

Rule 1 –Definitions

Effective April 30, 2018

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 a finding of guilt following either a verdict of guilty by the court or jury, or a plea of guilty, or a plea of nolo contendere. Any Colorado juvenile adjudication is not a conviction.
- (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 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.
- (ee) "Program director" means that person responsible for the administration and operation of a POST-approved training program.
- (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.
- (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.
- (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.
- (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.

- (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.
- (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.
- (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.
- (mm) "Skills examination" means the approved practical test of an applicant's proficiency in arrest control, law enforcement driving, or firearms.
- (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.
- (oo) "Skills training" means the required approved arrest control, law enforcement driving, and firearms courses.
- (pp) "State" means any State in the United States, the District of Columbia, and any territory or possession of the United States.
- (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.
- (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.
- (tt) "Training academy" means a POST-approved school, agency or other entity that provides POST-approved training programs.

(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 8 –Process For Seeking Exemption From Statutory Certification Restrictions

Effective April 30, 2018

- (a) The Board has promulgated these rules to ensure orderly and fair treatment of all POST approved training academy, renewal and provisional peace officer applicants. § 24-31-305, C.R.S., requires the POST Board to deny or revoke certification of any person convicted of a felony or particular misdemeanors or who has entered into a deferred judgment and sentencing agreement, a deferred prosecution agreement, or a pretrial diversion agreement for any offense, regardless whether the agreement is pending or was successfully completed.
- (b) If an applicant anticipates prior to the denial of certification that he or she will be denied certification on the ground that the applicant has been convicted of any misdemeanor described in subsection 1.5 of § 24-31-305, C.R.S., or has entered into a deferred judgement and sentencing agreement, deferred prosecution agreement, or pretrial diversion agreement for a felony or misdemeanor described in that subsection, the applicant must provide a fingerprint-based criminal history record check, by submitting a POST fingerprint card to the Colorado Bureau of Investigation (CBI) and the Federal Bureau of Investigation (FBI), and requesting an exemption from denial of certification. When POST receives the criminal history and exemption request, it will process the exemption request using the process described in (c), below.
- (c) To appeal denial of Colorado certification, an applicant or the chief law enforcement officer, if any, of the potential employing agency must submit a written petition to the POST Director, notifying the Board of such conviction, deferred judgment and sentencing agreement, deferred prosecution agreement, or pretrial diversion agreement, and requesting the Director to grant the applicant an exemption from denial of certification. The petition must fully explain all relevant facts. Any person appealing a denial of certification due to a misdemeanor conviction or seeking an exemption allowing certification in spite of a misdemeanor conviction, deferred judgement and sentencing agreement, deferred prosecution agreement, or pretrial diversion agreement has the burden of establishing that:
 - (I) The exemption is consistent with the basic purposes and policies of § 24-31-305, et seq., C.R.S., including § 24-31-305(1.5)(b), if applicable; and
 - (II) Mitigating circumstances exist that warrant exemption; and
 - (III) Certification would be in the public interest; and

- (VI) A true and accurate copy of the court record with disposition and police offense/case report upon which the conviction resulted is attached to the petition. If the charging agency no longer has a copy of the report, a letter from the agency verifying that fact should be attached.
- (d) The Director, at their discretion, may determine the merits of the request based upon the applicant's written submissions, or may request additional information.
- (e) Any exemption 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.
- (f) After a decision has been made by the POST Director, the applicant has thirty (30) days to appeal the decision to the POST Board. 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. An appeal of the Director's decision must be made in writing and submitted to the POST Director. Upon receipt of the appeal, the POST Director will notify the POST Board members and place the appeal on the agenda for the next POST Board meeting. If a majority of the POST Board members present at the meeting agree to hear the appeal, a five-member subcommittee of Board members will be appointed by the Board Chair to hear the appeal. The appeal hearing must commence within thirty (30) days from the date the Board agreed to hear the appeal. The sub-committee may summarily affirm the Director's decision, request additional information, conduct a hearing, or take other action it deems necessary to reach a decision. The sub-committee's action shall be deemed final agency action. The applicant will be notified of the Board's action.
- (g) In accordance with § 24-31-303(5)(a) and § 24-31-305(1.6)(a)(b), C.R.S., no person may, through an exemption or otherwise, serve as a certified peace officer, as defined in § 16-2.5-102 or § 16-2.5-110, C.R.S., without having first passed the required certification requirements and become certified.

Rule 9 – Revocation Hearings for Criminal Conduct

Effective April 30, 2018

- (a) A Colorado peace officer certification issued pursuant to § 24-31-305, C.R.S., shall be suspended or revoked by the POST Board if the certificate holder has:
 - (I) been convicted of a felony, or
 - (II) been convicted on or after July 1, 2001, of any misdemeanor described in subsection (1.5) of § 24-31-305, C.R.S., or,
 - (III) entered into a deferred judgment and sentencing agreement, deferred prosecution agreement, or pretrial diversion agreement for one of the offenses described above, regardless whether the agreement is pending or was successfully completed;
 - (IV) Made material false or misleading statements or omissions in the application for certification, or
 - (V) otherwise failed to meet the certification requirements established by the Board.
- (b) The certificate holder or the chief law enforcement officer of the agency employing such certificate holder may, within thirty (30) days after the effective date of the conviction of such misdemeanor or entrance into a deferred judgement and sentencing agreement, deferred prosecution agreement, or pretrial diversion agreement, petition the Board for an exemption by following the requirements of Rule 8.
- (c) The procedures set forth in Rule 5 shall be utilized with the Director making an initial determination.
- (d) The Director, in his discretion, may determine the merits of the request based upon the applicant's written submissions, or may request additional information.
- (e) A decision by the Director is final unless appealed to the Board within thirty (30) days of the date of such decisions. If a decision is appealed to the Board, the Board will decide whether to hear the appeal. An appeal of the Director's decision must be made in writing and submitted to the POST Director. Upon receipt of the appeal, the POST Director will notify the POST Board members and request a decision be made. If a majority of the POST Board members agree to hear the appeal, a five-member panel of Board members shall proceed to hear the Board appeal. The appeal hearing

must commence within thirty (30) days from the date the Board agreed to hear the appeal. The certificate holder will be notified of the Board's action. This decision, whether summarily affirmed or decided by the board subcommittee, shall be deemed final board action. The applicant will be notified of the Board's action.

Rule 11 – Provisional Certification

Effective July 1, 2018

- (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 a full or part-time status in good standing in such other state or federal jurisdiction for more than one year. The applicant must additionally meet all of the following requirements:
 - (I) Possess and submit a copy of their high school diploma, or high school equivalency certificate, or other evidence of successful completion of high school, and;
 - (II) Possess and submit a copy of their current first aid and cardiopulmonary resuscitation certification, or equivalents;
 - (III) Truthfully complete and submit the POST Form 3 – Application for Provisional Certification and a notarized copy of the Release of Information Form;
 - (IV) Successfully complete the fingerprint-based criminal history record check required under Rule 14; and
 - (V) Pass the certification examination 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) If an applicant becomes ineligible prior to receiving their provisional certification letter due to time- in-service requirements, the applicant must request and be granted a Rule 7 variance in order to move forward in the provisional process.
- (c) A provisional certification letter authorizes the holder to serve as a certified Colorado peace officer for not more than six (6) months. A provisional certification letter may only be issued one time per year, per person.
- (d) 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) Upon issuance of a provisional certification and appointment to an agency the individual must comply with training requirements outlined in § 24-31-315 C.R.S
- (I) Complete 2 hours of training in each of the following areas: anti-bias, community policing, situational de-escalation, and proper holds and restraints.
- (e) The POST-approved skills instructor must submit the completed *POST Skills Testing Grade Sheet* to POST.
- (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 15 – Certification Examination Basic, Provisional, Renewal

Effective July 1, 2018

- (a) To be eligible to take the certification examination, an applicant must have completed and 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 their approved basic training academy diploma, or other evidence of successful completion; and
 - (III) A copy of their high school diploma, high school equivalency certificate or other evidence of successful completion of high school; and
 - (IV) A copy of their current first aid and cardiopulmonary resuscitation certification, or equivalents; and
 - (V) A copy of their current driver's license or state-issued identification card; and
 - (VI) If applicable, a copy of their DD214 showing character of service
 - (VII) A law enforcement agency check, purchase order, certified check, money order, or 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 their academy end date to retake and successfully complete the failed skill(s) and successfully complete the POST examination.

- (I) Any renewal or provisional applicant failing perishable skill(s) at a refresher academy and or/skill(s) examination has two (2) years from the date they last failed the skill(s) to successfully complete the failed skill(s) at a POST-approved Basic academy.
- (e) An applicant has a maximum of three attempts to pass the POST certification examination. 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.
- (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).
- (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.

Rule 16 – Skills Examinations for Provisional and Renewal Applicants

Effective July 1, 2018

- (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. If the retake of the skill(s) examination will be on an individual basis with an SME the skill(s) examination must be approved by POST prior to the individual test being administered (money received, and instructor confirmation). If the retake with an SME occurs prior to POST receiving payment for the skill(s) examination, certification will not be issued until POST has received payment. Any person failing any skill(s) 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.
 - (I) If an applicant has failed a skills examination on three (3) consecutive attempts, the applicant then has two (2) years to complete the training for that skill at a Colorado POST-approved basic or reserve academy. If the applicant does not complete the required training within the two (2) years following their last skills examination attempt, they must reapply as a new applicant and must be eligible under Rule 11 (Provisional Certification) or Rule 13 (Renewal of Basic Certification) at the time the new application is submitted.
- (e) Skills examination scores are valid for two (2) years from the date of the last registered score with POST. If an applicant does not complete the renewal or provisional certification process within two (2) years of taking the skill(s) examination, they must attend and successfully pass another skill(s) examination.
- (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 decision of the

Director shall be final, unless appealed to the Board in accordance with Rule 3(b).

Rule 21 – Basic and Reserve Training Academies

Effective July 1, 2018

- (a) Academy approval
 - (I) All aspects of an academy must be in compliance with POST Rules and Program requirements before academy approval will be considered.
 - (II) Only an academy that is approved by the Board may provide training required for certified peace officer status; and
 - (III) Each scheduled academy class of an approved training academy must be approved prior to the start of instruction.

- (b) Continuing academies
 - (I) A continuing academy is an approved Basic or Reserve academy that conducts and completes at least one approved academy class every three (3) years and operates in compliance with these rules.
 - (II) If a continuing academy does not complete at least one approved academy class in any consecutive three (3) year period, approval of the academy shall expire. An expired academy must reapply for approval as a new academy and be approved prior to providing any academy instruction.
 - (III) Other than as referenced in the preceding paragraph (II), a continuing academy may remain approved until its status is surrendered, suspended or revoked.
 - (IV) The academy director must ensure that the following three items are submitted electronically to post at the same time and 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 academy class of the approved training academy:
 - (A) A completed POST Form 7, *Application for Academy Approval*; and
 - (B) A completed “*Scheduling Request for POST Exam*” form (basic academies only); and
 - (C) A complete and accurate academy schedule with the following information clearly noted on the schedule.

- (1) Name of the academy and academy class number (if any) as listed on the post form 7, application for academy approval; and
 - (2) All courses, dates and times in chronological order for each course, major exams and the name of the primary instructor for each course; and
 - (3) All dates and times when arrest control drill training, night driving and dim light shooting will be instructed; and
 - (4) For arrest control and firearms training, if the schedule shows more than eight (8) hours of instruction in any one day, then the schedule must denote lab or lecture hours, as appropriate; and
 - (5) If multiple courses are listed within the same block of time on the schedule, then either the schedule itself or accompanying documents must specify the amount of time that will be instructed for each course.
 - (6) All courses required by the basic academic training program must be scheduled and completed prior to administration of the post certification examination.
- (V) The academy director shall ensure that an accurate and complete enrollment roster for each academy class is received at POST electronically by the 10th business day after the academy commences. The enrollment roster will be completed on the template provided by POST to the academy director. See also POST Rule 14, *Fingerprint-Based Criminal History Record Check*.
- (VI) The academy director shall notify POST prior to the occurrence of any change of the academy's start date or end date, to include cancellation of the academy, as submitted to POST on the Form 7, *Application for Academy Approval*.
- (VII) Each college academy and private occupational school academy shall establish an advisory committee that consists of law enforcement officials and administrators to assist with providing logistical support and validation of training.

(c) New academies

- (I) A new academy is either a basic or reserve academy that has never conducted approved training, or a basic or reserve academy that has not conducted approved training within the previous three (3) years.
- (II) The academy director of a proposed new academy is advised to contact POST at least six (6) months prior to the anticipated start date of the new academy to ascertain application procedures and deadlines for submitting documents for new academy approval.
- (III) The following types of academies are considered separate academies that must be individually approved:
 - (A) Basic and reserve academies even if operated by the same agency, organization or academic institution.
 - (B) Academies located either on a satellite campus, or at a different physical location than the primary academy.
- (IV) The proposed formal name of an academy must neither misrepresent the status of the academy, nor mislead law enforcement or the public.
- (V) Required documentation that must be submitted for new academy approval includes, but is not limited to, a video in a digital media format approved by POST of all proposed sites where academic instruction and skills training will take place, site safety plans, lesson plans for all academic courses and all skills training programs that are required by the Basic or Reserve Academic Training Program, resumes for all academic instructors, and documentation of qualifications for all skills instructors.
- (VI) Once a proposed new academy begins the approval process by submitting any of the required documentation listed in the preceding paragraph (V) to POST, the proposed new academy shall have a maximum of twelve (12) months to complete the new academy approval process.
- (VII) The director of a proposed new academy shall also ensure that the documents required to be submitted by continuing academies, as listed in paragraph (b)(IV) 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.

(VIII) Prior to approval, the proposed new academy must pass an on-site pre-approval inspection conducted by the Board or its designated representative(s).

(d) Training sites, site safety plans and equipment

(I) An academy shall have the following training sites and facilities:

- (A) For academics: A classroom with adequate heating, cooling, ventilation, lighting, acoustics and space, and a sufficient number of desks or tables and chairs in the classroom for each trainee; and
- (B) For firearms: A firing range with adequate backstop and berms to ensure the safety of all persons at or near the range, and some type of visual notification (range flag, signs, lights, or other) whenever the range is being utilized for live fire; and
- (C) For driving: A safe driving track for conducting law enforcement driving; and
- (D) For arrest control: An indoor site for instructing arrest control training with sufficient space and mats to ensure trainee safety; and
- (E) For practical exercises and wellness training: Appropriate and safe locations for conducting all practical exercises and wellness lab training.

(II) Approval of training sites.

- (A) All new training sites for academic classroom instruction and skills training must be approved by POST in consultation with the appropriate subject matter expert committee prior to conducting any training at the site.
- (B) Each academy is responsible for obtaining approval for all of its training sites of academic instruction and skills training.
- (C) Academy directors shall ensure that all sites for practical exercises and wellness lab training are safe and that appropriate training can be accomplished at the site to achieve the course objectives or performance outcomes.

- (D) Presumed approval or use of a specific site by one academy does not extend to automatic approval of the site for use by other academies.
- (E) If an approved site is not utilized during any consecutive three (3) year period by any academy for the type of training for which the site was initially approved, then site approval expires. In order to resume training at an expired site, the site must be resubmitted for approval and approved.
- (F) The following items must be submitted to POST in order for approval of a new or expired training site to be considered:
 - (1) Video in a digital media format approved by POST that accurately depicts the site where instruction is to take place; and
 - (2) A detailed description of the site must be included, either as verbal narrative on the video or as a written supplement; and
 - (3) An up-to-date written site safety plan.
- (G) If an approved site has been in continuous use by at least one approved academy for at least the previous three (3) consecutive years and an additional academy seeks approval of the same site:
 - (1) The director of the additional academy may submit a written request to POST that includes the location and/or description of the site, in lieu of the video; and
 - (2) An up-to-date written site safety plan must be submitted to POST that is specific to the site and to the additional academy; and
 - (3) Both the site and the safety plan must be approved by POST in consultation with the appropriate subject matter expert committee prior to conducting any training at the site.

(III) Site safety plans.

- (A) Each site of skills training and academic or classroom instruction must have an up-to-date and approved written site safety plan present on site during any academy training at the site; and
- (B) Copies of all site safety plans must also be on file at the academy at all times; and
- (C) Each site safety plan shall include procedures for managing medical emergencies, injuries, or accidents that are probable or likely to occur at the site; and
- (D) All site safety plans must include the information contained in post rule 21(h), duty to report.
- (E) 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) Equipment.

- (A) An academy shall have and maintain the necessary equipment and instructional aids in sufficient quantities for conducting all aspects of the required academy training program; and
- (B) All training sites and facilities, equipment, books, supplies, materials and the like shall be maintained in good condition.
- (C) The following items shall be present at each training site during any academy training at the site:
 - (1) An effective means of summoning emergency medical assistance; and
 - (2) A first aid kit that contains appropriate supplies to treat medical emergencies or injuries that are likely to be sustained at the site.
- (D) Operable firearms as defined in POST Rule 1 shall not be utilized during any practical training, such as vehicle stops, in-progress calls, rapid emergency deployment or building searches.

(e) Academy directors

- (I) Qualifications. Each academy shall designate an on-site academy director whose qualifications, based upon education, experience and training, demonstrate his or her ability to manage the academy.
- (II) Compliance. The academy director shall ensure that the academy operates in compliance with all POST Rules.
- (III) Records. The academy director shall be responsible for establishing and maintaining a records management system that includes, but is not limited to, enrollment rosters, POST Form 11-E's, trainee files, trainee manuals, attendance records, lesson plans, source material, instructor files, instructor/course evaluations and site safety plans.
- (IV) Change of director. The academy director or authorized representative of an academy shall notify POST as soon as practicable of any change of academy director or any change of the academy director's electronic mailing address.

(f) Curriculum requirements

- (I) Academic standards.
 - (A) All training academies shall meet or exceed the required course content and minimum number of hours for each academic course of instruction and for each of the skills programs as required by the Basic Academic Training Program or Reserve Academic Training Program.
 - (B) Successful completion required.
 - (1) Trainees must successfully complete the Basic Academic Training Program or Reserve Academic Training Program with a minimum score of seventy percent (70%); and
 - (2) Trainees must successfully complete all skills training as required by the Arrest Control Training Program, Law Enforcement Driving Program and Firearms Training Program.
 - (3) If an academy applies a higher standard than what is required by the preceding paragraphs (1) and (2), the higher standard must be described in the Trainee Manual

and in the respective skills lesson plans or course materials, as applicable.

(II) Attendance.

- (A) For all hours of all skills training programs, 100% attendance and participation are required.
- (B) Attendance is required for all hours of all academic classes. Any trainee who is absent for any portion of an academic class shall make up the missed class content in accordance with the academy's rules and regulations.
- (C) Written attendance records are required.
 - (1) For trainees: Written daily attendance records that are accurate and up-to-date shall be kept for all trainees enrolled in all academic classes and all skills training classes.
 - (2) For skills instructors: Written attendance records that are accurate and up-to-date shall be kept for all instructors who teach any portion of a skills training program.
 - (3) For skills training, the format of the attendance records must clearly substantiate that the minimum ratios required by Rule 24, *Skills Training Safety and Skills Program Requirements for Basic and Reserve Academies*, have been met.

(III) Lesson plans.

- (A) All basic and reserve training academies shall develop and maintain up-to-date lesson plans ~~that are on file~~ for each academic course of instruction and for each of the skills training programs.
- (B) Academic lesson plans shall be organized and readily accessible, and may be maintained either electronically or as hard copies.
- (C) Each academic and skills lesson plan must include at least the following information, as applicable:

- (1) Course title as specified in the POST Academic Training Program (Basic or Reserve) or the POST skills training program; and
 - (2) Number of hours for the course required by the POST Academic Training Program and the number of actual course hours that will be instructed; and
 - (3) Learning goals, course objectives and/or performance outcomes for the course; and
 - (4) Method of instruction; and
 - (5) Instructional content of the course that substantiates the stated goals, objectives and/or outcomes of the course; and
 - (6) A copy of any handouts, multimedia and/or PowerPoint presentations that will be used during the instruction; and
 - (7) A list of source material utilized for the course; **and**
 - (8) Testing and/or assessment methods, such as test questions and answers, that will be utilized to measure the objectives and/or performance outcomes.
- (D) Skills lesson plans must additionally include the program-specific documentation referenced within the applicable POST skills training program.
- (IV) Daily schedules.
- (A) For all skills training programs, daily schedules are required that contain the information referenced in each of the skills training programs.
 - (B) The format, number of pages and organization of information on the daily schedules shall be at the discretion of the primary skills instructor and/or academy director.
- (V) Source material.
- (A) For source material identified as required source material in the current POST Curriculum Bibliography, at least one (1) copy of

each of the publications or sources must be maintained at the place of academic instruction. For those sources that are referenced with a website address, providing the trainees with readily available Internet access is acceptable in lieu of maintaining at least one (1) copy of each of the publications or sources.

(VI) Academy examinations.

- (A) All academies shall administer written, oral or practical examinations periodically during each academy in order to measure the attainment of course objectives or performance outcomes as specified in the Basic Academic Training Program or Reserve Academic Training Program.
- (B) The academy director shall prescribe the manner, method of administration, frequency and length of academy examinations.
- (C) For academic courses, the time allotted for examinations shall be in addition to the number of Required Minimum Hours for each course as specified in the Basic Academic Training Program or Reserve Academic Training Program.
- (D) For skills training programs, the time allotted for examinations or testing is included within the total program hours of each program.

(VII) Academy certificates of completion.

- (A) The academy director shall issue a certificate of completion to each trainee who successfully completes all requirements of the approved academy within two (2) years of enrollment.
- (B) Only a trainee who has attended and successfully completed all academic classes and all required skills training programs shall be issued an academy certificate of completion.
- (C) Each academy certificate of completion shall contain the following information:
 - (1) Trainee's name; and
 - (2) Name of the approved academy; and

- (3) Type of academy (Basic or Reserve); and
- (4) Date of academy completion (month, day, year); and
- (5) Total number of hours of the completed academy; and
- (6) Signature of the academy director and/or agency or academic representative.
- (7) Reserve academy certificates of completion shall additionally state whether the total number of academy hours does or does not include the approved law enforcement driving program.

(g) Instructors

(I) Minimum qualifications.

- (A) Academic instructors shall possess the requisite education, experience and/or training necessary, as determined by the academy director, to competently instruct specific academic courses or blocks of instruction.
- (B) Skills instructors shall meet the minimum qualifications as described in Rule 23, *Academy Skills Instructors*.

(II) Instructor files.

- (A) A file (electronic or hard copy) shall be maintained for each instructor who teaches any portion of an academic class or skills training class.
 - (1) For academic instructors, the file must contain a current resume and may contain additional documentation that substantiates the instructor's qualifications.
 - (2) For skills instructors, the file must contain copies of the relevant certificates of completion referenced in Rule 23, *Academy Skills Instructors*, and/or a copy of the applicable skills instructor approval letter issued by POST.
- (B) The academy shall maintain current contact information for each instructor.

- (C) Exception. Licensed attorneys from the same office or firm may be included in one instructor file, as long as the file contains the names of all attorneys from that office or firm who provide instruction at the academy.
- (III) Instructor/course evaluations.
- (A) Trainees shall complete written evaluations for each instructor and/or course of instruction for all academic courses and skills training programs of the approved academy.
 - (B) Either the POST Form 10, *Instructor/Course Evaluation*, or comparable academy forms and/or documents may be used for this purpose.
 - (C) The academy director shall determine the most meaningful format and method of administration of the instructor/course evaluations in order to monitor instructor quality and course content and to meet the needs of the individual academy.
- (h) Duty to report
- (I) In addition to any notifications that may be required administratively or under federal, state or local law, it shall be the duty of every academy director or the academy director's designee to report the following events to POST immediately or as soon as practicable after the event:
 - (A) Any death, gunshot wound or serious bodily injury 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 academy; or
 - (B) Any bodily injury that occurs to any person who is not affiliated with the academy, 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 academy.
 - (II) Training to cease.
 - (A) In the event of any death or gunshot wound as described in paragraph (h)(I)(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.
 - (III) Serious bodily injury means those injuries as defined in § 18-1-901(3)(p), C.R.S.
 - (IV) Bodily injury means those injuries as defined in § 18-1-901(3)(c), C.R.S.
 - (V) All instructors shall be familiar with the information contained in this Section (h) as it pertains to the nature and scope of their involvement with the academy.
- (i) Academy records requirements
- (I) Trainee files. During the academy, a file shall be maintained for each trainee or a systematic filing system must exist that contains at least the following records:
 - (A) Trainee's full legal name and date of birth; and
 - (B) Photocopy of the trainee's high school diploma, high school equivalency certificate or other evidence of successful completion of high school; and
 - (C) Photocopy of the trainee's valid driver's license; and
 - (D) Form 11-E, *Enrollment Advisory Form*.
 - (II) Trainee manual.
 - (A) Each academy shall maintain an up-to-date trainee manual that contains relevant and accurate information. At a minimum, the trainee manual shall contain the academy's rules and regulations, academic requirements, attendance policies and site safety plans.
 - (B) Upon entry into the academy, each trainee should be issued a copy of the trainee manual and acknowledge receipt of the manual in writing.

- (III) The following records shall be maintained at the academy and shall be readily available for inspection at any reasonable time by the Board or its designated representative(s).
 - (A) A completed Form 11-E, *Enrollment Advisory Form*, for each trainee enrolled in the academy in progress; and
 - (B) Current trainee manual; and
 - (C) Current lesson plans; and
 - (D) Current source material; and
 - (E) Instructor files for current instructors; and
 - (F) Copies of all site safety plans; and
 - (G) Trainee files for the academy in progress and the previously completed academy; and
 - (H) Attendance records for the academy in progress and the previously completed academy; and
 - (I) Instructor/course evaluations for the academy in progress and the previously completed academy.

- (IV) Academy records must be retained for at least the three (3) year period as referenced in the Uniform Records Retention Act, § 6-17-101, et seq., C.R.S.

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

Effective July 1, 2018

- (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, 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, the mandatory requirement for successful completion of the Handgun Qualification Course is to fire the course exactly as prescribed in the Firearms Training Program with all rounds being on the silhouette.
- (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 trainees must successfully complete a skills test out and written examination in accordance with the discipline being taught. If the program does not have a test out, then each trainee at a minimum must successfully complete the arrest control skills test as used in the POST provisional/renewal of certification process.
 - (VII) 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.
 - (VIII) Operable firearms, as defined in POST Rule 1, shall not be utilized during any arrest control 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.
 - (VI) Night driving shall start no earlier than thirty (30) minutes prior to sunset.
 - (VII) Operable firearms, as defined in POST Rule 1, shall not be utilized during any law enforcement driving training.
- (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 trainee 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 trainee 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 trainee 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 the minimum number of live rounds of handgun ammunition in a single weapons system, revolver or semi-automatic, as stipulated in the current post firearms training program, before completing the program.

Rule 28 – In-Service Training Program

Effective July 1, 2018

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

The authority and responsibility for 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 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. The required 12 hours must include a minimum of one hour of training in each of the three perishable skills (Arrest Control, Driving, and Firearms) each calendar year. 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 by January 31st of the following year.

(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) 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 through 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.