

available through the various agencies of the State and can be secured on a loan basis. The training division of the office of the **[Commissioner]** *Secretary* is also available to help agencies to locate appropriate films, tapes, slides and similar type items for use in training programs.

(k) Out-service training.—(1) Authorization of Outside Training (A) The **[Commissioner]** *Secretary* may delegate the authority to department heads to approve employee out-service training provided the following conditions are met:

(1) Training does not exceed one hundred and twenty classroom hours per each six months;

(2) Tuition and related fees do not exceed three hundred and fifty dollars per participating employee per each six months;

(3) The agency has certified within fifteen work days after the out-service training has started, that the training is in accordance with policies, procedures, and regulations of the State.

(B) Authority to approve employee's participating in any single outside training program, in excess of one hundred and twenty hours duration for any six-month period or which involves expenditures by the Maryland State government in excess of three hundred fifty dollars per participating employee in any six-month period for tuition and related fees, is retained by the **[Commissioner]** *Secretary*.

(2) Determination Requirements. Training of employees, through out-service training, may be authorized or recommended only after a determination by the department concerned that employees who are already trained cannot be utilized as instructors and that adequate training is not reasonably available in other State agencies. The office of the **[Commissioner]** *Secretary* shall be available for advice and assistance in making this determination.

(3) Prohibited Purposes. (A) Out-service training for the purpose of filling a position by promotion is prohibited if there is another employee on the promotional eligible list. The **[Commissioner]** *Secretary*, may at his discretion, waive this provision provided a previously approved career development program has been filed and approved by the **[Commissioner]** *Secretary*.

(B) The selection of an employee for out-service training or the payment or reimbursement by the State of Maryland of the costs of such training is prohibited either for the purpose of providing an opportunity to such employee to obtain an academic degree which is not in accord with his career development plan.

(C) The expenditure of funds for out-service training for the purpose of raising the general educational level of an employee is not considered to be a legitimate and responsible function of the State and is prohibited. Employees seeking "general education" as opposed to necessary training" should be encouraged to obtain such education on their own time and at their own expense.

(5) Waivers of Limitation. (A) Limitations may be waived by the **[Commissioner]** *Secretary* upon a finding that the postponement of the training would be contrary to the approved career development plan for the employee concerned or such other reason as the **[Commissioner]** *Secretary* considers sufficient.