

**COLORADO DEPARTMENT OF LAW
PEACE OFFICER STANDARDS AND TRAINING BOARD**

**RULES CONCERNING FINGERPRINT-BASED CRIMINAL HISTORY RECORD
CHECK, CERTIFICATION RECORDS, VEHICLE IDENTIFICATION NUMBER
INSPECTOR PROGRAMS, BASIC AND RESERVE TRAINING ACADEMIES, AND IN-
SERVICE TRAINING PROGRAM**

STATEMENT OF BASIS, STATUTORY AUTHORITY, AND PURPOSE

Pursuant to sections 24-31-303 (1) (g), (l) and (m), C.R.S., the Colorado Peace Officer Standards and Training Board (POST) has the authority and duty to promulgate rules and regulations deemed necessary by such board for the certification of applicants to serve as peace officers or reserve officers in the state, to promulgate rules deemed necessary by such board concerning annual in-service training requirements, and to promulgate rules as the board may deem necessary or proper to carry out the provisions and purposes of article 4 of Title 24.

Amendments are proposed to Rule 14 to include a municipal ordinance as a basis for not obtaining certification if the municipal ordinance is the equivalent of any enumerated felony or misdemeanor in section 24-31-305 (1.5) and to change the required fingerprint card for certification criminal history checks to a POST Applicant Fingerprint Card.

Amendments are proposed to Rule 17 to require POST certificate holders to maintain records on his or her certification and to use the POST portal in doing so.

Amendments to Rule 20 concern the use of the National Insurance Crime Bureau Passenger and Commercial Vehicle Identification Manual for a Vehicle Identification Number Inspector Program and requiring the program director to submit a roster of passing students to POST.

Amendments to Rule 21 change the required documentation from videotapes or DVDs to a video in a digital media format approved by POST and implements document retaining requirements for academic and skills instructors.

Rule 28 is created to give minimum requirements for annual in-service training and govern in-service reporting requirement by law enforcement agencies.

It has been declared by the General Assembly that certification and training standards of peace officers is a matter of statewide concern. The absence of implementing rules to carry out the purpose of the statutes would be contrary to the public health, peace, safety and welfare of the state. For these reasons, it is imperatively necessary that these proposed amendments be adopted.

Rule 14 – Fingerprint-Based Criminal History Record Check

Effective ~~March 1, 2006~~ **January 14, 2015**

- (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, ~~U.S. GPO: 2001, 483-800/2-02321, FD-258 (REV. 5-11-99)~~ 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.
- (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, *Variances*.
 - (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 next business day following the first day of the academy. Each enrollment roster shall contain the following information:
 - (A) Name of the academy; and
 - (B) Start and end dates of the academy; and
 - (C) Alphabetical list of the full names of all persons enrolled in the academy; and
 - (D) Date of birth for each person; and
 - (E) Social Security Number for each person.
 - (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, *Variances*.
 - (II) Only if the person has, in fact, submitted a request for exemption from denial of enrollment under POST Rule 7, *Variances*, 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 14 – Fingerprint-Based Criminal History Record Check

Effective January 14, 2015

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 - (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.
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 - (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.
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 - (C) Alphabetical list of the full names of all persons enrolled in the academy; and
 - (D) Date of birth for each person; and
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 - (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, *Variances*.
 - (II) Only if the person has, in fact, submitted a request for exemption from denial of enrollment under POST Rule 7, *Variances*, 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 17 – Certification Records

Effective July 1, 2012-January 14, 2015

- (a) Every POST certificate holder shall **KEEP CURRENT** submit a completed POST Form 5, *Change of Name, Address or Telephone*, to the Board within ~~thirty (30) days of any change of his or her name, home address, mailing address, **EMAIL ADDRESS**, home telephone number, or cell phone number~~ **THROUGH THE POST PORTAL**.
- (b) ~~Any POST certificate holder convicted in any jurisdiction of a felony or any misdemeanor contained in § 24-31-305(1.5)(a) thru (h), C.R.S., shall notify the POST Board in writing of such conviction within 5 business days.~~
- (e)(b) When any person is appointed or separated as a certified peace officer, **AS PER RULES 10, 11 AND 12** identified in —§16-2.5-102 and §16-2.5-110, C.R.S., such agency shall submit a completed Form 6 —*Notice of Peace Officer Appointment/Separation* to the Board **AN UPDATE THROUGH THE POST PORTAL** within fifteen (15) days of such appointment or separation. All other agencies listed who by state statute are not obligated to appoint certified peace officers as recognized in Title 16, Article 2.5, Part 1 may submit a completed Form 6, if they want their certified peace officers' certification to continue in effect.
- (d)(c) During the month of January of each year, **EACH AGENCY SHALL** the POST Board will provide every law enforcement agency with an electronic report in pdf format of those certified peace officers, identified in Title 16, Article 2.5, Part 1, C.R.S., and currently listed in the POST electronic records as appointed by such agency. Every law enforcement agency will verify **THE ACCURACY OF** within fifteen (15) days the continuing appointment or separation of the certified peace officers associated with the law enforcement agency **LISTED ON THE POST PORTAL BY SUBMITTING AN EMAIL TO POST**.

Rule 17 – Certification Records

Effective January 14, 2015

- (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) 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 20 – Vehicle Identification Number Inspector Programs

Effective November 15, 2013 February 7, 2014

- (a) Every vehicle identification number (VIN) inspector program must contain a minimum of seventeen (17) hours, and be approved prior to the start of instruction.
- (b) The program director must submit **ALL OF** the following documentation to the Board at least sixty (60) days prior to the start of instruction:
 - (I) A narrative of performance objectives for the program (new programs only); ~~and~~
 - (II) A list of courses to be taught and the time allocated for each course (new programs only); and
 - (III) ~~Submit a~~ **A** completed POST Form 9A, **VIN INSPECTOR Training Program Approval**, and a list of instructors and their qualifications. Instructors shall be approved only for a specific program under this rule (all programs).
- (c) To be approved, a program must include ~~at least~~ **ALL OF** the following:
 - (I) Legal aspects of VIN inspection; ~~and~~
 - (II) Use of the National ~~Auto Theft Bureau~~ **Insurance Crime Bureau (NICB) Passenger and Commercial Vehicle Identification M**anuals; ~~and~~
 - (III) How to conduct a VIN inspection; and
 - (IV) How to meet the reporting requirements of a VIN inspection.
- (d) The program director must submit **A ROSTER OF PASSING STUDENTS TO POST** ~~the following to the Board~~ within thirty (30) days of the end of the program:
 - (I) ~~The score of each trainee and a statement whether each trainee passed or failed the course.~~

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Effective February 7, 2014

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- (b) The program director must submit all of the following documentation to the Board at least sixty (60) days prior to the start of instruction:
 - (I) A narrative of performance objectives for the program (new programs only);
 - (II) A list of courses to be taught and the time allocated for each course (new programs only); and
 - (III) A completed POST Form 9A, *VIN Inspector Training Program Approval*, and a list of instructors and their qualifications. Instructors shall be approved only for a specific program under this rule (all programs).
- (c) To be approved, a program must include all of the following:
 - (I) Legal aspects of VIN inspection;
 - (II) Use of the National Insurance Crime Bureau (NICB) *Passenger and Commercial Vehicle Identification Manuals*;
 - (III) How to conduct a VIN inspection; and
 - (IV) How to meet the reporting requirements of a VIN inspection.
- (d) The program director must submit a roster of passing students to POST within thirty (30) days of the end of the program.

Rule 21 – Basic and Reserve Training Academies

Effective ~~March 1, 2011~~ **January 14, 2015**

- (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 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 academy class:
 - (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) All courses, dates and times in chronological order for each course, major exams and the name of the primary instructor for each course; and
 - (2) All dates and times when arrest control drill training, night driving and dim light shooting will be instructed; and
 - (3) 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
 - (4) 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.
- (V) No later than 5:00 p.m. on the next business day following the first day of each approved academy class, the academy director shall ensure that an accurate enrollment roster is received at POST. 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 shall 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 ~~videotape or DVD~~ **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) ~~A VHS format videotape (or DVD video on a DVD-R disk that will play through a set-top DVD player to a TV)~~
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 ~~videotape or DVD~~, **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, then 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 ~~VHS or DVD~~ **video**, along with an up-to-date written site safety plan.

(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 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.

(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 except as specified in Rule 24(b)(VIII).

(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 ~~formal-written~~ lesson plans that are on file for each academic course of instruction and for each of the skills training programs.
- (B) Each **ACADEMIC AND SKILLS** lesson plan ~~and/or an accompanying lesson plan cover sheet~~ 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.**

(C) 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) The time allotted for academic 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.

(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) The academy director shall not issue a certificate of completion to any trainee who has not attended and successfully completed 100% of all required skills training.~~

(B) ONLY A TRAINEE WHO HAS ATTENDED AND SUCCESSFULLY COMPLETED ALL ACADEMIC CLASSES AND ALL THREE (3) 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 record or file that contains at least the following information shall be maintained for each instructor who teaches any portion of an academic class or skills training class:~~

~~(1) A resume or certificates of completion and/or other documentation that substantiates the instructor's qualifications.~~

(1) FOR ACADEMIC INSTRUCTORS, THE FILE MUST CONTAIN A CURRENT RESUME AND/OR OTHER 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.

~~(2)(B) THE ACADEMY SHALL MAINTAIN~~ **(B) THE ACADEMY SHALL MAINTAIN** ~~current contact information for~~ **EACH INSTRUCTOR.** ~~the instructor that includes a work, home or cellular telephone number, and a work, home or electronic mailing address.~~

~~(B)(C)~~ **(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 or high school equivalency certificate; 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) ~~All a~~ Academy records must be retained for at least the three (3) year period as ~~required by~~ **REFERENCED IN** the Uniform Records Retention Act, § 6-17-101, et seq., C.R.S.

Rule 21 – Basic and Reserve Training Academies
Effective January 14, 2015

- (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 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 academy class:
 - (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) All courses, dates and times in chronological order for each course, major exams and the name of the primary instructor for each course; and
 - (2) All dates and times when arrest control drill training, night driving and dim light shooting will be instructed; and
 - (3) 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
 - (4) 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.
- (V) No later than 5:00 p.m. on the next business day following the first day of each approved academy class, the academy director shall ensure that an accurate enrollment roster is received at POST. 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 shall 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, then 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, along with an up-to-date written site safety plan.

(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 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.

(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 except as specified in Rule 24(b)(VIII).
- (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 ~~formal-written~~ lesson plans that are on file for each academic course of instruction and for each of the skills training programs.
- (B) 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.
- (C) 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) The time allotted for academic 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.
- (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 three (3) 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 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/or other 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 or high school equivalency certificate; 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 28-In-Service Training Program

Effective January 14, 2015

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) 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 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 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 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. 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 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.

(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.