity and excellence. Such activities, to be provided by the State Education Resource Center or a regional educational service center, may include training and professional development seminars, publication of technical materials, research and evaluation, and other related activities. The center may support programs and activities concerning early childhood education, the federal No Child Left Behind Act, P.L. 107-110, and closing the academic achievement gap between socio-economic subgroups, and other related programs. The center shall be subject to (1) the competitive bidding requirements of section 4a-57, and (2) audit by the Auditors of Public Accounts under section 2-90. The center shall be considered a public agency, as defined in section 1-200, for purposes of chapter 14, and a state agency, as defined in section 4-212, for purposes of chapter 55a.]

[(b)] The Commissioner of Education, with the assistance of the State Education Resource Center, established pursuant to section 1 of this act, may provide grants to local and regional boards of education for school districts [identified as in need of improvement under the provisions of section 10-223e. The] designated as alliance districts, pursuant to section 10-262u. Such grants shall be for the creation and acquisition of new curricula, training in the use of [the] such curricula and related supporting textbooks and other materials. [Local] Such local and regional boards of education may use such grants only for curricula, training and related textbooks and materials that have been authorized by the commissioner. [Local] Such local and regional

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boards of education shall apply for grants pursuant to this subsection at such time and in such manner as the commissioner prescribes, and the commissioner shall determine the amount of the grant awards.

[(c) Within available appropriations, the Department of Education shall establish a Connecticut School Reform Resource Center within the State Education Resource Center established pursuant to subsection (a) of this section or by contract through a regional educational service center. The center shall operate year-round and focus on serving the needs of all public schools. The center shall (1) publish and distribute reports on the most effective practices for improving student achievement by successful schools, (2) provide a program of professional development activities for (A) school leaders, including curriculum coordinators, principals, superintendents and board of education members, and (B) teachers to educate such students that includes research-based child development and reading instruction tools and practices, (3) provide information on successful models for evaluating student performance and managing student data, (4) develop strategies for assisting such students who are in danger of failing, (5) develop culturally relevant methods for educating students whose primary language is not English, and (6) provide other programs and materials to assist in the improvement of public schools.]

Sec. 10. (NEW) (*Effective from passage*) The Commissioner of Education may allocate funds to allow the State Education Resource Center, established pursuant to section 1 of this act, to provide professional development services, technical assistance and evaluation activities, policy analysis and other forms of assistance to local and regional boards of education, the Department of Education, state and local charter schools, as defined in section 10-66aa of the general statutes, the technical high school system, established pursuant to section 10-95 of the general statutes, providers of school readiness

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programs, as defined in section 10-16p of the general statutes and other educational entities and providers. The State Education Resource Center shall expend such funds in accordance with procedures and conditions prescribed by the commissioner.

Sec. 11. (NEW) (*Effective from passage*) On and after the effective date of this section, the State Education Resource Center, established pursuant to section 1 of this act, shall assume all responsibilities of the State Education Resource Center, as described in section 10-4q of the 2014 supplement to the general statutes, revision of 1958, revised to January 1, 2013, pursuant to any provision of the general statutes. The transfer of functions, powers, duties, personnel and obligations, including, but not limited to, contract obligations, the continuance of orders and regulations, the effect upon pending actions and proceedings, the completion of unfinished business, and the transfer of records and property between the State Education Resource Center, as described in section 10-4q of the 2014 supplement to the general statutes, revision of 1958, revised to January 1, 2013, as said State Education Resource Center existed immediately prior to the effective date of this section, and the State Education Resource Center, established pursuant to section 1 of this act, shall be governed by the provisions of sections 4-38d, 4-38e and 4-39 of the general statutes.

Sec. 12. Section 10-76n of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

[(a)] The [State Board of Education shall continue to] State Education Resource Center, established pursuant to section 1 of this act, shall maintain the Special Education Resource Center, with federal funds granted to the state for the maintenance of said center under the provisions of the federal Education for the Handicapped Act, for purposes consistent with the provisions of said act as it may from time to time be amended. The Commissioner of Education is authorized to accept any federal funds allotted to the state for such purposes and

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shall administer such funds in accordance with federal law.

[(b) The Special Education Resource Center described in subsection (a) of this section may be conducted by the State Education Resource Center, established pursuant to section 10-4q, as part of its program of activities.]

Sec. 13. Section 10-155j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The Department of Education [, through the State Education Resource Center and within available appropriations for such purposes,] shall, within available appropriations, promote and encourage professional development activities for school paraprofessionals with instructional responsibilities. Such activities may include, but shall not be limited to, providing local and regional boards of education with training modules and curricula for professional development for paraprofessionals and assisting boards of education in the effective use of paraprofessionals and the development of strategies to improve communications between teachers and paraprofessionals in the provision of effective student instruction.

Sec. 14. Subdivision (20) of section 10-183b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(20) "Public school" means any day school conducted within or without this state under the orders and superintendence of a duly elected school committee, a board of education, the State Board of Education, the board of governors or any of its constituent units, the E. O. Smith School, the Children's Center and its successors, the State Education Resource Center established pursuant to section 10-4q of the 2014 supplement to the general statutes, revision of 1958, revised to

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January 1, 2013, the State Education Resource Center established pursuant to section 1 of this act, joint activities of boards of education authorized by subsection (b) of section 10-158a and any institution supported by the state at which teachers are employed or any incorporated secondary school not under the orders and superintendence of a duly elected school committee or board of education but located in a town not maintaining a high school and providing free tuition to pupils of the town in which it is located, and which has been approved by the State Board of Education under the provisions of part II of chapter 164, provided that such institution or such secondary school is classified as a public school by the retirement board.

Sec. 15. Subdivision (26) of section 10-183b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(26) "Teacher" means (A) any teacher, permanent substitute teacher, principal, assistant principal, supervisor, assistant superintendent or superintendent employed by the public schools in a professional capacity while possessing a certificate or permit issued by the State Board of Education, provided on and after July 1, 1975, such certificate shall be for the position in which the person is then employed, except as provided for in section 10-183qq, (B) certified personnel who provide health and welfare services for children in nonprofit schools, as provided in section 10-217a, under an oral or written agreement, (C) any person who is engaged in teaching or supervising schools for adults if the annual salary paid for such service is equal to or greater than the minimum salary paid for a regular, full-time teaching position in the day schools in the town where such service is rendered, (D) a member of the professional staff of the State Board of Education or of the Board of Regents for Higher Education or any of the constituent units, and (E) a member of the staff of the State Education Resource

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Center established pursuant to section 10-4q of the 2014 supplement to the general statutes, revision of 1958, revised to January 1, 2013, or the State Education Resource Center established pursuant to section 1 of this act, employed in a professional capacity while possessing a certificate or permit issued by the State Board of Education. A "permanent substitute teacher" is one who serves as such for at least ten months during any school year.

Sec. 16. Subdivision (17) of subsection (b) of section 10-183e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(17) Service prior to July 1, 2007, as a member of the staff of the State Education Resource Center established pursuant to section 10-4q of the general statutes, revision of 1958, revised to January 1, 2007, employed in a professional capacity while possessing a certificate or permit issued by the State Board of Education.

Sec. 17. Subsection (a) of section 10-222i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Department of Education, in consultation with the State Education Resource Center, established pursuant to section 1 of this act, the Governor's Prevention Partnership and the Commission on Children, shall establish, within available appropriations, a state-wide safe school climate resource network for the identification, prevention and education of school bullying in the state. Such state-wide safe school climate resource network shall make available to all schools information, training opportunities and resource materials to improve the school climate to diminish bullying.

Sec. 18. Subsection (c) of section 10-290f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from*

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passage):

(c) The Department of Administrative Services may use the services of the [state education resource center pursuant to section 10-4q] State Education Resource Center, established pursuant to section 1 of this act, to carry out the provisions of this section.

Sec. 19. Section 10-244a of the 2014 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2014*):

(a) For the school year commencing July 1, 2013, and each school year thereafter, no municipality or local or regional board of education may employ or enter into an agreement, as described in subdivision (2) of subsection (b) of section 53a-217b, with any person, other than a sworn member of an organized local police department or a retired police officer as provided in subsection (b) of this section, to provide security services in a public school if such person will possess a firearm, as defined in section 53a-3, while in the performance of his or her duties.

(b) A municipality or a local or regional board of education may employ or enter into an agreement with a retired police officer to provide security services in a public school if such retired police officer is a qualified retired law enforcement officer, as defined in 18 USC 926C, as amended from time to time. Such retired police officer shall receive annual training pursuant to section 7-294x and shall successfully complete annual firearms training provided by a certified firearms instructor that meets or exceeds the standards of the Police Officer Standards and Training Council or 18 USC 926C, as amended from time to time. Such retired police officer shall not be subject to the licensing requirements of part II of chapter 534.

(c) For the purposes of subsection (b) of this section, "retired police

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officer" means (1) a sworn member of an organized local police department who was certified by the Police Officer Standards and Training Council and retired or separated in good standing from such department or a sworn member of the Division of State Police within the Department of Emergency Services and Public Protection who retired or separated in good standing from said division, (2) a sworn federal law enforcement agent who retired or separated in good standing from such federal law enforcement service and who meets or exceeds the standards of the Police Officer Standards and Training Council for certification in this state, or (3) a sworn officer of an organized police department in another state who was certified under standards that meet or exceed the standards of the Police Officer Standards and Training Council for certification in this state and who retired or separated in good standing from such department.

Approved June 13, 2014