

Rule 1 –Definitions

*Effective ~~February 7, 2014~~ **January 31, 2016***

As used in these rules:

- (a) "Academy director" means that person responsible for the administration and operation of a POST-approved academy.
- (b) "Applicant" means any person formally seeking approval by the Board.
- (c) "Appointed" means sworn in and serving as a peace officer or reserve peace officer.
- (d) "Approved" means formally accepted or authorized by the Board.
- (e) "ACT" means Arrest Control Tactics, one of the skills training programs required for the basic and reserve training academies.
- (f) "Assistant skills instructor" means an individual who has successfully completed a relevant approved skills instructor training program and who may instruct the corresponding skills training program in arrest control, law enforcement driving, or firearms under the direction and in the presence of a full skills instructor, and assist in evaluating and coaching trainees at a basic or reserve training academy.
- (g) "Authorized emergency vehicle" means such vehicles identified in 42-1-102 C.R.S.
- (h) "Board" means the Colorado Peace Officer Standards and Training Board.
- (i) "Bodily injury" means physical pain, illness, or any impairment of physical or mental condition. § 18-1-901(3)(c), C.R.S.
- (j) "Certification examination" means the written test required under § 24-31-305(1)(a)(III), C.R.S.
- (k) "Certified peace officer" means any person who has successfully attained POST Certification as described in § 24-31-305 and 24-31-308, C.R.S.
- (l) "Conviction" means an adjudication of guilt following either a verdict of guilty by the court or jury, or a plea of guilty, or a plea of nolo contendere. Conviction includes deferred judgments and deferred sentences.
- (m) "Course" means a formal unit of instruction relating to a particular subject.
- (n) "C.R.S." means Colorado Revised Statutes, codified laws of the State of Colorado.

- (o) "Dimlight" means from one-half hour after local sunset to one-half hour before local sunrise. For indoor ranges, artificial light must be reduced to the lowest level which still allows for target identification and threat assessment without additional illumination from a flashlight.
- (p) "Director" means the director of the POST Board staff.
- (q) "Enroll" means that a person has applied to and been accepted for admission into an academy and is physically present at the academy to receive instruction.
- (r) "Enrollment date" means the first day of instruction at an approved basic or reserve training academy, and shall be synonymous with the first day of instruction as reflected on the approved academy schedule.
- (s) "Fingerprint-based criminal history record check" means submittal of a POST fingerprint card to the Colorado Bureau of Investigation (CBI) for criminal history check in CCIC and NCIC, as required in § 24-31-304(3), C.R.S.
- (t) "Full skills instructor" means an individual who has successfully completed the minimum qualifications required by these Rules and who may develop, implement and evaluate a skills training program at a basic or reserve training academy.
- (u) "Lateral training academy" means an agency-specific approved academy that instructs academic courses determined by the agency and all hours of the POST skills training programs in arrest control, law enforcement driving and firearms.
- (v) "Lead skills instructor" means a full skills instructor at a basic or reserve training academy who may be designated by the academy director to oversee or coordinate the administration of a specific skills program for a particular academy class.
- (w) "Lesson plan" means a document that specifically describes the material presented during a course of instruction.
- (x) "Moving training" means training where the academy students are involved in movement with a loaded weapon. It is recognized that during square range drills, academy students may move 1-2 steps laterally or forward/backward. The 1:1 ratio is not required for this drill. For all other drills/exercises involving movement a 1:1 ratio is required.
- (y) "Operable firearm" means a firearm that is capable of discharging a ~~projectile~~ ~~(bullet)~~ if loaded. **THIS DOES NOT INCLUDE FIREARMS DESIGNED OR**

MODIFIED TO DISCHARGE MARKING CARTRIDGES OR AIRSOFT PROJECTILES DURING ACADEMY REALITY-BASED TRAINING.

- (z) "Peace officer" means any person recognized in § 16-2.5-101, C.R.S.
- (aa) "POST certified" means any person possessing a valid, numbered certificate issued by the Board authorizing such person to serve as a peace officer or reserve peace officer.
- (bb) "POST fingerprint card" means a fingerprint card provided by POST.
- (cc) "POST Identification Number" (PID) means a number assigned and unique to each active peace officer's certification file. All inquiries and correspondence to POST should contain this number.
- (dd) **"PRACTICAL EXERCISE" MEANS ROLE PLAYING, TABLE TOP EXERCISES, OR OTHER SCENARIO-BASED TRAINING.**
- ~~(dd)~~(ee) "Program director" means that person responsible for the administration and operation of a POST-approved training program.
- ~~(ee)~~(ff) "Provisional certification" means a signed instrument issued by the POST Board that grants interim certification for qualified out-of-state peace officers seeking Colorado certification that enables the provisional applicant to obtain appointment as a peace officer in Colorado while fulfilling the requirements for basic certification.
- ~~(ff)~~(gg) "Recognized disciplines for arrest control training" mean those defensive tactics systems that have been reviewed and approved by the Board in consultation with the Arrest Control Subject Matter Expert Committee. Such systems may include, but are not limited to, Federal Bureau of Investigation (FBI) system, Koga system and Pressure Point Control Tactics (PPCT) system.
- ~~(gg)~~(hh) "Refresher academy" means an approved training program that consists of a minimum of 96 hours of instruction and includes academics or a POST Board approved web-based distance learning program, arrest control, law enforcement driving and firearms.
- ~~(hh)~~(ii) "Relevant approved skills instructor training program" means a basic, not advanced, instructor training program that contains a minimum of forty (40) hours of instruction and with instructional content that meets or exceeds the content of the respective instructor training programs for arrest control, law enforcement driving, or firearms, and that has been formally accepted or authorized by the Board.

~~(ii)~~ **(jj)** "Renewal applicant" means an applicant whose Colorado peace officer certificate has expired per § 24-31-305(1.7)(b), C.R.S., and who has applied to renew his/her Colorado peace officer certificate in accordance with § 24-31-305(1.7)(c), C.R.S. and POST Rule 13.

~~(jj)~~ **(kk)** "Reserve peace officer" means any person described in § 16-2.5-110, C.R.S., and includes any person authorized to carry a firearm, conduct arrests, and enforce the laws of the state of Colorado pursuant to § 16-2.5-110, C.R.S., but does not include any person appointed by a sheriff pursuant to § 30-10-506.

~~(kk)~~ **(ll)** "Serious bodily injury" means bodily injury which, either at the time of the actual injury or at a later time, involves a substantial risk of death, a substantial risk of serious permanent disfigurement, a substantial risk of protracted loss or impairment of the function of any part or organ of the body, or breaks, fractures, or burns of the second or third degree. § 18-1-901(3)(p), C.R.S.

~~(ll)~~ **(mm)** "Skills examination" means the approved practical test of an applicant's proficiency in arrest control, law enforcement driving, or firearms.

~~(mm)~~ **(nn)** "Skills-only training academy" means an approved academy instructing arrest control, law enforcement driving, and firearms, which meets the skills requirements under the POST basic curriculum and these Rules.

~~(nn)~~ **(oo)** "Skills training" means the required approved arrest control, law enforcement driving, and firearms courses.

~~(oo)~~ **(pp)** "State" means any State in the United States, the District of Columbia, and any territory or possession of the United States.

~~(pp)~~ **(qq)** "Subject Matter Expert" (SME) means an individual formally recognized by the Board for his or her extensive knowledge, expertise and/or experience in one of the skills areas or in academics.

~~(qq)~~ **(rr)** "Successful completion" means a POST-approved academy or program score of seventy (70) percent or greater, or a grade of "C" or better, or a rating of pass, if offered as pass/fail. For the certification examination passing score, see Rule 15.

(ss) "TEST-OUT" MEANS A SKILLS EXAMINATION WHERE PROFICIENCY IS ASSESSED IN ALL THREE PERISHABLE SKILLS (ARREST CONTROL, DRIVING, AND FIREARMS) AND THE WRITTEN POST CERTIFICATION EXAM IS ADMINISTERED.

~~(rr)~~ **(tt)** "Training academy" means a POST-approved school, agency or other entity that provides POST-approved training programs.

~~(ss)~~**(uu)**"Training program" means a POST-approved course of instruction required by statute, or Rule, or for peace officer certification and other peace officer training programs as otherwise recognized and approved by the Board.

Rule 4 – Subject Matter Experts COMMITTEES

~~Effective March 1, 2006~~ **January 31, 2016**

- (a) ~~Each year t~~ **The Board OR ITS DESIGNEE** shall appoint committees of subject matter experts to provide professional technical support in the areas of academic curriculum, arrest control, firearms and law enforcement driving.
- (b) **THE NUMBER OF MEMBERS IN E**each committee **WILL BE DETERMINED BY THE BOARD AND INCLUDE** ~~shall consist of the Director or the Director's designee who shall serve as the chairperson,~~ **A VICE-CHAIRPERSON ELECTED BY THE MEMBERS**, one member of the Board, and other subject matter experts from the law enforcement community. **IF AVAILABLE, EACH SUBJECT MATTER COMMITTEE SHALL INCLUDE AT LEAST TWO NON-LAW ENFORCEMENT MEMBERS WHO HAVE LAW ENFORCEMENT EXPERTISE OR EXPERTISE IN PROVIDING EFFECTIVE TRAINING THROUGH PROFESSIONAL EXPERIENCE OR SUBJECT MATTER TRAINING. § 24-31-303 C.R.S.**
- (c) **A MAJORITY OF THE TOTAL MEMBERS OF EACH COMMITTEE SHALL CONSTITUTE A QUORUM FOR PURPOSES OF CONDUCTING OFFICIAL BUSINESS.**
- (d) ~~A~~any person wishing to be appointed, either active **or retired** ~~law enforcement peace officer,~~ **or subject matter expert from the** law enforcement ~~professional or retired peace officer,~~ **OR NON-LAW ENFORCEMENT COMMUNITY**, and who meets the minimum qualifications for membership, may apply for membership at any time throughout the calendar year.
- (e) Appointments will be made upon the applicant's merits and at the discretion of the Director and each of the committee chairs.
- (f) **MEMBERS SERVE FOR A TERM OF UP TO ONE YEAR THAT IS AUTOMATICALLY RENEWED IN DECEMBER OF EACH YEAR PROVIDED THE MEMBER REMAINS IN GOOD STANDING WITH THE BOARD, AND THE MEMBER'S AGENCY OR EMPLOYER, AS APPLICABLE, CONTINUES ITS SUPPORT OF THE MEMBER. THERE IS NO MAXIMUM NUMBER OF TERMS THAT A MEMBER MAY SERVE.**
- (g) **MEMBERS OF THE COMMITTEES SHALL RECEIVE NO COMPENSATION FOR THEIR SERVICES, BUT MAY BE REIMBURSED FOR ACTUAL AND NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THEIR OFFICIAL DUTIES.**

~~(b) — The committees:~~

- ~~(I) — Review and provide recommendations to the Board regarding skills training programs, academic curriculums, instructor training programs and other courses or programs that pertain to the establishment and maintenance of standards for peace officer training; and~~
- ~~(II) — Participate in inspections of all POST approved programs and training academies; and~~
- ~~(III) — Conduct skills examinations in accordance with Rules 11 and 16; and~~
- ~~(IV) — Establish minimum qualifications for committee membership.~~

(h) Duties of the Committees include, but are not limited to:

- (I) Developing skills training programs, academic curricula and POST Board Rules;***
- (II) Reviewing documents and providing recommendations to POST Board staff to approve or deny academy programs, lesson plans, training sites, instructor programs, skills instructors, and other courses or programs that pertain to the establishment and maintenance of standards for peace officer training; and***
- (III) Assisting POST Board staff with academy and instructor program inspections and skills test-outs.***

Rule 5 – Hearings

Effective ~~March 2, 2005~~ January 31, 2016

- (a) At any time the Director may direct a respondent to appear at a hearing and show cause why the Board should not issue a remedial order. Not less than thirty (30) days prior to the date set for such hearing, the Director shall transmit to the respondent written notice of such hearing, which must include:
 - (I) The date, time and place of such hearing; and
 - (II) That the respondent has the right to appear and be heard at such hearing, either in person or through legal counsel; and
 - (III) That the respondent has the burden of proving all of the facts relevant to his or her position; and
 - (IV) A concise statement setting forth the subject of the hearing, all facts relevant to the matter, and the statute, rule, or order, to which the matter relates; and
 - (V) Copies of all documents considered by the Board in setting the hearing; and
 - (VI) The nature of the proposed remedial order.
- (b) Not less than ten (10) days prior to the date set for a hearing pursuant to section (a) of this rule, the respondent shall file ~~an original and twenty (20) copies of~~ a response, including:
 - (I) A concise statement setting forth the respondent's position; and
 - (II) All facts relevant to the matter; and
 - (III) Copies of all documents the respondent wishes the Board to consider in the matter.
- (c) Any person may request a formal hearing before the Board through the filing of ~~an original and twenty (20) copies of~~ a petition, which must include:
 - (I) The name and address of the petitioner and whether the petitioner currently possesses basic or reserve certification; and
 - (II) A concise statement setting forth the subject of the hearing, all facts necessary to the matter, and the statute, rule, or order, to which the petition relates; and

- (III) Copies of all documents the petitioner wishes the Board to consider in the matter; and
 - (IV) What action the petitioner wishes the Board to take.
- (d) Not less than thirty (30) days prior to the date set for a hearing on a petition, the Board shall provide a written response to the petitioner, including:
- (I) The date, time and place of such hearing; and
 - (II) That the petitioner has the right to appear and be heard at such hearing, either in person or through legal counsel; and
 - (III) That the petitioner has the burden of proving all of the facts relevant to his or her petition; and
 - (IV) A summary of the staff's recommendation to the Board; and
 - (V) Copies of all documents submitted by the staff for the Board's consideration in the matter.
- (e) The Director and any petitioner or respondent may mutually agree to shorten or lengthen any of the time frames set forth in this rule.
- (f) Any final order entered pursuant to this rule shall constitute final agency action subject to judicial review under § 24-4-106, C.R.S.

Rule 7 – Variances

Effective ~~March 2, 2005~~ **January 31, 2016**

- (a) ~~The Board has promulgated these rules to ensure orderly and fair treatment of all applicants. Therefore, variances are disfavored. However, t~~ The Board may, upon sufficient cause shown, authorize variances to persons who are otherwise required to meet the requirements of these rules.
- (b) To request a variance, an applicant must submit a written petition to the Director, fully explaining all relevant facts. Any person seeking a temporary or permanent variance has the burden of establishing that:
 - (I) The variance is consistent with the basic purposes and policies of § 24-31-301, et seq., C.R.S.; and
 - (II) Strict application of the statutes and rules pertaining to the certification process would present a practical difficulty or unnecessary hardship. Mere inconvenience or expense does not suffice.
- (c) The Director, in his discretion, may determine the merits of the request based upon the applicant's written submissions, or may request additional information, or may hold a meeting.
- (d) Any variance granted under this rule shall be subject to such limitations or conditions as the Director or Board deems necessary in order to conform to the basic purposes and policies of applicable law.
- (e) If any determination made by the Director pursuant to this rule is not appealed by the applicant within thirty (30) days pursuant to Rule 5(c), such determination shall become final. If a determination is appealed by the applicant, the Board will decide whether to hear the appeal at its next regular meeting. If at least six (6) Board members do not agree to hear the appeal, the determination of the Director shall be deemed to be summarily affirmed. If at least six (6) members do agree to hear the appeal, the Board shall proceed to the merits of the matter. Any summary affirmance or decision on the merits by the Board shall be deemed final agency action.
- (f) In accordance with § 24-31-303(5)(a) and § 24-31-305(1)(a)(III), C.R.S., no person may, through a variance or otherwise, serve as a certified peace officer, as defined in § 16-2.5-102, C.R.S., without having first passed the required certification examination and become certified.

Rule 10 – Basic Peace Officer Certification

Effective ~~February 1, 2013~~ **January 31, 2016**

- (a) The POST Board is authorized to issue POST Basic Peace Officer Certification to any applicant who meets the following requirements:
- (I) Possesses and submits a copy of his/her high school diploma, or high school equivalency certificate; and
 - (II) Possesses and submits a copy of his/her current first aid and cardiopulmonary resuscitation certification, or equivalents; and
 - (III) Truthfully completes and submits the POST Form 1 - *Application for Basic Peace Officer Certification*; and
 - (IV) Successfully completes the fingerprint-based criminal history record check required under Rule 14; and
 - (V) **IF APPLICABLE, SUBMITS A COPY OF HIS/HER DD214 SHOWING HE/SHE** has not been released or discharged from the Armed Forces of the United States under dishonorable conditions, per § 24-31-301(5), C.R.S.; and
 - ~~(VI)~~ **(VI)** Successfully completes an approved basic training academy, including skills training, **AND PASSES THE WRITTEN CERTIFICATION EXAMINATION** within ~~the previous~~ two years **OF THE GRADUATION DATE**; and
 - ~~(VII)~~ **(VII)** ~~s~~Submits a copy of his/her academy certificate of completion; and
 - ~~(VI)~~ ~~— Passes the certification examination pursuant to Rule 15—~~
 - (VIII) POSSESSES AND SUBMITS A COPY OF HIS/HER CURRENT COLORADO DRIVER'S LICENSE OR STATE-ISSUED IDENTIFICATION CARD.**
- (b) POST Basic Peace Officer Certification qualifies the person to seek employment and serve as a fully authorized peace officer with any Colorado law enforcement agency recognized in Article 2.5 of Title 16, C.R.S.
- (c) If a basic or reserve certificate holder has not served as a peace officer or reserve peace officer for a total of at least six (6) months during any consecutive three-year period, the certification automatically expires at the end of such three-year period, unless the certificate holder is then serving as a peace officer or reserve peace officer.

- (d) A certified peace officer who has obtained basic certification may maintain current status as a certified peace officer while serving in a reserve peace officer position, recognized in § 16-2.5-110, C.R.S.

- (e) A certified reserve peace officer seeking regular basic peace officer certification may apply his/her successfully completed skills training, obtained through the reserve peace officer certification program at a POST approved reserve academy, towards basic peace officer certification. Acceptance of the skills training is at the option of the director of the basic peace officer training academy to which the applicant is seeking enrollment.

Rule 11 – Provisional Certification

Effective ~~February 7, 2014~~ **January 31, 2016**

- (a) The Board is authorized to issue a provisional certification letter to any applicant who is authorized to serve as a certified peace officer by any other state or federal jurisdiction, excluding the armed forces, which has established minimum law enforcement training standards that are equivalent to the standards established by Colorado as determined by the POST Director. The provisional applicant must be fully certified **WITHIN THE PRECEDING THREE YEARS** and have served **AS A CERTIFIED LAW ENFORCEMENT OFFICER IN GOOD STANDING IN SUCH OTHER STATE OR FEDERAL JURISDICTION** for ~~a minimum of~~ **MORE THAN** one year ~~within the last three years~~. The applicant must additionally meet all of the following requirements:
- (I) Possess and submit a copy of his/her high school diploma, or high school equivalency certificate;
 - (II) Possess and submit a copy of his/her current first aid and cardiopulmonary resuscitation certification, or equivalents;
 - (III) Truthfully complete and submit the POST Form 3 – *Application for Provisional Certification*;
 - (IV) Successfully complete the fingerprint-based criminal history record check required under Rule 14; and
 - (V) Pass the certification examination ~~pursuant to Rule 15~~ or, if leaving active out-of-state (the state in which the individual is certified) or federal peace officer employment, pass the certification exam within six (6) months from the date of issuance of the provisional certification.
- (b) A provisional certification letter authorizes the holder to serve as a certified Colorado peace officer for not more than six (6) months.
- (c) The Board shall issue a basic certificate to the holder of a provisional certification letter if such person satisfies any combination of the following skills proficiency requirements, or, if leaving active out-of-state (the state in which the individual is certified) or recognized federal peace officer employment, satisfies any combination of the following skills proficiency requirements within six (6) months from the date of issuance of the provisional certification:

- (I) Successfully completes skills training at a POST-approved basic peace officer training academy;
 - (II) Successfully completes a POST-approved refresher academy, including the arrest control, law enforcement driving, and firearms skills training;
 - (III) Passes a skills examination pursuant to Rule 16 in each of the three (3) skills disciplines at a POST test-out site, or passes all portions of the three (3) skills examinations at a regional test-out site, as documented by an approved skills instructor. Approved skills instructors includes: SME committee members or POST-approved designees who are not members of the applicant's employing agency;
 - (IV) Passes only some portions of the examinations referred to in (III) and the applicant elects to complete prescribed remedial training with respect to those portions not passed and successfully passes the skills test-out examination following the remedial training; or
 - (V) Passes a POST-approved lateral training academy that includes agency-specific academic courses and skills training in arrest control, law enforcement driving and firearms.
- (d) The POST-approved skills instructor must submit the completed *POST Skills Testing Grade Sheet* to POST.
- (e) Persons desiring additional time to complete the basic certification requirements beyond the initial six (6) months provided by the provisional certification letter must petition the Director and demonstrate good cause why such additional time should be granted.
- (f) ~~Persons desiring additional time to complete the basic certification requirements beyond the initial six (6) months provided by the provisional certification letter must petition the Director and demonstrate good cause why such additional time should be granted.~~

Rule 12 – Reserve Certification

Effective January 1, 2012 **January 31, 2016**

- (a) The Board is authorized to issue a reserve certificate to any applicant who meets the following requirements:
- (I) Possesses and submits a copy of his/her high school diploma, or high school equivalency certificate; and
 - (II) Possesses and submits a copy of his/her current first aid and cardiopulmonary resuscitation certification, or equivalents; and
 - (III) Truthfully completes and submits the POST Form 2 – *Application for Reserve Certification*; and
 - (IV) Successfully completes the fingerprint-based criminal history record check required under Rule 14; and
 - (V) **IF APPLICABLE, SUBMITS A COPY OF HIS/HER DD214 SHOWING HE/SHE** has not been released or discharged from the Armed Forces of the United States under dishonorable conditions, per § 24-31-301(5), C.R.S.; and
 - ~~(VI)~~ **(VI) Successfully completes an approved reserve academy INCLUDING SKILLS TRAINING, within the previous two (2) years OF THE GRADUATION DATE; AND**
 - (VII) sSubmits a copy of his/her certificate of completion; AND**
 - (VIII) POSSESSES AND SUBMITS A COPY OF HIS/HER CURRENT COLORADO DRIVER'S LICENSE OR STATE-ISSUED IDENTIFICATION CARD.**
- (b) Any law enforcement agency assigning duties to a reserve peace officer beyond those included in the approved reserve training shall assume the responsibility for ensuring that such reserve peace officer is adequately trained for such duties.
- (c) A reserve certification shall expire automatically if the certificate holder is not serving and has not served as a reserve peace officer for at least six (6) months within the previous three (3) years.
- (d) Reserve certifications may not be renewed.

- (e) A certified peace officer may maintain current status as a certified peace officer while serving in a reserve peace officer position, recognized in § 16-2.5-110, C.R.S.

Rule 13 – Renewal of Basic Certification

Effective ~~February 7, 2014~~ **January 31, 2016**

The Board is authorized to renew a basic certificate for any applicant who:

- (a) ~~Is not serving and~~ **H**as not served as a peace officer or reserve peace officer for at least six (6) months within the previous three (3) years; and
- (b) Possesses and submits a copy of his/her current first aid and cardiopulmonary resuscitation certification, or equivalents; and
- (c) Truthfully completes and submits the POST Form 4 – *Application for Renewal of Basic Certification*; and
- (d) Successfully completes the fingerprint-based criminal history record check required under Rule 14; and
- (e) Passes the certification examination pursuant to Rule 15; and
- (f) Satisfies any combination of the following skills proficiency requirements:
 - (I) Successfully completes skills training at a POST approved basic peace officer training academy;
 - (II) Successfully completes a POST approved refresher academy, including the arrest control, law enforcement driving, and firearms skills training;
 - (III) Passes a skills examination pursuant to Rule 16 in each of the three (3) skills disciplines at a POST test-out site, or passes all portions of the three (3) skills examinations at a regional test-out site, as documented by an approved skills instructor. Approved skills instructors include: SME committee members or POST approved designees who are not a member of the applicant's employing agency; or
 - (IV) Passes only some portions of the examinations referred to in (III) and the applicant elects to complete prescribed remedial training with respect to those portions not passed and successfully passes the skills test-out examination following the remedial training.
 - (V) Passes a POST-approved lateral training academy that includes agency-specific academic courses and skills training in arrest control, law enforcement driving and firearms.

- (g) The POST-approved skills instructor must submit the completed *POST Skills Testing Grade Sheet* to POST.

- (h) **INDIVIDUALS RENEWING THEIR CERTIFICATION MUST COMPLETE PHYSICAL AND PSYCHOLOGICAL EXAMINATIONS PURSUANT TO 24-31-303(5), C.R.S. PRIOR TO BECOMING EMPLOYED.**

Rule 14 – Fingerprint-Based Criminal History Record Check

Effective ~~January 14, 2015~~ **January 31, 2016**

- (a) Definitions.
 - (I) The fingerprint-based criminal history record check is a computerized search of a person's fingerprints that have been taken on a POST Applicant Fingerprint Card and processed by the Colorado Bureau of Investigation (CBI) and Federal Bureau of Investigation (FBI) for the purpose of determining a person's eligibility for certification as a peace officer in the State of Colorado.
 - (II) The enrollment date of a training academy is the first day of instruction at an approved basic or reserve training academy. The enrollment date shall be synonymous with the first day of instruction as reflected on the approved academy schedule.
 - (III) As used in this Rule, to enroll in an academy means that a person has applied and been accepted for admission into an academy and is physically present at the academy to receive instruction.
- (b) Eligibility for certification. No person shall be eligible for certification as a Colorado peace officer if he or she has been convicted of a felony or any misdemeanor as referenced in § 24-31-305(1.5), C.R.S., or any misdemeanor in violation of federal law or the law of any state or any local municipal ordinance that is the equivalent of any of the offenses specified in § 24-31-305(1.5), C.R.S.
- (c) Enrollment. Pursuant to § 24-31-304, C.R.S. and POST Rules, all persons seeking to either enroll in a training academy or participate in the testing process as a provisional or renewal applicant shall submit their fingerprints to CBI prior to enrolling in the training academy or prior to participating in the testing process as a provisional or renewal applicant.
- (d) POST Applicant Fingerprint Card.
 - (I) The POST Applicant Fingerprint Card is the only authorized fingerprint card that shall be submitted for the fingerprint-based criminal history record check.
 - (II) The Board recommends that a person's fingerprints be taken on the POST Applicant Fingerprint Card at a law enforcement agency. Any

fee that may be charged by the agency for this service is the responsibility of the applicant.

- (III) Payment of a fee to cover the cost of processing the POST Applicant Fingerprint Card must be submitted to CBI with each completed POST Applicant Fingerprint Card. Remittance of this fee to CBI is the responsibility of the applicant.
- (IV) For provisional and renewal applicants, the POST Applicant Fingerprint Card will be provided by POST. The applicant is responsible for having his or her fingerprints taken and for ensuring that the completed POST Applicant Fingerprint Card and fee are submitted to CBI prior to the applicant's participation in the testing process as a provisional or renewal applicant.
- (V) For persons seeking to enroll in a basic or reserve training academy, the POST Applicant Fingerprint Card will be provided by the academy. The person's fingerprints shall be taken in accordance with the academy's policies and procedures. The academy is responsible for ensuring that the completed POST Applicant Fingerprint Card and fee are submitted to CBI prior to the person's enrollment in the academy.
- (VI) **FINGERPRINT RESULTS ARE VALID FOR ONE YEAR. INDIVIDUALS RE-ENROLLING INTO AN ACADEMY MUST BE REPRINTED IF THE PRIOR PRINTS ARE OLDER THAN ONE YEAR.**

(e) Results from completed criminal history record checks.

- (I) The Board shall be the authorized agency to receive the results from all POST Applicant Fingerprint Cards that have been processed for the state and national fingerprint-based criminal history record checks.
- (II) All results from the completed criminal history record checks will be provided to the Board. Notice of subsequent arrests and convictions will also be provided to the Board.

(f) Basic and reserve training academies.

- (I) A training academy shall not enroll any person who has been convicted of an offense that would result in the denial of certification pursuant to § 24-31-305(1.5), C.R.S. The only exception shall be if the Board has granted the person an exemption from denial of enrollment pursuant to § 24-31-304(4)(a), C.R.S. and POST Rule 7, *Variations*.

- (II) No person shall be enrolled in a training academy unless the person has been fingerprinted on a POST Applicant Fingerprint Card and an academy has submitted the person's completed POST Applicant Fingerprint Card and fee to CBI prior to enrolling the person in the academy.
- (III) A POST Form 11-E, *Enrollment Advisory Form*, shall be completed on the first day of the academy by both the person enrolled in the academy and the academy director or designee. The completed *Enrollment Advisory Form* shall be maintained at the academy.
- (IV) The academy director shall ensure that an accurate enrollment roster for each academy class is received at POST no later than 5:00 p.m. on the first business day following the first day of the academy. **THE ENROLLMENT ROSTER WILL BE COMPLETED ON THE TEMPLATE PROVIDED BY POST TO THE ACADEMY DIRECTOR. EACH ROSTER SHALL CONTAIN AT MINIMUM THE FOLLOWING INFORMATION:**
- ~~(A)~~ Name of the academy; and
- ~~(B)~~ Start and end dates of the academy; and
- ~~(C)~~ **(A)** Alphabetical list of the full names of all persons enrolled in the academy; and
- ~~(D)~~ **(B)** Date of birth for each person; and
- ~~(E)~~ **(C)** Social Security Number for each person.
- (D) THE ENROLLMENT ROSTER WILL BE SUBMITTED TO POST FOR ENTRY INTO THE POST DATABASE. AFTER ENTRY, THE ROSTER WILL BE RETURNED TO THE ACADEMY DIRECTOR WITH ASSIGNED PID NUMBERS. WITHIN 30 DAYS THE ROSTER MUST BE FULLY COMPLETED WITH ALL PERSONAL INFORMATION, EDUCATION, MILITARY SERVICE, ETC. (IF NOT PREVIOUSLY PROVIDED) AND RETURNED TO POST STAFF.**
- (V) If the results of a criminal history record check reveal that a person currently enrolled in an academy is prohibited from enrolling pursuant to § 24-31-304(2), C.R.S., the Board or its designated representative(s)

shall notify the academy. The academy shall take appropriate measures to immediately dismiss the person from the academy.

(g) Exemption from denial of enrollment.

- (I) If a person anticipates that he or she will be prohibited from either enrolling in a training academy or participating in the testing process as a provisional or renewal applicant because he or she has been convicted of any misdemeanor described in § 24-31-305(1.5), C.R.S., the person may submit a request for exemption from denial of enrollment under POST Rule 7 8, *APPEAL PROCESS FOR PEACE OFFICER APPLICANTS - CERTIFICATION DENIAL AS A RESULT OF A MISDEMEANOR CONVICTION*.
- (II) Only if the person has, in fact, submitted a request for exemption from denial of enrollment under POST Rule 7 8, *APPEAL PROCESS FOR PEACE OFFICER APPLICANTS - CERTIFICATION DENIAL AS A RESULT OF A MISDEMEANOR CONVICTION*, and the request has been granted by the Board, will the person be permitted to either enroll in a training academy or participate in the testing process as a provisional or renewal applicant.
- (III) No person convicted of a felony may request an exemption from denial of enrollment.

**Rule 15 – Certification Examination
Basic, Provisional, Renewal**

*Effective ~~November 15, 2013~~ **January 31, 2016***

- (a) To be eligible to take the certification examination, an applicant must **HAVE** ~~complete~~ **completed** and ~~submit~~ **submitted** to POST, as applicable, either:
- (I) Form 1 - Application for Basic Peace Officer Certification; or
Form 3 - Application for Provisional Certification; or
Form 4 - Application for Renewal of Basic Certification; and
 - (II) A copy of his/her approved basic training academy diploma; and
 - (III) A copy of his/her high school diploma, or high school equivalency certificate; and
 - (IV) A copy of his/her current first aid and cardiopulmonary resuscitation certification, or equivalents; and
 - (V) A COPY OF HIS/HER CURRENT DRIVER'S LICENSE OR STATE-ISSUED IDENTIFICATION CARD; AND**
 - (VI) IF APPLICABLE, A COPY OF HIS/HER DD214 SHOWING CHARACTER OF SERVICE**
 - ~~(VI)~~**(VII)** A law enforcement agency check, purchase order, certified check, money order, or ~~by~~ electronic payment in the prescribed amount.
- (b) Certification examinations will be conducted by POST staff or POST approved designated proctor at academy locations. However, if the number of students sitting for the examination is four (4) or fewer, the students shall be required to take the examination at a location designated by POST.
- (c) Refunds of certification examination fees shall not be provided unless the examination is postponed or canceled or under such other exceptional circumstances as determined by the Director. Otherwise, non-refunded fees may be credited to allow the applicant to take the next administration of the certification examination. Further credits or extensions shall not be permitted.
- (d) ANY APPLICANT FAILING PERISHABLE SKILL(S) IN THE ACADEMY HAS TWO YEARS FROM THE ACADEMY GRADUATION DATE TO RETAKE AND SUCCESSFULLY COMPLETE THE FAILED SKILL(S) AND SUCCESSFULLY COMPLETE THE POST EXAMINATION.**

- ~~(d)~~(e) An applicant has a maximum of three attempts to pass the POST certification examination. ~~The three attempts must be completed within two (2) years after completion of the academy.~~ Applicants taking the examination for a second or third time must pay the fee for the additional examination, and such examination shall not be comprised of the same questions that comprised the prior examinations. If an applicant cannot pass the certification examination after three attempts, he or she must retake and successfully complete basic training in accordance with Rule 10(a)(V).
- ~~(e)~~(f) Any protest or challenge to an examination or its administration must be made in writing within ten (10) days of the examination. The Director shall issue his decision in writing within twenty (20) working days. The decisions of the Director shall be final, unless appealed to the Board in accordance with Rule 3(b).
- ~~(f)~~ An applicant must provide a valid photo ID prior to taking exam.
- (g) POST sets a passing score that reflects the level of knowledge and skills required for minimally competent performance as an entry-level Peace Officer in the State of Colorado. POST uses national testing standards in setting the passing score which falls on a test score scale that ranges from 0 to 100. ~~This rule will go into effect upon the implementation of the reformulated items for the POST certification exam.~~

Rule 16 – Skills Examinations for Provisional and Renewal Applicants

Effective ~~March 8, 2004~~ **January 31, 2016**

- (a) To be eligible to take any of the skills examinations, an applicant must complete and submit POST Form 3 – *Application for Provisional Certification* or POST Form 4 – *Application for Renewal of Basic Certification* along with a law enforcement agency check, purchase order, certified check, or money order in the prescribed amount for each examination to be taken (prior to the day of the exam).
- (b) Refunds of skills examination fees shall be provided only if requested more than twenty (20) days prior to the scheduled examination, unless the examination is postponed or canceled, or under such other exceptional circumstances as may be determined by the Director.
- (c) Any applicant failing a skills examination may retake the examination, with the payment of an additional examination fee. Any person failing any skills examination three (3) times must successfully complete the skills training for that particular skill **IN A COLORADO POST APPROVED BASIC OR RESERVE ACADEMY** before he or she may be certified.
- (d) Any protest or challenge to an examination or its administration must be made in writing within ten (10) days of the examination. The Director shall issue his decision in writing within twenty (20) working days. The decision of the Director shall be final, unless appealed to the Board in accordance with Rule 3(b).

Rule 17 – Certification Records

*Effective ~~January 14, 2015~~ **January 31, 2016***

- (a) Every POST certificate holder shall keep current his or her name, home address, mailing address, email address, home telephone number, or cell phone number through the POST portal.
- (b) When any person is appointed or separated as a certified peace officer, as per Rules 10, 11 and 12, such agency shall submit an update through the POST portal within fifteen (15) days of such appointment or separation.
- (c) **EMPLOYMENT IN THE STATE OF COLORADO AS A BASIC PEACE OFFICER, PROVISIONAL PEACE OFFICER, OR RESERVE PEACE OFFICER AS DEFINED IN § 16-2.5-102, § 24-31-308 AND § 16-2.5-110 C.R.S. REQUIRES SUBMISSION OF PHYSICAL AND PSYCHOLOGICAL EXAMINATIONS AFFIRMATION (FORM 6).**
- ~~(e)~~ **(d)** By the 31st of January of each year, each agency shall verify the accuracy of the certified peace officers associated with the law enforcement agency listed on the POST portal by submitting an email to POST.

**Rule 18 – Certification, Suspension, and Revocation -
Basic, Provisional, Renewal, and Reserves**

*Effective ~~December 1, 2012~~ **January 31, 2016***

- (a) A suspension temporarily invalidates the subject certification until such time as the defect has been remedied. Any certification shall be suspended by the Board if the holder wrongfully obtained the certificate through misrepresentation, neglect or mistake.
- (b) **THE BOARD SHALL SUSPEND A PEACE OFFICER'S CERTIFICATION IF THE PEACE OFFICER FAILS TO COMPLY WITH THE TRAINING REQUIREMENTS OF § 24-31-315, C.R.S. THE BOARD SHALL REINSTATE A PEACE OFFICER'S CERTIFICATION THAT WAS SUSPENDED PURSUANT TO THIS PARAGRAPH (A) UPON COMPLETION OF THE TRAINING REQUIREMENTS IN § 24-31-315, C.R.S.**
- ~~(b)~~(c) A revocation permanently invalidates the subject certification. Any certification shall be revoked by the Board if the holder:
- (I) Has been convicted of a felony or any misdemeanor as referenced in § 24-31-305(1.5), C.R.S. ~~(2005)~~ in any jurisdiction; or
 - (II) Wrongfully obtained certification through fraud or misrepresentation; or
 - (III) Has not met any other requirements imposed by the Board.

**Rule 24 – Skills Training Safety and Skills Program
Requirements for Basic and Reserve Academies**

*Effective ~~July 1, 2011~~ **January 31, 2016***

- (a) For ALL skills training programs: arrest control, law enforcement driving and firearms.
 - (I) A daily schedule is required.
 - (A) The daily schedule shall be in addition to the lesson plan requirement of Rule 21, *Basic and Reserve Training Academies*.
 - (B) The daily schedule shall contain the information described in each of the skills training programs: Arrest Control Training Program, Law Enforcement Driving Program, and Firearms Training Program.
 - (C) The format, number of pages and organization of information on the daily schedule(s) shall be at the discretion of the primary skills instructor and/or academy director.
 - (II) Written daily attendance records are required.
 - (A) Written attendance records for all dates of skills training shall be maintained for all trainees enrolled in the skills training program AND for all skills instructors who teach any portion of the skills training program; and
 - (B) Attendance records shall be accurate and up-to-date and must be available during POST inspections of the skills program in progress.
 - (III) Site safety plans are required.
 - (A) Each site of skills training must have an up-to-date and approved written site safety plan present on site during any academy training at the site; and
 - (B) All academy staff members, instructors and trainees shall be familiar with the content of each site safety plan as it pertains to the nature and scope of their involvement with the academy.
 - (IV) For all hours of all skills training programs, except as specified in (b)(VII), 100% attendance and participation are mandatory.

- (V) There must be at least one full skills instructor present at the site of instruction for each skills training session, excluding lecture-only sessions conducted in a classroom setting.
- (VI) Successful completion is required.
 - (A) For the Arrest Control Training Program and the Law Enforcement Driving Program, the minimum requirement for successful completion is seventy percent (70%); and
 - (1) Each academy may apply a higher standard for successful completion of any portion of the skills training program that is greater than seventy percent (70%); and
 - (2) If such a higher standard is applied, the higher standard must be described in the respective skills lesson plan and in the Trainee Manual.
 - (B) For the Firearms Training Program, ~~effective July 1, 2010,~~ the mandatory minimum requirement for successful completion shall be one hundred percent (100%).
- (b) Arrest control training.
 - (I) There must be at least one arrest control instructor for every ten (10) trainees (*i.e.*, 1:10 ratio) during any practicum or lab session.
 - (II) No practicum or lab session may exceed eight (8) hours in any one-day.
 - (III) Mats or mat coverings must be serviceable and cleaned on a regular basis **AND IMMEDIATELY BEFORE USE** with an appropriate cleansing agent and/or disinfectant.
 - (IV) Only those arrest control disciplines that have been reviewed and approved as recognized disciplines for arrest control training are acceptable instruction for the Arrest Control Training Program.
 - (V) Each academy shall ensure that all arrest control instructors maintain current certification for the academy's arrest control discipline in accordance with the standards for recertification, if any, of the recognized discipline for arrest control training.

- (VI) All students must successfully complete a skills test out and written examination in accordance with the discipline being taught. If the program does not have a student test out then each student at a minimum must successfully complete the arrest control skills test as used in the provisional/renewal of certification process.
 - (VII) All students must attend 100% of the required sixty-two (62) hours of Arrest Control Training and no less than 95% of the hours of any course exceeding the established sixty-two hour requirement.
 - (VIII) All academy Arrest Control Training programs must be comprised of at least 60% lab hours. **LAB HOURS ARE DEFINED AS ANY HANDS-ON SKILLS TRAINING.**
- (c) Law enforcement driving training.
- (I) There must be at least one driving track vehicle and one law enforcement driving instructor for every six (6) trainees (*i.e.*, 1:6 ratio) during any instruction at the track.
 - (II) No track exercise and/or practicum may exceed twelve (12) hours in any 24-hour period.
 - (III) Academy directors shall ensure that no trainee be permitted to participate in a law enforcement driving program unless the trainee possesses a valid driver's license.
 - (IV) There must be at least one (1) fully charged five (5) pound size or larger, dry chemical, Class ABC fire extinguisher on site during any instruction at the track.
 - (V) Prior to receiving any nighttime Law Enforcement Driving Program instruction at the track, each trainee shall receive a minimum of twelve (12) hours of daylight driving instruction at the track.
- (d) Firearms training.
- (I) There must be at least one firearms instructor for every four (4) trainees enrolled in the **ACADEMY** program (*i.e.*, 1:4 ratio) anytime a trainee is handling an operable firearm, whether loaded or unloaded, at any location, including in the classroom and at the range, except as noted in the following paragraph (III). This 1:4 instructor to student ratio shall not include the instructor running the range exercise. For live fire tactical exercises, drills, and dim light shooting that requires

movement, the instructor to student ratio shall be 1:4 with an emphasis on the four (4) rules of firearms safety.

- (II) No range exercise and/or lab session may exceed eight (8) hours in any one day.
- (III) For all decisional shooting scenarios, there must be an instructor to student ratio of 1:1.
- (IV) Only POST approved firearms instructors and not agency trained safety officers may be utilized to satisfy the minimum ratios of firearms instructors to trainees.
- (V) Prior to receiving any dim light firearms instruction at the range, each trainee shall receive a minimum of forty (40) hours of Firearms Training Program instruction, to include at least eight (8) hours of classroom lecture and thirty-two (32) hours of daylight live range instruction.
- (VI) Only high-visibility, fluorescent colored “dummy” ammunition may be used for any weapons handling other than actual live fire shooting.
- (VII) Trainees must be provided written and oral reminders over the course of the training of the four (4) rules of firearms safety:
 - (A) All weapons must be treated as if they are always loaded; and
 - (B) Never let the muzzle of a weapon point at anything you are not willing to destroy; and
 - (C) Keep your finger off the trigger and out of the trigger guard until the sights are on the target and you are prepared to shoot; and
 - (D) Always be certain of the target and beyond.
- (VIII) All trainees must be familiar with the four (4) rules of firearms safety prior to handling any operable firearm.
- (IX) Firearms ranges must display some type of visual notification (range flag, signs, lights, or other) whenever the range is being utilized for live fire.

- (X) Each trainee must fire a minimum of one thousand and five hundred (1,500) live rounds of handgun ammunition in a single weapons system, revolver or semi-automatic, before completing the program.

Rule 25 – Academy Instructor Training Programs

Effective March 1, 2011 July 1, 2016

- (a) Only the following four (4) Colorado POST academy instructor training programs (**INSTRUCTOR PROGRAM/S**) shall be recognized under this Rule:
 - (I) Instruction Methodology Program; or
 - (II) Arrest Control Instructor Program; or
 - (III) Handgun Instructor Program; or
 - (IV) Law Enforcement Driving Instructor Program.
- (b) Each scheduled training class of a recognized ~~academy instructor training program~~ **Instructor Program** must:
 - (I) Contain a minimum of forty (40) hours of instruction; and
 - (II) Be approved prior to the start of instruction.
- (c) Continuing ~~academy instructor training programs~~ **Instructor Programs**.
 - (I) A continuing ~~academy instructor training program~~ **Instructor Program** is one that has been approved, conducts and completes at least one approved ~~program~~ **training class** every five (5) years; and operates in compliance with this Rule. **IF A CONTINUING PROGRAM DOES NOT COMPLETE AT LEAST ONE APPROVED TRAINING CLASS IN ANY CONSECUTIVE FIVE (5) YEAR PERIOD, APPROVAL OF THE PROGRAM SHALL EXPIRE. AN EXPIRED PROGRAM MUST BE SUBMITTED TO POST FOR APPROVAL AS A NEW PROGRAM AND BE APPROVED PRIOR TO PROVIDING ANY INSTRUCTION.**
 - (II) The program director ~~of a continuing academy instructor training program~~ must ensure that the following documents are received at POST at least thirty (30) days but no more than sixty (60) days prior to the start of instruction for each scheduled training class ~~of the approved continuing academy instructor training program~~:
 - (A) A completed POST Form 8, *Application for Academy Instructor Training Program Approval*; and
 - (B) If instruction will take place ~~other than during~~ **outside of** normal weekday business hours, a schedule that accurately displays the

dates and times when instruction will be conducted **MUST BE PROVIDED.**

- ~~(I)~~ **(III)** The program director of ~~any new or continuing academy instructor training program~~ shall notify POST prior to the occurrence of any of the following:
 - ~~(I)~~ **(A)** The program is cancelled for any reason; or
 - ~~(II)~~ **(B)** *There is* ~~A~~ any change of the program's start date or end date; or
 - ~~(III)~~ **(C)** *There is* ~~A~~ any change of training site.
- (d) ~~New academy instructor training programs.~~ **Instructor Programs**
 - (I) A new academy instructor training program **Instructor Program** is a recognized ~~instructor training~~ program that has either never conducted approved training, or a previously approved ~~academy instructor training~~ program that has not conducted approved training within the previous five (5) years.
 - (II) The program director of a proposed new ~~academy instructor training program~~ **Instructor Program** shall *is advised* submit the following items to **contact** POST at least ninety (90) days prior to the anticipated start date of the program **TO ASCERTAIN APPLICATION PROCEDURES AND DEADLINES FOR SUBMITTING THE REQUIRED DOCUMENTATION TO POST FOR APPROVAL.**
 - ~~(A)~~—A comprehensive lesson plan that details the course material to be instructed as required by the applicable academy instructor training program; and
 - ~~(B)~~—Any handout materials, publications and multimedia, such as PowerPoint presentations, that will be utilized during instruction; and
 - ~~(C)~~—A detailed explanation of the pass fail or grading criteria; and
 - ~~(D)~~—A list of all instructors and documentation to substantiate compliance with the minimum instructor qualifications identified in the applicable academy instructor training program; and
 - ~~(E)~~—For skills training sites, a VHS format videotape (or DVD video on a DVD R disk that will play through a set-top DVD player to a

~~TV) that accurately depicts the site where instruction will take place along with an up-to-date written safety plan, if the site has not been utilized for POST approved training within the previous three (3) years.~~

(III) REQUIRED DOCUMENTATION FOR A NEW INSTRUCTOR PROGRAM MAY INCLUDE, BUT IS NOT LIMITED TO, THE PROGRAM'S LESSON PLAN, INSTRUCTOR DOCUMENTS AND SITE VIDEO.

~~(III)~~(IV)The program director of a proposed new academy instructor training program shall **must** also ensure that the documents listed in paragraph (c)(II) of this Rule are received at POST at least thirty (30) days **BUT NO MORE THAN SIXTY (60) DAYS** prior to the start of instruction.

(e) LESSON PLANS

(I) EACH LESSON PLAN OF A RECOGNIZED INSTRUCTOR PROGRAM MUST INCLUDE THE FOLLOWING INFORMATION, AS APPLICABLE:

- (A) PROGRAM PROVIDER'S NAME OR AGENCY; AND
- (B) PROGRAM TITLE AS SPECIFIED IN THE APPLICABLE POST INSTRUCTOR PROGRAM; AND
- (C) MOST RECENT DATE THE LESSON PLAN WAS CREATED OR REVISED, AND NAME(S) OF THE PERSON(S) WHO CREATED OR REVISED IT; AND
- (D) NUMBER OF ACTUAL HOURS THE PROGRAM WILL BE INSTRUCTED, AND THE NUMBER OF HOURS REQUIRED BY THE POST INSTRUCTOR PROGRAM; AND
- (E) LEARNING GOALS, COURSE OBJECTIVES AND/OR PERFORMANCE OUTCOMES; AND
- (F) INSTRUCTIONAL CONTENT OF THE COURSE THAT SUBSTANTIATES THE STATED GOALS, OBJECTIVES AND/OR PERFORMANCE OUTCOMES MEET THE POST REQUIREMENTS; AND

- (G) TESTING AND/OR ASSESSMENT METHODS UTILIZED TO MEASURE THE OBJECTIVES AND/OR PERFORMANCE OUTCOMES; AND
 - (H) A COPY OF ANY HANDOUTS, MULTIMEDIA AND/OR POWERPOINT PRESENTATIONS THAT WILL BE USED DURING THE INSTRUCTION.
- (II) THE PROGRAM DIRECTOR SHALL ENSURE THAT EACH LESSON PLAN IS UPDATED, AS NECESSARY, TO CONFIRM THE CONTENT COMPLIES WITH CURRENT POST PROGRAM REQUIREMENTS AND POST RULES.
 - (III) THE CURRENT LESSON PLAN MUST BE PRESENT AT THE SITE OF INSTRUCTION WHENEVER TRAINING FOR THE INSTRUCTOR PROGRAM IS BEING CONDUCTED.
 - (IV) IF A PROVIDER SEEKS TO UTILIZE A SUBSTANTIALLY DIFFERENT LESSON PLAN THAN THE ONE INITIALLY APPROVED, THE LESSON PLAN MUST BE RESUBMITTED TO POST FOR APPROVAL.
 - (V) THE PROGRAM DIRECTOR SHALL ENSURE THAT ALL INSTRUCTORS WHO TEACH ANY PORTION OF AN INSTRUCTOR PROGRAM FOR A PARTICULAR PROVIDER UTILIZE ONLY THE LESSON PLAN SPECIFIC TO THAT PROVIDER.
- (f) ATTENDANCE
- (I) FOR ALL HOURS OF AN APPROVED INSTRUCTOR PROGRAM FOR ARREST CONTROL, HANDGUN, OR LAW ENFORCEMENT DRIVING, 100% ATTENDANCE AND PARTICIPATION ARE REQUIRED.
 - (II) FOR INSTRUCTION METHODOLOGY PROGRAMS, ENROLLEES ARE EXPECTED TO ATTEND AND PARTICIPATE IN ALL REQUIRED HOURS OF THE APPROVED PROGRAM.
- (g) TRAINING SITES
- (I) UPON THE EFFECTIVE DATE OF THIS RULE, ONLY POST APPROVED SITES SHALL BE UTILIZED TO CONDUCT ANY *PRACTICAL SKILLS TRAINING* OF THE INSTRUCTOR

PROGRAMS FOR ARREST CONTROL, HANDGUN, OR LAW ENFORCEMENT DRIVING.

- (II) SITES FOR *LECTURE PORTIONS* OF THE SKILLS INSTRUCTOR PROGRAMS AS WELL AS SITES FOR INSTRUCTION METHODOLOGY PROGRAMS DO NOT REQUIRE POST APPROVAL. HOWEVER, SUCH SITES MUST BE SAFE AND APPROPRIATE FOR THE NATURE AND SCOPE OF LECTURE PROVIDED.
 - (III) SITES THAT ARE CURRENTLY APPROVED FOR SKILLS TRAINING AT POST APPROVED BASIC, RESERVE OR REFRESHER ACADEMIES MAY BE UTILIZED FOR CONDUCTING THE SAME NATURE OF PRACTICAL SKILLS TRAINING FOR INSTRUCTOR PROGRAMS.
 - (IV) THE PROGRAM DIRECTOR IS RESPONSIBLE FOR CONFIRMING WITH POST THAT ALL OF ITS SITES FOR PRACTICAL SKILLS TRAINING ARE CURRENTLY APPROVED.
 - (V) IF AN APPROVED SITE IS NOT UTILIZED DURING ANY CONSECUTIVE THREE (3) YEAR PERIOD FOR THE TYPE OF TRAINING FOR WHICH THE SITE WAS APPROVED, SITE APPROVAL EXPIRES. BEFORE TRAINING CAN RESUME AT AN EXPIRED SITE, THE SITE MUST BE SUBMITTED FOR APPROVAL AND APPROVED BY POST IN CONSULTATION WITH THE APPROPRIATE SUBJECT MATTER EXPERT (SME) COMMITTEE.
 - (VI) TO REQUEST APPROVAL OF A NEW OR EXPIRED SITE OF *PRACTICAL SKILLS TRAINING*, THE FOLLOWING ITEMS MUST BE SUBMITTED TO POST:
 - (A) VIDEO IN A DIGITAL MEDIA FORMAT APPROVED BY POST THAT ACCURATELY DEPICTS THE SITE WHERE INSTRUCTION IS TO TAKE PLACE; AND
 - (B) A DETAILED DESCRIPTION OF THE SITE MUST BE INCLUDED, EITHER AS VERBAL NARRATIVE ON THE VIDEO OR AS A WRITTEN SUPPLEMENT.
- (h) DUTY TO REPORT
- (I) THE PROGRAM DIRECTOR SHALL ENSURE THAT ALL INSTRUCTORS WHO TEACH ANY PORTION OF AN INSTRUCTOR

PROGRAM ARE FAMILIAR WITH THIS SECTION (H), DUTY TO REPORT.

- (II) IN ADDITION TO ANY NOTIFICATIONS THAT MAY BE REQUIRED ADMINISTRATIVELY OR UNDER FEDERAL, STATE OR LOCAL LAW, IT SHALL BE THE DUTY OF EVERY PROGRAM DIRECTOR OR HIS DESIGNEE TO REPORT THE FOLLOWING EVENTS TO POST AS SOON AS PRACTICABLE AFTER THE EVENT:
 - (A) ANY DEATH, GUNSHOT WOUND OR SERIOUS BODILY INJURY (SBI) THAT OCCURS TO ANY PERSON WHOSE DEATH, GUNSHOT WOUND OR SERIOUS BODILY INJURY WAS EITHER CAUSED BY, OR MAY HAVE BEEN CAUSED BY, ANY TRAINING OR ACTIVITY ASSOCIATED WITH THE PROGRAM; OR
 - (B) ANY BODILY INJURY THAT OCCURS TO ANY PERSON WHO IS NOT AFFILIATED WITH THE PROGRAM, I.E., AN INNOCENT BYSTANDER, WHOSE BODILY INJURY WAS EITHER CAUSED BY, OR MAY HAVE BEEN CAUSED BY, ANY TRAINING OR ACTIVITY ASSOCIATED WITH THE PROGRAM.
- (III) TRAINING TO CEASE
 - (A) IN THE EVENT OF ANY DEATH OR GUNSHOT WOUND AS DESCRIBED IN PARAGRAPH (H)(II)(A) OF THIS SECTION, ALL TRAINING SHALL IMMEDIATELY CEASE AT THE TRAINING SITE WHERE THE DEATH OR GUNSHOT WOUND OCCURRED.
 - (B) TRAINING MAY RESUME ONLY AFTER THE BOARD OR ITS DESIGNATED REPRESENTATIVE(S) HAVE ENSURED THAT THE PROGRAM IS OPERATING IN COMPLIANCE WITH POST RULES.
- (IV) SERIOUS BODILY INJURY MEANS THOSE INJURIES AS DEFINED IN §18-1-901(3)(P), C.R.S.
- (V) BODILY INJURY MEANS THOSE INJURIES AS DEFINED IN §18-1-901(3)(C), C.R.S.

~~(e)~~(i) Instructors-

- (I) ~~Instructors f~~For ***new*** academy instructor training programs ***Instructor Programs, all instructors*** shall be approved **BY POST** in accordance with the minimum instructor qualifications identified in the applicable ~~academy instructor training program~~ ***Instructor Program.***
- (II) For ***continuing*** ~~academy instructor training programs~~ ***Instructor Programs***, the program director shall ensure that all instructors who instruct any portion of the program meet the minimum instructor qualifications identified in the applicable ~~instructor training program~~ ***Instructor Program.***

~~(g)~~**(j)** Certificates of completion:

- (I) The program director shall issue a certificate of completion to each individual who successfully completes all requirements of the approved ~~academy instructor training program~~ ***Instructor Program.***
- (II) Each certificate of completion shall contain at least the following information:
 - (A) The exact name of the ~~academy instructor training program~~ ***Instructor Program*** as it appears in Section (a) of this Rule: ;
and
 - ~~(1) — Instruction Methodology Program; or~~
 - ~~(2) — Arrest Control Instructor Program; or~~
 - ~~(3) — Handgun Instructor Program; or~~
 - ~~(4) — Law Enforcement Driving Instructor Program; and~~
 - (B) The exact words “POST Approved”; and
 - (C) Name of the individual who completed the program; and
 - (D) Program provider’s name or agency; and
 - (E) Dates of the program; and
 - (F) Total number of hours of the completed program; and

- (G) Signature of the program director and/or agency or academic representative; and
- (H) ~~For a~~ ~~Arrest control academy instructor training programs~~ **Instructor Program**, the certificates of completion shall also contain the name of the arrest control discipline.

(k) **POST GRANT FUNDS**

- (I) **IN ORDER TO BE ELIGIBLE TO RECEIVE POST GRANT FUNDS FOR AN INSTRUCTOR PROGRAM, THE PROGRAM MUST COMPLY WITH THE CURRENT “PEACE OFFICER STANDARDS AND TRAINING LAW ENFORCEMENT CONTINUING EDUCATION PROGRAM GUIDELINES FOR COLORADO POST AWARD RECIPIENTS” (I.E., GRANT GUIDELINES).**
- (II) **FOR PURPOSES OF THIS RULE, CURRENT GRANT GUIDELINES ARE CONSIDERED TO BE THOSE IN EFFECT ON THE START DATE OF THE PROGRAM.**

**Rule 26 – Academy and ~~ACADEMY INSTRUCTOR~~ Training
Program Inspections**

*Effective ~~March 8, 2004~~ **January 31, 2016***

- (a) Members of the Board, or its designated representative(s) may at any reasonable time inspect any approved academy or ~~ACADEMY INSTRUCTOR~~ training program (***Instructor Program***), or any academy or ~~training program~~ ***Instructor Program*** believed to be operating contrary to these Rules.
- (b) An academy or ~~training program~~ ***Instructor Program*** inspection may include, but is not limited to, a review of any records required to be maintained under these Rules, examination of the academy's facilities, training sites, and equipment, observation of classroom instruction and skills training, and interviews with trainees, staff and instructors.
- (c) **TRAINING THAT IS NOT REQUIRED BY POST BUT IS INCORPORATED WITHIN THE APPROVED ACADEMY OR INSTRUCTOR PROGRAM MAY BE INSPECTED TO THE EXTENT NECESSARY TO ENSURE IT IS LEGITIMATE (I.E., IN ACCORDANCE WITH ESTABLISHED OR ACCEPTED PATTERNS AND STANDARDS) AND SAFE (I.E., SECURE FROM DANGER, HARM OR INJURY).**
- (d) **THE POST DIRECTOR SHALL BE INFORMED OF ALL INSPECTION RESULTS.**
- ~~(e)~~(e) Should the POST Director determine, **IN CONSULTATION WITH THE APPROPRIATE SUBJECT MATTER EXPERT COMMITTEE(S), AS APPLICABLE**, that an academy or ~~training program~~ ***Instructor Program*** is not in compliance with POST Rules, **OR IS PROVIDING TRAINING THAT IS NOT LEGITIMATE OR SAFE**, he shall notify the academy director or program director in writing of the specific deficiencies **OR FINDINGS** and order remedial action.
- ~~(e)~~(f) The academy director or program director may appeal the POST Director's order to the Board within thirty (30) days in accordance with Rule 5(c).
- ~~(e)~~(g) Failure to comply with the POST Director's order shall result in the immediate suspension of the academy or ~~training program~~ ***Instructor Program***, pending review by the Board at its next regular meeting.

Rule 28-In-Service Training Program

*Effective ~~January 14, 2015~~ **January 31, 2016***

The purpose of in-service training is to provide continuing education to certified peace officers to develop their knowledge and/or skills. The annual in-service training program is defined in Colorado Revised Statutes §24-31-303 (l) and states that the POST Board can “promulgate rules deemed necessary by the Board concerning annual in-service training requirements for certified peace officers, including but not limited to evaluation of the training program and processes to ensure substantial compliance by law enforcement agencies and departments.” In-service training is mandatory for certified peace officers who are currently employed in positions requiring certified peace officers as defined in Colorado Revised Statutes section 16-2.5-102. This includes certified fulltime, part-time and reserve peace officers.

(a) Annual Hour Requirement

The in-service training program requires certified peace officers to complete a minimum of 24 hours of in-service training annually. Of the 24 hours, a minimum of 12 hours shall be perishable skills training as specified below.

(b) Training Period

The training period shall be the calendar year, from January 1 to December 31, of each year. In-service training in excess of 24 hours each year shall not be credited towards any future or prior training period.

(c) Approved Training for POST Credit

~~All training that is POST approved is authorized for in-service credit.~~ The authority and responsibility for ~~other forms of~~ training shall be with the chief executive of each law enforcement agency. The chief executive accepts responsibility and liability for the course content and instructor qualification. Legislatively mandated training may **ALSO** be used for credit towards the training requirement.

The following are examples of training that would qualify for in-service credit:

- (I) Training received during the Basic Academic Training Program (Basic Academy).
- (II) Computer or web-based courses that have been approved by ~~POST~~ or the chief executive officer may be used for in-service credit.

- (III) The viewing of law enforcement related audiovisual material (DVD, video, etc.) or material related to the viewer's position or rank can be used in conjunction with a facilitated discussion or other presentation. This could include roll call or lineup briefings where the session is dedicated to training and not for the purpose of information exchange.
- (IV) For each class hour attended at an accredited college or university in any course **RELATED TO LAW ENFORCEMENT OR CRIMINAL JUSTICE** that is required to earn a degree, one hour of in-service credit may be awarded.

(d) Perishable Skills Training

Perishable skills training shall consist of a minimum of 12 hours ~~each-
calendar year.~~ **THE MINIMUM 12 HOURS MUST INCLUDE ALL THREE OF THE PERISHABLE SKILLS (ARREST CONTROL, DRIVING, AND FIREARMS) EACH CALENDAR YEAR.** ~~It is recommended that officers complete a minimum of four hours of firearms, arrest control and driving.~~ Examples of perishable skills training could include:

- (I) Firearms-live or simulator exercises and scenarios, firearms fundamentals, use of force training or discussions, classroom training requiring student interaction and/or decision making, classroom discussion on agency policies and/or legal issue.
- (II) Arrest Control-live or simulator exercises and scenarios, classroom discussion followed by interactive scenario events. Arrest control fundamentals, agency policies and/or legal issues.
- (III) Driving-behind-the-wheel or simulator training, classroom discussion regarding judgment/decision making in driving, agency policies and/or legal issues.

(e) Agency Maintenance of Training Records

The chief executive of each agency is responsible for the accurate tracking of training attendance into the POST records management system.

At the end of each calendar year, agencies shall have accurately entered all training for the certified peace officers employed at any time during the year regardless of current employment status. This information shall be entered into the POST records management system.

(I) Waiver of In-Service Requirements

All certified peace officers shall meet the minimum annual hours. However, under circumstances listed below, an agency may request a waiver for a portion of the annual in-service training requirement. Any waiver of the annual training request must be made in writing to the POST Director prior to the end of the calendar year (December 31).

(A) Perishable Skills Waiver

Agency executives may request an exemption from the perishable skills training requirement. This request shall be in writing to the POST Director. This request shall state that either their certified peace officers do not carry firearms, or they infrequently interact with or effect physical arrests, or they do not utilize marked **OR UNMARKED** emergency vehicles as part of their normal duties.

(B) Partial Year Employment Waiver

The 24 hours of in-service training is required if a certified peace officer is employed for the entire calendar year. Certified peace officers who are employed after the start of the calendar year only need to complete a prorated number of training hours. Therefore, one hour per month of regular training and one hour a month of perishable skills training shall be required. (Example: If a certified peace officer is hired in July, six hours of regular training and six hours of perishable skills training should be completed for that calendar year).

(C) Long Term Disability, Medical Leave or Restricted Duty

If a certified peace officer is unable to complete the in-service annual hours due to long term disability, medical leave or restricted duty, the agency must obtain a letter from a physician stating that participation in any type of training including audiovisual or online training would be detrimental to the officer's health. The letter should define the time that the officer is unable to attend any training. Those granted a waiver will be on a prorated basis for the time stated in the physician's letter. The agency does not need to forward the physician's letter to POST but only reference it in a waiver request.

(D) Military Leave

Those certified peace officers deployed in military service only need to complete a prorated number of training hours.

(II) Compliance

(A) Agencies are required to be in compliance with the in-service program.

(B) POST will send out a preliminary compliance report following each training period. The report will provide the compliance status of each agency and its certified peace officers. Agencies shall have thirty (30) days from the date of the preliminary report to dispute the POST data and provide additional training information. Following the thirty-day period, POST will distribute the final compliance reports to all agencies.

~~(C) Agencies that are out of compliance in the final compliance report will be suspended from receiving any POST funds until compliance is reached. Agencies may appeal this by following the process in Rule 5 Hearings. If an agency seeks an appeal within 30 days of being notified that they are out of compliance, funding shall not be eliminated until the agency has completed the Rule 5 process.~~

(C) ONCE THE FINAL COMPLIANCE REPORT HAS BEEN SENT TO ALL AGENCIES; AN AGENCY SEEKING TO APPEAL THE POST DATA MUST DO SO WITHIN THIRTY (30) DAYS OF BEING NOTIFIED OF FAILURE TO COMPLY WITH RULE 28. AGENCIES MAY APPEAL THIS BY FOLLOWING THE PROCESS OUTLINED IN RULE 5-HEARINGS. UPON CONCLUSION OF ALL APPEAL HEARINGS POST WILL ISSUE A FINAL REPORT INDICATING WHETHER THE AGENCY WAS FOUND IN COMPLIANCE. IF UPON THE FINAL DECISION BY POST THE AGENCY WAS FOUND NOT COMPLIANT, ALL POST FUNDING (REGION GRANT FUNDS, CONTINUING EDUCATION FUNDS, AND MARIJUANA FUNDS) TO THAT AGENCY WILL BE SUSPENDED FROM JULY 1ST THRU DECEMBER 31ST OF THE SAME CALENDAR YEAR.

- (D) The POST Board shall evaluate the program annually following the release of the final compliance reports. Such evaluation will include a review and evaluation of the program. The evaluation may be based on the compliance rate, agency survey and other performance metrics. Agencies shall complete an annual training evaluation survey as part of the substantial compliance measurement by February 1 of each year.

RULE 29 HIRING STANDARDS
EFFECTIVE JANUARY 31, 2016

EACH AGENCY HIRING A BASIC CERTIFIED PEACE OFFICER, PROVISIONALLY CERTIFIED PEACE OFFICER, OR RESERVE CERTIFIED PEACE OFFICER SHOULD FIRST ENSURE THAT THE OFFICER MEET THE POST MINIMUM STANDARDS OF EMPLOYMENT:

- (a) INDIVIDUALS MUST HOLD CURRENT BASIC, PROVISIONAL OR RESERVE CERTIFICATION IN THE STATE OF COLORADO. THE HIRING AGENCY WILL CONFIRM CERTIFICATION WITH POST OR UTILILIZE THIS [WEBLINK](#) TO VERIFY CURRENT POST CERTIFICATIONS.

- (b) E A C H AGENCY SHOULD COMPLETE A COMPREHENSIVE AGENCY BACKGROUND INVESTIGATION, WHICH MAY INCLUDE:
 - (I) CRIMINAL RECORD CHECKS - LOCAL, STATE, AND NATIONAL
 - (II) EMPLOYMENT HISTORY CHECKS
 - (III) DRIVING RECORD CHECK
 - (IV) POLYGRAPH
 - (V) CITIZENSHIP OR LEGAL RESIDENCY VERIFICATION
 - (VI) PERSONAL HISTORY STATEMENTS
 - (VII) NEIGHBORHOOD CHECKS
 - (VIII) RELATIVES/PERSONAL REFERENCES CHECKS
 - (IX) CREDIT RECORDS CHECK
 - (X) ANY OTHER INVESTIGATIVE MEASURES THAT THE AGENCY FINDS APPROPRIATE

- (c) EMPLOYMENT IN THE STATE OF COLORADO AS A BASIC PEACE OFFICER, PROVISIONAL PEACE OFFICER, OR RESERVE PEACE OFFICER AS DEFINED IN C.R.S. § 16-2.5-102, § 24-31-308 AND § 16-2.5-110 C.R.S. REQUIRES COMPLETION OF A PHYSICAL AND PSYCHOLOGICAL EVALUATION WITHIN ONE YEAR PRIOR TO THE DATE OF APPOINTMENT

- (d) ANY PERSON RENEWING THEIR COLORADO BASIC CERTIFICATION MUST COMPLETE A PHYSICAL AND PSYCHOLOGICAL EVALUATION WITHIN ONE YEAR PRIOR TO THE DATE OF APPOINTMENT.

- (e) THE PHYSICAL AND PSYCHOLOGICAL EVALUATION AFFIRMATION MUST BE SUBMITTED TO POST.
- (f) ANY PERSON SEPARATING FROM ONE AGENCY AND APPOINTED BY ANOTHER AGENCY MUST COMPLETE A PHYSICAL AND PSYCHOLOGICAL EVALUATION IF ONE HAS NOT BEEN CONDUCTED WITHIN THE PRECEDING THREE YEARS AND MADE AVAILABLE TO THE RECEIVING AGENCY.
- (g) EACH AGENCY SHALL COMPLY WITH THE REQUIREMENTS FOR PHYSICAL AND PSYCHOLOGICAL EVALUATIONS PURSUANT TO § 24-31-303(5), C.R.S.