



Commonwealth of Massachusetts
Municipal Police Training Committee
“Training for Today, Planning for the Future”

<i>Policy Name:</i>	<i>Policy Number:</i>	<i>Pages:</i>
Code of Conduct for Instructors Certified by MPTC	3.01	10

<i>Subject Area:</i>	<i>Reference/Notes:</i>
MPTC Instructors	Applicable to all instructors certified by MPTC
<i>Effective Date:</i>	<i>Issuing Authority:</i>
August 25, 2026	MPTC Committee, Chief James Hicks (<i>chair</i>)
<i>Scheduled Reevaluation Date:</i>	<i>Previously Issued Dates:</i>
June 1, 2027	June 18, 2025

I. SCOPE

This *Code of Conduct for Instructors Certified by MPTC* (“*Code of Conduct*”) applies to all instructors who are required to be certified by the Massachusetts Municipal Police Training Committee (“MPTC”), and to any present or past conduct, regardless of when it occurred.¹

II. PURPOSE

The purpose of this *Code of Conduct* is to establish: (a) standards that instructors who are certified by the MPTC (“instructors”) must meet and maintain while certified by the MPTC, and (b) procedures to facilitate the administration of these standards.

III. POLICY

It is the policy of the MPTC that all instructors who are certified by the MPTC shall: (a) serve at the pleasure of the MPTC; (b) abide by the standards set forth in this *Code of Conduct*, and; (c) maintain good standing with the MPTC throughout their period of certification. Instructors who do not, in the judgment of the MPTC, abide by the standards set forth herein and maintain good standing with the MPTC shall have their instructor certification(s) suspended or, if warranted, permanently revoked.

¹ Instructors who are not required to be certified by the MPTC must comply with the *Code of Conduct for Instructors Not Certified by MPTC* (Policy 3.02).

IV. DEFINITIONS

Conduct means acts and/or omissions whether: (a) related or unrelated to the instructor's area of instruction; (b) occurring before or after the effective date of the *Code of Conduct* currently in use, and/or; (c) occurring before or during the instructor's period of certification with the MPTC.

Good standing with the MPTC means that an instructor is in compliance with the standards set forth in this *Code of Conduct* and has not engaged in past conduct that, in the judgment of the MPTC, undermines their current fitness to train law enforcement officers, including but not limited to conduct that is or was the subject of:

- 1) an internal affairs investigation; or
- 2) a criminal investigation; or
- 3) a criminal complaint, indictment, arrest, or warrant for arrest; or
- 4) a restraining order, harassment prevention order, or stay away/no contact order; or
- 5) a complaint for dishonesty, excessive force, civil rights violation, domestic violence, sexual harassment, or sexual misconduct; or
- 6) a disciplinary sanction resulting in a suspension for more than five (5) days; or
- 7) a reduction in rank due to the imposition of a disciplinary sanction; or
- 8) a pending allegation at the time of retirement, resignation, or separation from employment; or
- 9) a complaint reported to POST; or
- 10) a sustained allegation that appears on POST's disciplinary list; or
- 11) a suspension or revocation of POST certification; or
- 12) litigation, publicity, social media commentary, or other public scrutiny.

Hazing, as used herein, means behavior by an instructor towards an officer, regardless of when or where it happens, that willfully or recklessly degrades, humiliates, abuses, harasses, and/or ridicules the officer to a degree that endangers their physical or mental health. Hazing does not include the discipline, physical training, modified stress, and other rigors that an officer will typically experience during the normal course of certain MPTC trainings.

MPTC training(s) means any training(s) offered, approved, or required by the MPTC.

Officer(s), unless more specifically referenced, means any student officer candidate(s), student officer(s), and/or veteran officer(s) taking MPTC training.

Period of certification means the period of time during which an instructor has one or more current instructor certifications with the MPTC.

V. STANDARDS

Section 1: Good Standing

All instructors serve at the pleasure of the MPTC and therefore must be in good standing with the MPTC during their period of certification, which means they:

- 1) are in compliance with the standards set forth in this *Code of Conduct*, and;
- 2) have not engaged in past conduct that, in the judgment of the MPTC, undermines their current fitness to instruct officers.

Section 2: Instructor Certification

Prior to instructing, every instructor is responsible for ensuring they have proper certification for the MPTC training they will be conducting.

Section 3: Instructor Pay

For an instructor to be paid by the MPTC, the instructor must have an active state fiscal contract with the MPTC. The MPTC reserves the right to terminate or modify an instructor's state fiscal contract at any time, with or without cause.

Instructors who are paid at an hourly rate by the MPTC will only be paid for the actual time that they instruct. Moreover, they are strictly prohibited from "*double dipping*." Anyone being compensated by the MPTC as an instructor, when they already are or will be compensated by someone else for working those same hours, shall have their instructor certification(s) revoked and, if applicable, state fiscal contract immediately terminated. MPTC instructor compensation is a public record subject to public review.

Section 4: Instructor Attire

To ensure the uniform and professional appearance of instructors, the following dress code shall apply to all instructors, regardless of whether they are being paid or volunteering:

- 1) Department uniform; or
- 2) Business casual attire (no jeans or t-shirts allowed); or
- 3) Attire appropriate to the practical skill.

Dress code exceptions must be approved by the Manager of the person in charge of that MPTC training.

Section 5: Instructor Attendance

Instructors are expected to be in their classroom or at their training site and prepared to begin instructing at least five (5) minutes prior to the start time, and to commence instruction at the designated time unless otherwise directed. If an instructor is unable to instruct, or is running late, they must notify the person in charge of that training as soon as possible by calling the training site where they are scheduled to instruct. If the instructor is teaching/training with co-instructors, they shall notify them as well.

Instructors are expected to fully cover all assigned material and all instructional objectives. If instructional objectives are covered in full more quickly than anticipated and all questions have been answered prior to the allotted time, instructors may dismiss the class earlier with approval by the person in charge of that training. In such instances, instructors who are paid at an hourly rate by the MPTC shall submit their time so that it reflects actual hours of instruction and not scheduled hours. Under no circumstances shall MPTC staff approve time that does not accurately reflect an instructor's actual work hours.

Section 6: Instructor Training and Decorum

- 1) Instructors must teach MPTC-approved material and lesson plans only. While instructors are encouraged to use their personal experiences to enhance lesson plans, any changes (additions, deletions, or additional handouts) to an MPTC-approved lesson plan must be submitted to, and approved in advance by, the MPTC Manager whose Division oversees that MPTC training.
- 2) Recognizing that police training can be inherently risky, all instruction shall be conducted with a high level of safety. Instructors will, to the best of their ability, do all they can to prevent injury and avoid physical, mental, or emotional harm to officers. Instructors shall promptly report injuries to the MPTC Manager whose Division oversees that MPTC training.
- 3) Instructors are expected to maintain a level of decorum that reflects positively on the police profession, setting a tone which is respectful of diversity, equity, and inclusion, and the rights and privileges of officers in attendance, fellow instructors, academy staff, and guests. Under no circumstances will the MPTC tolerate a hostile, offensive, or harmful training environment. Harassment, hazing, horseplay, discrimination against a protected class, bias, sexual innuendo, or any other unlawful or unprofessional conduct by an instructor is strictly prohibited.
- 4) Profane, vulgar, and/or obscene language or behavior in the classroom or at a training site is unacceptable.
- 5) Instructors are expected to refrain from initiating or participating in any dialogue that expresses personal views on political, religious, or controversial topics unrelated to MPTC training.
- 6) Instructors will be held to the highest ethical standards. Dishonesty, untruthfulness, undisclosed conflicts-of-interest, and/or promoting personal business interests, will not be tolerated.
- 7) Social media, which may include apps like Snapchat, Instagram, Facebook, or other internet networking applications, should not be used during MPTC training unless it is directly related to training objectives.
- 8) Instructor cell phones must be on vibrate during MPTC training.
- 9) Instructors are expected to ensure proper care of and respect for all MPTC equipment and property.

Section 7: Privacy of Personal Information

Paper and electronic records containing personal information that can be readily used to identify a particular individual as defined in G.L. c. 93H, and personal data that can be readily associated with a particular individual as defined under the Fair Information Practices Act (FIPA), must be secured by all feasible measures. Instructors must ensure that all personally identifiable information (PII) of the officers they train remains confidential and secure, including when they are on breaks or at lunch or step away from the classroom or training site for any period. The security and care of this information applies to files, rosters, and anything else containing PII that is removed from the training site. Instructors are prohibited from: (a) improperly disclosing PII acquired during their training duties for a purpose unrelated to their training duties or; (b) using such information to further their personal interests.

Section 8: Fraternization

Instructors are expected to understand and respect the professional boundary between themselves, as instructors, and the officers, academy staff, MPTC staff, guests, and others involved in an MPTC training. In the absence of a pre-existing personal, social, or work relationship, instructors are strictly prohibited from fraternizing with anyone involved in an MPTC training. The prohibition lasts for the duration of the training and bans all fraternizing during or outside of training hours and on or off the training site. Moreover, instructors at police academies are strictly prohibited from fraternizing with student officers at any time during an academy and for six months following graduation.

Prohibited instructor fraternization includes but is not limited to:

- 1) personal and/or social contact directed at an officer or other person involved in the training, whether via gifts, invites, cards, notes, letters, emails, telephone calls, instant messages, text messages, video, photographs, social media, social networking, or any other means of direct or indirect communication; or
- 2) sexting, sexual innuendo, inappropriate touching, or other sexual advances of any kind; or
- 3) any consensual sexual, romantic, or other intimate encounter or relationship.

Section 9: Aiding or Assisting Cheating

The MPTC strictly prohibits officers from cheating. In furtherance of this prohibition, instructors cannot give unauthorized assistance to an officer on a quiz, test, examination, skill assessment, physical test, or other training exercise (collectively, “assessment”) involving MPTC training. Cheating includes aiding or assisting with the use of unauthorized aids, devices, information, materials, notes, past police academy exams, tests, quizzes, or other methods that either do, or have the potential to, provide an unfair advantage to the officer receiving assistance. Cheating also includes taking an assessment on behalf of another or improperly changing or altering the score of another so that it does not accurately reflect the true score.

Section 10: Conflicts-of-Interest/Appearance of Impropriety

Instructors are expected to disclose real and/or perceived conflicts-of-interest and avoid any appearance of impropriety. For example, an instructor should not train, or oversee the training of, an officer with whom they currently have, or in the past six months have had, a consensual sexual, romantic, or other intimate encounter or relationship. The conflict can be addressed by making a written disclosure to the MPTC Manager whose Division oversees that MPTC training.

Section 11: Tobacco, Alcohol, and Drugs

Possessing or consuming tobacco products, alcohol, cannabis, or illegal drugs while at an MPTC training site or during an MPTC training, or being under the influence of alcohol, cannabis, or illegal drugs while at an MPTC training site or during an MPTC training, is strictly prohibited unless it is part of an MPTC-approved lesson plan.

An instructor who has reasonable suspicion to believe that another instructor has violated the prohibition on tobacco products, alcohol, cannabis, or illegal drugs, shall promptly notify the person in charge of that MPTC training, and they shall promptly notify the MPTC Manager whose Division oversees that MPTC training. Reasonable suspicion may be based on a person’s appearance, behavior, and/or speech.

Section 12: Insubordination

An instructor shall not willfully ignore, disobey, or refuse to follow directions from any MPTC staff member or other person with authority to direct the instructor.

Section 13: Internet and Social Media

Instructors are prohibited from creating or maintaining a social media account attributed to the MPTC and are required to comply with any Social Media Policy maintained by the MPTC.

Section 14: Zero Tolerance for Workplace Violence

Workplace violence undermines the integrity of MPTC training and the personal safety and security of those being trained. Therefore, the Commonwealth of Massachusetts maintains a zero-tolerance policy for any type of workplace violence or threats of violence. All instructors shall conduct their MPTC training in an environment that is free from any type of workplace violence, threats of violence, harassment (sexual or otherwise), and any specific acts or patterns of behavior that create a hostile work environment.

The Commonwealth's Zero Tolerance for Workplace Violence Policy can be found in its entirety at: <https://www.mass.gov/guides/guide-to-workplace-conduct#-harassment>

Section 15: Timely Completion of Annual In-Service Training and Instructor Training

Instructors must remain current with and complete on time all mandatory annual in-service training, as well as all training required to maintain their instructor certification(s) and obtain their recertification(s).

VI. PROCEDURES

Section 1: Duty of Instructor to Report Conduct

An instructor shall promptly report to the MPTC's Chief or Deputy Chief of Training:

- 1) conduct by the instructor that potentially violates any provision of this *Code of Conduct*;
- 2) conduct by a co-instructor that potentially violates any provision of this *Code of Conduct*.

Section 2: Duty of MPTC to Notify Instructor's Employer

When the MPTC's Chief or Deputy Chief of Training becomes aware of conduct that potentially violates this *Code of Conduct*, they shall promptly notify the instructor's employer in writing about the allegation(s).

Section 3: Suspension of Instructor Upon Notice of Potential Violation(s)

Upon learning about any potential violation(s) of this *Code of Conduct*, the MPTC's Chief or Deputy Chief of Training may promptly suspend an instructor from conducting MPTC training and request documentation that is readily available to the instructor, their employer, or any other person or entity, regarding the potential violation(s), excluding documents protected by attorney/client or other privilege.

If an instructor fails to provide requested documentation that is readily available, they shall remain suspended until the requested documentation is provided to the MPTC. If no documentation is provided, the instructor shall remain indefinitely suspended from serving as an instructor for any MPTC training.

An instructor's suspension may last for as long as it takes the MPTC to obtain and review the information needed to decide if the instructor violated this *Code of Conduct*, or for an employer, court system, or other process to determine the veracity of the allegations that led to the suspension.

During the suspension period, under no circumstances may the instructor: (a) instruct for the MPTC; (b) instruct at an MPTC facility; (c) teach curriculum that is offered, approved, or required by the MPTC; or (d) do any other training over which the MPTC has some level of control or involvement.

Section 4: Standard of Review for Evaluating Past Conduct by an Instructor

When reviewing whether an instructor's past conduct undermines their current fitness to instruct, the MPTC shall consider the age, nature, and egregiousness of the conduct. Conduct under ten years old will receive closer scrutiny, while conduct over ten years old will be deemed less likely to undermine "current" fitness to instruct unless it was egregious *or* the instructor has engaged in additional conduct in the last ten years that cumulatively undermines their current fitness to instruct. "Minor matters," as defined by POST, will generally not, without more, undermine an instructor's current fitness to instruct.

Section 5: Determination of Violation(s)/Good Standing

After completing its review of any potential violation(s) of this *Code of Conduct*, the MPTC's Chief or Deputy Chief of Training shall determine if the instructor remains in good standing with the MPTC, and if not, the duration for which they are ineligible to instruct for the MPTC. The decision shall either:

- 1) Lift the instructor's suspension and reinstate their certification(s) without conditions, or
- 2) Lift the instructor's suspension and reinstate their certification(s) with conditions, or
- 3) Extend the instructor's suspension for any period up to ten years from the initial suspension and terminate any state fiscal contract.
- 4) Permanently revoke the instructor's certification(s) and terminate any state fiscal contract.

The MPTC will notify the instructor in writing of the decision and, if the instructor is employed by a law enforcement agency, forward the notice to their agency head.

Section 6: Appealing a Permanent Revocation or Suspension Greater than One Year

Instructor "certification" does not create or confer legal rights, benefits, privileges, or protections to which an instructor is entitled, and the Massachusetts Legislature has not statutorily mandated any agency level appeal process when the MPTC's Chief or Deputy Chief of Training revokes or suspends an instructor's certification(s). Of its own accord, the MPTC's fifteen-member oversight Committee ("Committee") has chosen to provide an agency level appeal process in two limited instances, but the appeal hearing does not constitute an "adjudicatory proceeding" as that term is defined in G.L. c. 30A, § 1. The Committee reserves the right to unilaterally terminate or change all or any part of the agency level appeal process it has chosen to provide.

An agency level appeal shall be available when the MPTC's Chief or Deputy Chief of Training:

- 1) suspends an instructor's certification(s) for greater than one year from the date of the initial suspension;
- 2) permanently revokes an instructor's certification(s), so long as the permanent revocation was not because POST revoked the instructor's certification to be a law enforcement officer.

An agency level appeal shall not be available when MPTC staff:

- 1) rejects an application to attend MPTC instructor training;
- 2) rejects an application to become certified or recertified as an MPTC instructor;
- 3) suspends an instructor's certification(s) indefinitely for failure to provide requested documentation;
- 4) suspends an instructor's certification(s) for up to one year from the date of the initial suspension;
- 5) permanently revokes an instructor's certification(s) if the permanent revocation was because POST revoked the instructor's certification to be a law enforcement officer;
- 6) terminates an instructor's state fiscal contract.

In the two limited instances where an appeal is available, it will be heard by a quorum of the MPTC Police Standards Subcommittee (“Standards Subcommittee”), a subset of the full Committee.

The appeal is not a de novo review of a previous decision made by the instructor’s employer, a court, administrative agency, or other entity or venue. Rather, the appeal shall be limited to a review of whether the instructor, as the moving party, was able to establish by clear and convincing evidence that:

- 1) the decision by the MPTC’s Chief or Deputy Chief of Training to revoke/suspend the instructor’s certification(s) should be overturned because it lacked substantial evidence, or was arbitrary and capricious, or was an abuse of its discretion, or was not otherwise in accordance with the law or standards/procedures set forth in this *Code of Conduct*, or;
- 2) the sanction imposed by the MPTC’s Chief or Deputy Chief of Training was disproportionate to the instructor’s conduct and should be adjusted to reflect a proportionate sanction.

In the two limited instances where an appeal is available, the following procedures shall apply:

- 1) Within five working days after receiving notice of the revocation or suspension, the instructor must submit an appeal request in writing to the MPTC’s Chief or Deputy Chief of Training.
- 2) When the MPTC’s Chief or Deputy Chief of Training receives an appeal request, they shall forward it to the MPTC’s Legal Department.
- 3) Once the MPTC’s Legal Department receives an appeal request, it shall attempt to schedule an appeal hearing (“hearing”) within the next three months that is mutually agreeable to the parties and a quorum of the Standards Subcommittee, all of whom must attend the hearing in-person.
- 4) If a mutually agreeable date cannot be arranged within the first three months after the appeal request is received, the instructor shall be given three potential hearing dates within the next three months. If the instructor cannot make any of those hearing dates, their appeal shall be dismissed with prejudice six months after the appeal request was received by the MPTC.
- 5) The instructor appealing is responsible for bringing to the hearing any person(s) or material(s) that may help them present the appeal. The MPTC does not have authority to issue subpoenas.
- 6) The instructor appealing has the right to be represented by counsel or other representative(s) at their own expense. A lawyer or other representative(s) appearing on behalf of an instructor shall submit a notice of appearance to the MPTC’s Legal Department prior to the hearing date.
- 7) The Standards Subcommittee quorum shall reach its decision by majority vote, with each member present having one vote.
- 8) If the MPTC’s Chief or Deputy Chief of Training revoked the instructor’s certification(s), the Standards Subcommittee quorum can:
 - a. overturn the permanent revocation and reinstate the instructor’s certification(s);
 - b. uphold the permanent revocation of the instructor’s certification(s);
 - c. find that a sanction proportionate to the conduct warrants a reduction of the permanent revocation to a suspension of the instructor’s certification(s) for any period up to ten years from the date of the initial suspension;
 - d. table a decision until litigation, POST review, or other external process is finished; or
 - e. render such other finding(s) and holding(s) as it deems warranted.
- 9) If the MPTC’s Chief or Deputy Chief of Training suspended the instructor’s certification(s) for more than one year, the Standards Subcommittee quorum can:
 - a. overturn the suspension and reinstate the instructor’s certification(s);
 - b. uphold the suspension of the instructor’s certification(s);
 - c. find that a sanction proportionate to the conduct warrants an increase or decrease in the length of the suspension to a period not less than one month nor more than ten years from the date of the initial suspension;
 - d. table a decision until litigation, POST review, or other external process is finished; or

- e. render such other finding(s) and holding(s) as it deems warranted.
- 10) The parties shall receive a copy of the Standards Subcommittee quorum's written decision within forty-five (45) days after the hearing's conclusion. Any party aggrieved by a final decision of the Standards Subcommittee quorum may bring a civil action in the nature of certiorari, pursuant to G.L. c. 249, § 4, within sixty (60) days after the final decision issues.
- 11) If an instructor pursues a civil certiorari action, the instructor's certification(s) shall remain suspended or revoked for the duration of the legal proceedings, and they shall not instruct until a final decision has been rendered by the court.

Section 7: Reinstatement of Instructor Certification

If an instructor's certification is reinstated during the applicable certification period, the instructor's Acadis account shall be updated to accurately reflect the reinstatement. If an instructor's certification is reinstated after the certification period has expired, the instructor may apply for recertification, subject to approval from their employer's agency head and fulfilling all application requirements. Under no circumstances shall the reinstatement of an instructor's certification obligate the MPTC to renew an instructor's state fiscal contract, if they previously had one, or to utilize the instructor to teach for the MPTC.

Municipal Police Training Committee



Colonel Rick Rathbun (ret.)
Executive Director



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Instructor Code of Conduct Acknowledgement

- I acknowledge that being an MPTC instructor is a privilege, not a right to which I am entitled, that I serve at the pleasure of the MPTC, and that the MPTC has broad discretion to adopt and amend the standards that I must meet and maintain to be an MPTC instructor.
- I acknowledge that I have read, understand, and agree to this *Code of Conduct*.
- I understand that I have an affirmative obligation to promptly report to the MPTC’s Chief or Deputy Chief of Training any conduct by me or a co-instructor that potentially violates this *Code of Conduct*, and to provide the MPTC with documentation of the violation(s).
- I understand that my failure to comply with federal/state/local laws and regulations, and the MPTC’s policies and procedures, and this *Code of Conduct*, could result in me being ineligible to instruct for the MPTC and, if applicable, having my state fiscal contract terminated.

X _____
Print Name

Date

X _____
Signature