

POST COUNCIL MEETING

MINUTES

SEPTEMBER 3, 2015

The meeting was held at the Idaho State Police, Cafeteria Conference Room, 700 S. Stratford Dr., in Meridian, Idaho. Chairman Kevin Fuhr called the meeting to order at 9:02 A.M.

Council Members Present:

Jan Bennetts, Prosecuting Attorney, Ada County
Kevin Fuhr, Chief of Police, Rathdrum Police Department
Shaun Gough, Sheriff, Gooding County
Seth Grigg, Executive Director, Association of Idaho Cities
Sharon Harrigfeld, Director, Idaho Department of Juvenile Corrections
Doug Hart, SSRA, Federal Bureau of Investigation
Kevin Kempf, Director, Idaho Department of Correction
Jeff Lavey, Chief of Police, Meridian Police Department
Lorin Nielsen, Sheriff, Bannock County
Paul Panther, Chief, Criminal Law Division, Office of the Attorney General
Ralph Powell, Colonel/Director, Idaho State Police
Wayne Rausch, Sheriff, Latah County
Shane Turman, Chief of Police, Rexburg Police Department
Greg Wooten, Enforcement Bureau Chief, Idaho Department of Fish & Game

Council Members Absent:

Dan Chadwick, Executive Director, Idaho Association of Counties

Guests Present:

Stephanie Altig, Deputy Attorney General, Idaho State Police
Trish Christy, Management Assistant, Idaho Peace Officer Standards & Training
Skip Clapp, Director of Court Services, Valley County
Christina Iverson, A.S.M., Idaho Supreme Court
Mark Kubinski, Deputy Attorney General, Idaho Department of Correction
Sharon Lamm, Administrative Support Manager, Idaho Peace Officer Standards & Training
Victor McCraw, Division Administrator, Idaho Peace Officer Standards & Training
Steve Myers, Captain, Boise Police Department
Rory Olsen, Deputy Division Administrator, Idaho Peace Officer Standards & Training
Greg Oster, Lieutenant, Boise Police Department

1. Pledge of Allegiance

2. **Introductions of Council Members and Guests**

3. **POST Council Meeting Minutes Approval – June 4, 2015**

Ralph Powell made a motion to approve the minutes as submitted. Wayne Rausch seconded, and the motion carried unanimously.

4. **Election of Vice Chairman**

Lorin Nielsen nominated Wayne Rausch. Shaun Gough seconded the nomination.

Jan Bennetts made a motion that nominations cease.

Wayne Rausch was elected Vice Chairman by unanimous vote.

5. **Composition of POST Council**

Chairman Kevin Fuhr stated since there are now four POST regions in the state, he has been asked about drafting legislation to expand the Council so there is one chief and one sheriff from each POST region. A sheriff from Region 2 and a chief from Region 3 are needed. Included in that proposal would be the removal of the FBI from the Council, which the Salt Lake City SAC is completely okay with.

Sharon Harrigfeld stated a county juvenile justice administrator should be added to the Council as well.

Seth Grigg stated misdemeanor probation isn't represented on the Council either.

Lorin Nielsen made a motion that draft legislation be presented at the December POST Council meeting amending 19-5102 to specify a chief of police and a county sheriff from each POST region, deleting the section referring to the FBI, and adding a section for the county juvenile justice administrator. Jeff Lavey seconded, and the motion carried unanimously.

6. **Composition of POST Hearing Board**

Chairman Kevin Fuhr stated he would like to add a fourth member to the Hearing Board. One agency is heavily represented in the hearings, so it would be nice to have their representative on the Board so they can see what the issues are.

Stephanie Altig stated Hearing Board members have to recuse themselves from hearings in reference to their own employees.

Chairman Kevin Fuhr stated he would work with Kevin Kempf to see if there's a way to achieve the goal without changing the makeup of the Hearing Board.

7. Subcommittee Appointments

Chairman Kevin Fuhr made the following appointments:

Hearing Board: Wayne Rausch (chairman), Jeff Lavey, Paul Panther

Standards Subcommittee: Dan Chadwick (chairman), Jan Bennetts, Shaun Gough, Ralph Powell, Shane Turman

Training Subcommittee: Lorin Nielsen (chairman), Sharon Harrigfeld, Kevin Kempf, Jeff Lavey, Greg Wooten

17. POST-Certified Training Programs

Victor McCraw presented the following:

Three Options Allowing Agencies to Provide Basic Training:

Option #1: Revise 11.11.01.321 through 11.11.01.351 to accommodate Idaho agencies (Section headings listed below)

Option #2: "Duplicate" 11.11.01.321 through 11.11.01.351 to address Idaho agencies (Section headings listed below)

- 321. ~~Vocational~~ College Law Enforcement Program Certification.
- 322. Definitions.
- 323. General Provisions.
- 324. Procedures.
- 325. Certified Vocational Law Enforcement Program.
- 326. Requirements.
- 327. Administration.
- 328. Records.
- 329. Minimum Attendance.
- 330. Post-Graduation Evaluations.
- 331. Facilities.
- 332. Instruction.
- 333. Conduct And Behavior.
- 334. -- 340. (Reserved)
- 341. Standards For Conduct And Behavior Of POST Basic Trainees.
- 342. -- 350. (Reserved)
- 351. Self-sponsored Student Program Selection Standards.

Option #3 (Preferred): Revise 11.11.01.072 to allow basic training provided by Idaho agencies (Draft language below)

072. Waiver For Equivalent Training - Reciprocity.

01. Waiver. The Council may waive the completion of any basic training academy required by the Council upon presentation of documentary evidence by an agency that an officer has satisfactorily completed equivalent training, subject to any supplementary training prescribed by the Council under Section 074. (3-15-02)

a. Training provided by Idaho agencies must be pre-approved and evaluated, and include the minimum number of hours of training in the POST basic training academy equal to or exceeding POST Council standards for the applicable discipline(s). ()

ab. Training received in states with laws governing or regulating police training shall, if subject to such review, have been approved or certified in the state in which the training was received. (3-15-02)

02. Reciprocity Agreements. The Council is authorized to enter into standing reciprocity, compacts, or agreements with those states which by law regulate and supervise the quality of law enforcement officer training and which require a minimum number of hours of training in the basic training academy equal to or exceeding Idaho's standards. (3-15-02)

Chairman Kevin Fuhr stated it's imperative that those agencies running their own academies still make their instructors available to teach at POST.

Greg Oster responded that Boise PD is still more than willing to assist as much as possible with the instruction at POST.

Jeff Lavey stated he was concerned about agencies going after POST's monies. POST is short already, so it has to be made known up front that if an agency runs their own academy, they do it at their own expense.

Chairman Kevin Fuhr stated that would have to be part of the written agreement with each agency.

Greg Oster stated Boise PD would not go after POST's money. It's cheaper for them to run their own academy than to send their officers to POST.

Victor McCraw stated if Boise PD and ISP are allowed to proceed with a pilot program, he would recommend that POST come back to the Council in December with what's going to happen and what it's going to look like. The Council needs to identify what measures they are looking for so those can be put in place up front and adequately measured throughout the process. That will also give POST time to get Chief Lee White of Coeur d'Alene involved as somewhat of an advisor to both agencies participating in the pilot program. POST also needs time to consult with Boise PD. Boise PD was given permission for a pilot program before, but no guidance from POST, and then were chastised afterward for not doing things they weren't aware were requirements. This time around, POST wants to make absolutely certain that the agencies involved are set up for success rather than failure.

Lorin Nielsen made a motion that ISP and Boise PD be allowed to run their own academies as a pilot project, and afterward the results of their efforts be presented to the Council for evaluation. Wayne Rausch seconded the motion.

Ralph Powell stated running an academy is a bigger project than just dusting off curriculum. An agency really has to ramp up, including having effective TAC officers in place. In order to create a POST-certified academy, the POST curriculum has to be incorporated and taught in its entirety.

Victor McCraw stated the biggest task is to make sure that whatever additional training is given compliments POST's training rather than contradicts it or provides unnecessary information. The officers have to be able to pass the POST certification exam, and it must be given at the proper time. Once the officers have received the POST curriculum, the POST certification exam should be given immediately, regardless of whether the academy is complete.

Ralph Powell stated ISP's academy is scheduled for May 2016.

Greg Oster stated he would work with ISP Training to ensure Boise PD didn't run theirs concurrently.

Ralph Powell stated it's important that the agencies not run their academies in tandem. That way there's no opposition between agencies. This is not about ISP or Boise PD. This is a step for the state of Idaho and POST Council. The POST staff has to have the time to provide feedback and evaluation.

The motion carried unanimously.

Wayne Rausch made a motion to accept Option #3. Jeff Lavey seconded, and the motion carried unanimously.

Open Campus

Victor McCraw stated IDAPA Rule 11.11.01.071.01 allows the POST Council to grant an exemption to the closed campus requirement on a case-by-case basis for a scheduled POST Basic Patrol Academy. As a cost-savings measure, he requested such an exemption be made for Patrol Academy #184 scheduled to begin on September 13th.

Jeff Lavey made a motion that POST Basic Patrol Academy #184 be run as an open campus academy and that the POST staff provide an update on how it went at the December Council meeting. Shane Turman seconded the motion.

Violation of Open Meetings Law

Paul Panther stated the Council is on Agenda Item #8 POST Quarterly Recap, and yet just voted on Agenda Item #17 and is now proceeding to vote on an issue that isn't even listed on the

agenda. He made a motion that the Council recognize that they may have violated the Open Meetings Act by voting on the last motion and that they postpone voting on the present motion to a later date when it's properly on the agenda. The motion died for lack of a second.

Stephanie Altig stated when the Council takes action and votes on something that's not properly on the agenda, it's void.

Chairman Kevin Fuhr stated that for the record, the previous vote taken was in reference to Agenda Item #17 and not Agenda Item #8.

Paul Panther made a motion that the Council recognize that the item they voted on under Agenda Item #8 is more properly under Agenda Item #17, and due to voting on the issue under the wrong part of the agenda, they recognize it was an error and that the action taken is void. Wayne Rausch seconded the motion.

Jeff Lavey withdrew his motion in reference to Open Campus.

The motion in reference to recognizing the voting error carried unanimously.

8. POST Quarterly Recap

Victor McCraw stated POST has one new academy training coordinator on board, and a second one coming on board September 14th. Due to being short-handed, POST had a proposed MOU with IDOC for POST to bring an IDOC employee on board and pay their wages while that person ran a Basic Correction Academy for POST. Unfortunately, IDOC had some personnel issues come up, so a POST training coordinator will be running the academy. The candidate selected to fill the videographer position is in the background phase, so hopefully will be on board by the end of the month. The top two candidates for the curriculum coordinator position will be brought in for an informal interview the week of September 21st, so hopefully a conditional offer will be made by the end of the month. The person selected will have their hands full when they come on board getting the curriculum update process back on track and meeting with the master Instructor Development instructors to implement the new instructor procedures. Financially, POST revenues are not coming in as projected. The POST management team prioritized the crucial needs related to safety. Of immediate concern is the need for new mats and fixing the sound system at the firing range so when the instructor says "cease fire," that happens. As money becomes available, those things will be addressed first and foremost. In an effort to sustain in-service training, the tuition for some classes has been raised to recuperate some, but not all of the costs. POST has started charging for facility use. Those invoices will be waived for local agencies that support POST with equipment and manpower. POST is in the process of eliminating printed academy manuals. Pdf files for all academy classes will be available online. POST is working with IDOC to eliminate a correction academy early in 2016. IDOC will be able to accommodate their training needs by sending officers to an MTC academy later in the year. In preparation for moving to an electronic application process, the POST application has been streamlined. In addition to helping the agencies, electronic submission will help POST immensely because applications won't be able to be submitted until

they are complete. He introduced a priority agency concept at POST which identifies those agencies needing a little more attention than other agencies. Three agencies have been identified that POST staff will focus their efforts on to get them up to speed with whatever their challenges are. Some agencies have people that have worked for them for two years prior to notifying POST that they've hired them. Those folks are well beyond their year requirement for certification. Rather than finger-wag, POST will focus their efforts to solve the problem. The financial shortfall needs to be addressed immediately, so the amount of in-service training may be cut or made completely tuition-based so costs are completely recovered. POST still intends to respond and try to fulfill need-based training, such as Coeur d'Alene's line-of-duty death or Idaho Falls' recent suicide. He's trying to bring the Blue Courage program to both locations, tuition-free if at all possible, to help support the personnel from those agencies affected by those tragedies. A tablet-based skills assessment tool has been implemented to more efficiently grade performance at the academy. POST continues to look for ways to increase communications and provide information through the website. It recently came to POST's attention that agencies believe they need extensions of time in order to get their employees who are over their year into the academy. The extension of time only extends the person's authority, allowing the agency to continue using them in their capacity.

Amend Agenda

Wayne Rausch made a motion that agenda item #18 POST Policy: Written and Demonstrative Assessments be added to the agenda. Lorin Nielsen seconded, and the motion carried unanimously.

8. POST Quarterly Recap (continued)

Rory Olsen presented statistical data on POST's operations since the last Council meeting.

9. POST Budget Review

Sharon Lamm stated the Legislature approved a total FY 2016 budget for POST of \$4,507,700. \$4,122,800 of that is from POST's dedicated funds, and approximately \$385,000 is from federal grants, grant programs, and some miscellaneous items. On July 1st, POST began the fiscal year with a cash balance of \$728,000 including misdemeanor probation fees and \$390,800 without misdemeanor probation fees. FY 2016 revenue projections are extremely conservative, assuming revenues will be exactly or close to what was received last fiscal year. Projected revenue is approximately \$3,700,000. Projected expenditures are a little over two million dollars in personnel costs, 1.542 million in operating costs, \$61,000 in equipment replacement, and approximately \$106,000 in IPAA training fees for a total of about 3.932 million dollars. If the projections are correct, POST will end the year with a cash balance of approximately \$490,000 including misdemeanor probation fees and approximately \$100,000 without misdemeanor probation fees. POST is mandated to have at least a \$300,000 cash balance at the beginning of every fiscal year to cover operating expenses until the revenues start coming in. If the projections hold true, POST will be short about \$200,000. That cannot happen, so POST has been and will continue to be extremely cautious in spending. Revenue from the \$15 fee for July was down about \$17,000, or 6.7% compared to last fiscal year. Revenue from court filing fees

for July was down \$7,700, or 12% compared to last fiscal year. Revenue from misdemeanor probation fees for July was down about \$1,600, or about 21% compared to last fiscal year. Overall, revenue from all sources is down about \$26,000, or 8% compared to last fiscal year.

10. POST Division Administrator's Update

a. IPAA Funding

Chairman Kevin Fuhr stated the POST staff is meeting with representatives from the Idaho Prosecuting Attorneys Association on Tuesday to discuss IPAA funding.

Victor McCraw stated with all due respect and apologies to Jan Bennetts and the IPAA, the reason this issue was included on the agenda prior to him talking to them about it is that he does not have the authority to discuss anything having to do with an agreement entered into by the Council without the Council's permission. The purpose of the agenda item is to gain permission so he can approach IPAA and discuss the matter. Without that permission, the meeting scheduled for next Tuesday would have to be postponed. The agreement is for a set dollar amount, and due to POST's revenue shortfall, he's hoping that set dollar amount can be altered. Perhaps it can't be altered, but he'd like to at least have the discussion and hopefully make some provisions for next time the agreement comes up for renewal, just in case POST finds itself in the same financial situation again.

Chairman Kevin Fuhr advised Victor McCraw to go ahead and meet with the IPAA, but not to formalize anything until after meeting with the Council.

11. Future POST Council Meetings

Due to a combined Chiefs and Sheriffs Training Conference December 7th through 9th, the Council members agreed to move the next POST Council meeting from December 3rd to December 10th to reduce travel time and costs.

Chairman Kevin Fuhr stated 2016 POST Council meetings are scheduled for March 3rd, June 2nd, September 1st, and December 1st.

12. Future POST Hearing Board Meetings

Chairman Kevin Fuhr stated POST Hearing Board meetings are scheduled for November 5, 2015; April 7, 2016; August 4, 2016; and November 3, 2016.

13. Requirement To Begin Academy Within Six Months of Appointment

Chairman Kevin Fuhr stated the Hearing Board has seen an issue with agencies not submitting academy application packets until the year is up or almost up, and in some cases not submitting them at all, and then requesting extensions. At the last Hearing Board meeting, six or eight such extension requests were denied. A presentation was made at the Chiefs Association meeting this week reminding them that IDAPA Rule 11.11.01.071 requires officers to begin the academy

within six months of hire and be certified within one year. A similar presentation will be made by Sheriff Rausch at the upcoming Sheriffs Association meeting. The Hearing Board members decided unless the academy's been canceled, somebody is injured, or there's a grave issue going on, extension requests will be denied.

Wayne Rausch stated another thing that needs addressed at the joint conference is the problem with two-year agreements and agencies not stating specifically whether someone was terminated through no fault of their own or for due cause.

14. Interpretation of Felony Conviction

Stephanie Altig stated there is more than one kind of dismissal. During a plea negotiation, a prosecutor can tell a person he will dismiss charges c and d if the person pleads guilty to charges a and b. There is no finding of guilt on charges c and d, no consequences, so they're gone. The other kind of dismissal is where the judge gives a person a withheld judgment, puts them on probation, which is a sanction, and then dismisses the case if the person is successful in their probation.

Paul Panther stated the particular case in front of them appears to be a plea agreement where the felony charge was dismissed.

Victor McCraw stated the heart of the issue, and the question for him that is coming up more and more is did the employing agency do a proper background investigation. It's the employing agency's responsibility to find out what the back story is. POST cannot do background investigations for agencies that haven't done them. He's reluctant to put his name on waiver requests when it appears the employing agency hasn't done their due diligence. The requirements of what a background investigation entails are in the IDAPA Rules. Very often POST has to ask agencies for more information, and it becomes apparent that the agency submitted an application, oftentimes incomplete, and is waiting to see if POST finds anything or discovers something is missing. POST can't catch everything, so the fear is that applicants are slipping through that do not meet the requirements. The POST staff is wasting hours trying to process incomplete packets, and the main concern is who is being allowed into our profession.

Jeff Lavey stated the onus of doing an adequate background is on the employing agency, period, and no applicant should be accepted into the academy without one. He recommended Victor McCraw not put his name on anything he's uncomfortable with, and instead send it to the Hearing Board. The employing agency can then do the required work and prove to the Board why their applicant should be accepted. It's easier to stop them from getting certified than it is to decertify them after they've slipped through, not to mention the public relations problem that creates. In reference to the case before the Council, it's obvious there's no felony conviction.

Victor McCraw stated the IDAPA Rule definition of conviction is very good. It broadens it and focuses more on did the person commit the act that would have constituted the crime rather than what sanctions, if any, were later imposed by a judge. It's not second-guessing the judge, but finding out if the person did the action that resulted in the charge in the first place.

Paul Panther stated it's pretty clear there was no finding of guilt on the felony charge, so there's no felony conviction. A dismissal after a withheld judgment would be a different story.

Lorin Nielsen made a motion that the application be returned to the agency with a request for more information. Jan Bennetts seconded the motion.

After more discussion, **Lorin Nielsen withdrew his motion.**

Jeff Lavey stated as an agency, the first step should be to read the police report and then the charging documents, but it doesn't appear that was done.

The Council agreed the onus is on the employing agency to conduct a proper background investigation and provide the proper documentation. As a courtesy, Victor McCraw could request more information. However, he shouldn't put his name on anything he's uncomfortable with, but instead should send it to the Hearing Board.

Ralph Powell recommended the IDAPA Rule be sent to the agency so they understand the level of proof they need to dig for and come up with. If they can't provide it, they should be told not to resubmit the application.

15. Standards Subcommittee Report

Victor McCraw presented the following update from the July 29, 2015 Standards Subcommittee meeting:

The subcommittee members agreed to explore amending Idaho Code and POST's IDAPA Rules to find a way to add Idaho POST-certified U.S. Marshals into the definition of "peace officer" so they are eligible for additional POST certifications and also so their years of federal service count as law enforcement experience. Paul Panther will work on the needed statute and rule changes, and will present proposed language at the next Standards Subcommittee meeting.

The subcommittee agreed to recommend POST Council approval of the following proposed IDAPA Rule changes:

11.11.01 - RULES OF THE IDAHO PEACE OFFICER STANDARDS AND TRAINING COUNCIL

071. BASIC TRAINING ACADEMY.

01. Begin Academy Within Six (6) Months of Appointment. Every officer must begin the respective POST Basic Training Academy within six (6) months from the date of their appointment as a full-time officer. Every officer must successfully complete the respective POST Basic Training Academy, including the field training portion, within twelve (12) months from the date of their appointment as a full-time officer. This time period includes probationary time.

()

~~01. Closed Campus. The POST Basic Patrol, Juvenile Detention, and Juvenile Probation Training Academies will operate as a closed campus Monday through Thursday. The POST Division Administrator may consider an exemption to this requirement in the case of a documented personal hardship for the applicant where no other reasonable alternative exists and provided the applicant's agency head files a written request for review with the POST Division Administrator. A trainee granted a hardship exemption will be required to attend all mandatory classes. Unauthorized lateness to or absence from any class will be grounds for revocation of the hardship exemption by the POST Division Administrator. The POST Council may consider an exemption to the closed campus requirement on a case by case basis for a scheduled POST Basic Patrol, Juvenile Detention, or Juvenile Probation Training Academy. ()~~

~~02. Open Campus. All other POST Basic Training Academies will operate as an open campus. ()~~

02. Completion. A trainee must successfully complete the Basic Training Academy within six (6) months of the date they enroll in such course. In a case of delay of more than six (6) months, the entire course must be repeated. ()

03. Field Training. The field training portion must be completed to be eligible for certification. ()

11.11.01 - RULES OF THE IDAHO PEACE OFFICER STANDARDS AND TRAINING COUNCIL

010. DEFINITIONS.

01. Act. Title 19, Chapter 51, of the Idaho Code. (4-5-00)

02. Adult Probation and Parole Officer. Any employee of the Idaho Department of Correction who is responsible for the supervision of offenders on probation or parole. (3-30-07)

03. Agency. A law enforcement agency which is a part of or administered by the state or any political subdivision thereof and which is responsible for the prevention and detection of crime and the enforcement of penal, traffic or highway laws of this state or any political subdivision; a juvenile detention center; a juvenile probation department; the Idaho Department of Correction; or a private prison contractor of the State Board of Correction that is responsible for the first-line supervision, security, protection, and risk reduction of offenders housed in the facility. (4-2-08)

04. Agency Head. A chief of police of a city, sheriff of a county, or chief administrator of any law enforcement agency of the state of Idaho or any political subdivision thereof who is responsible for the prevention and detection of crime and the enforcement of penal, traffic or highway laws of this state or any political subdivision; the chief administrator of a juvenile detention center; the chief administrator of a juvenile probation department; the director of the Idaho Department of Correction; or the chief administrator of a private prison

contractor of the State Board of Correction that is responsible for the first-line supervision, security, protection, and risk reduction of offenders housed in the facility. (4-2-08)

05. Applicant. Any person applying to participate in a POST training program or applying for POST certification. (4-2-08)

06. Basic Adult Probation and Parole Academy. A basic course of instruction for Adult Probation and Parole Officers as recognized by POST Council. (4-2-08)

07. Basic Correction Academy. A basic course of instruction for Correction Officers as recognized by POST Council. (4-2-08)

08. Basic Detention Academy. A basic course of instruction for Detention Officers as recognized by POST Council. (4-2-08)

09. Basic Juvenile Detention Academy. A basic course of instruction for Juvenile Detention Officers as recognized by POST Council. (4-2-08)

10. Basic Juvenile Probation Academy. A basic course of instruction for Juvenile Probation Officers as recognized by POST Council. (4-2-08)

11. Basic Patrol Academy. A basic course of instruction for Patrol Officers as recognized by POST Council. (4-2-08)

12. College Credit. A unit of work towards a baccalaureate or vocational degree accepted by a college or university of higher education accredited by the Northwest Association of Schools and Colleges or other POST-accepted U.S. regional accrediting agency. (3-18-15)

13. Correction Officer. Any employee of an Idaho Department of Correction facility or private prison contractor of the State Board of Correction who is responsible for the first-line supervision, security, protection, and risk reduction of offenders housed in the correction facility. (3-30-07)

14. Correction Standards and Training Council. An advisory group to the POST Council that is comprised of members from academia and law enforcement agencies. The purpose of the Correction Standards and Training Council is to advise POST Council in the planning, development, and operation of the Basic Correction Academy and the Basic Adult Probation and Parole Academy. (4-2-08)

15. Council. The Idaho Peace Officer Standards and Training Council. (4-2-08)

16. County Detention Officer. An employee in a county jail who is responsible for the safety, care, protection, and monitoring of county jail inmates. (4-5-00)

17. Crime of Deceit. Any offense described in Section 18-1301 et seq., Idaho Code, (Bribery), Section 18-1401 et seq. (Burglary), Sections 18-1901 (Fictitious Stock Subscription),

18-1902 (Exhibition of False Papers to Public Officers), 18-1903 (Use of False Name in Prospectus), 18-1904 (Illegal Dividends and Reductions of Capital), 18-1905 (Falsification of Corporate Books), 18-1906 (Fraudulent Reports by Officers), 18-2202(1) (Computer Crime), 18-2302 (False Swearing as to Qualifications as Voter), 18-2304 (Procuring Illegal Votes), 18-2305 (Intimidation, Corruption and Frauds), 18-2306 (Illegal Voting or Interference with Election), 18-2307 (Attempting to Vote When Not Qualified or to Repeat Voting), 18-2309 (Officers Attempting to Change Result), 18-2310 (Forging or Counterfeiting Returns), 18-2311 (Adding to or Subtracting From Votes), 18-2316 (Tampering with Certificates of Nomination or Ballots), 18-2320 (Bribery of Electors), Section 18-2401 et seq. (Theft), Section 18-2601 et seq. (Falsifying Evidence -- Offering Forged or Fraudulent Documents in Evidence), Section 18-2701 et seq. (Bribery of Executive Officers), Sections 18-3105 (False Statement by Commission Merchant, Broker, Agent, Factor or Consignee to Principal or Consignor), 18-3106 (Drawing Check Without Funds -- Drawing Check With Insufficient Funds -- Prima Facie Evidence of Intent -- Standing of Person Having Acquired Rights -- Probation Conditions), 18-3123 (Forgery of a Financial Transaction Card), 18-3124 (Fraudulent Use of a Financial Transaction Card), 18-3125 (Criminal Possession of Financial Transaction Card and FTC Forgery Devices), 18-3125A (Unauthorized Factoring of Credit Card Sales Drafts), 18-3126 (Misappropriation of Personal Identifying Information), 18-3127 (Receiving or Possessing Fraudulently Obtained Goods or Services), 18-3201 (Officer Stealing, Mutilating or Falsifying Public Records), 18-3202 (Private Person Stealing, Mutilating or Falsifying Public Records), 18-3203 (Offering False or Forged Instrument for Record), 18-3204 (False Certificates or Other Instruments from Officers), 18-3206 (Mutilating Written Instruments), Section 18-3601 et seq. (Forgery), Sections 18-4616 (Defacing Marks on Logs or Lumber), 18-4617 (Stealing Rides on Trains), 18-4621 (Stealing Electric Current -- Tampering with Meters), 18-4622 (Stealing Electric Current -- Accessories Liable as Principals), 18-4624 (Taken or Converted Merchandise as Theft), 18-4626 (Willful Concealment of Goods, Wares or Merchandise -- Defense for Detention), 18-4630 (Illegal Use of Documents), 18-4701 (Alteration of Bills), 18-4702 (Alteration of Enrolled Copies), 18-4703 (Offering Bribes to Legislators), 18-4704 (Legislators Receiving Bribes), Section 18-5401 et seq. (Perjury), Section 18-6501 et seq. (Robbery), Sections 18-8201 (Money Laundering and Illegal Investment -- Penalty -- Restitution), 41-293 (Insurance Fraud), 41-294 (Damage to or Destruction of Insured Property), 41-1306 (False Financial Statements), 49-228 (Receiving or Transferring Stolen Vehicles), 49-231 (Farm Implements -- Purchasing or Selling When Identifying Number Altered or Defaced a Felony), 49-232 (Fraudulent Removal or Alteration of Numbers Prohibited), 49-518 (Altering or Forging Certificate -- Stolen Cars -- Destroying or Altering Engine or Decal Number -- Use of Fictitious Name -- Fraud), or any attempt, conspiracy or solicitation to commit any of the foregoing offenses, or any racketeering offense under Section 18-7801 et seq., Idaho Code, in which any of the foregoing offenses constitutes at least one (1) of the predicate acts, or any other crime defined in the Idaho Code involving any form of theft or including fraudulent intent as an element, or an offense equivalent to any of the foregoing in any other jurisdiction. (4-2-08)

18. Direction. Direction, at its broadest term, allows an employing agency to utilize a Level II reserve officer to work under the immediate presence and direction of a full-time peace officer of the same agency. This does not allow a Level II reserve officer to operate alone in his official capacity. He shall must be under direct observation and control of the agency's full-time peace officer. (3-29-12)(____)

19. Field Training. Training in which an individual receives formal instruction on the job for special and defined purposes. (7-1-93)

20. Full Time. Employment of one hundred sixty (160) hours or more per month for ninety (90) consecutive calendar days. (4-2-08)

21. In-Service Training. Training designed to refresh or add to an individual's capabilities to do the task to which they are or may be assigned. (7-1-93)

22. Juvenile Detention Center. A juvenile detention facility that is part of or administered by the county or any political subdivision thereof and is responsible for the safety, care, protection, and monitoring of juvenile offenders. (4-2-08)

23. Juvenile Detention Officer. Any employee of a juvenile detention center who is responsible for the safety, care, protection, and monitoring of juvenile offenders held in the detention center. (4-2-08)

24. Juvenile Probation Officer. Any employee of a juvenile probation department who is responsible for preparing social history reports to the court, making recommendations regarding conditions of probation, and the supervision of juvenile offenders' compliance with court orders. (4-2-08)

25. Juvenile Training Council. An advisory group to the POST Council that is composed of the Director of the Department of Juvenile Corrections, a Magistrate, a county Juvenile Detention Director, a county Chief Probation Officer, a county Commissioner, a county Clerk, and a county Sheriff. The purpose of the Juvenile Training Council is to advise POST Council in the planning, development, and operation of the Juvenile Detention and Juvenile Probation Academies. (4-2-08)

26. Law Enforcement Profession. As used in agreements authorized pursuant to Section 19-5112, Idaho Code, means an employee of a police or law enforcement agency that is a part of or administered by the state or any political subdivision thereof and whose duties include and primarily consist of the prevention and detection of crime and the enforcement of penal, traffic or highway laws of this state or any political subdivision; an employee in a county jail who is responsible for the safety, care, protection, and monitoring of county jail inmates; an employee of a juvenile detention center that is part of or administered by the county or any political subdivision thereof and who is responsible for the safety, care, protection, and monitoring of juvenile offenders held in the detention center; an employee of a county juvenile probation department who is responsible for preparing social history reports to the court, making recommendations regarding conditions of probation, and the supervision of juvenile offenders' compliance with court orders; an employee of an Idaho Department of Correction facility or private prison contractor of the State Board of Correction who is responsible for the first-line supervision, security, protection, and risk reduction of offenders housed in the correction facility; or an employee of the Idaho Department of Correction who is responsible for the supervision of offenders on probation or parole. (4-2-08)

27. Manual. This book of Rules as adopted by the Idaho Peace Officer Standards and Training Council. (4-5-00)

28. Part Time. Employment of less than one hundred sixty (160) hours per month for ninety (90) consecutive calendar days. (4-2-08)

29. Part-Time Juvenile Detention Officer. Any employee of a juvenile detention center that is part of or administered by the county or any political subdivision thereof and who is responsible for the safety, care, protection, and monitoring of juvenile offenders held in the detention center, and does not meet the definition of "employee" as defined in Section 59-1302, Idaho Code. (4-2-08)

30. Peace Officer. Any employee of a police or law enforcement agency which is a part of or administered by the state or any political subdivision thereof and whose duties include and primarily consist of the prevention and detection of crime and the enforcement of penal, traffic or highway laws of this state or any political subdivision. "Peace officer" also means an employee of a police or law enforcement agency of a federally recognized Indian tribe who has satisfactorily completed the peace officer standards and training academy and has been deputized by a sheriff of a county or a chief of police of a city of the state of Idaho. (4-5-00)

31. POST. The Idaho Peace Officer Standards and Training Program. (7-1-93)

32. POST Basic Training Academy. The Basic Adult Probation and Parole Academy, the Basic Correction Academy, the Basic Detention Academy, the Basic Juvenile Detention Academy, the Basic Juvenile Probation Academy, or the Basic Patrol Academy. (4-2-08)

33. POST Certified Instructor. Any person certified by the Idaho POST Council as being qualified to instruct or assess students in a course of instruction which meets POST standards for certification or training credit. ()

34. Prosecutor. A city prosecuting attorney, city assistant prosecuting attorney, county prosecuting attorney, county deputy prosecuting attorney, attorney general, deputy attorney general, United States attorney, or assistant United States attorney. (4-2-03)

~~34. Qualified Instructor. Any person certified by the Idaho POST Council as being competent to teach in a Council approved school.~~ (4-2-08)

35. Reserve Peace Officer. An individual assigned by an agency to perform the duties of a peace officer on a part-time basis. All reserve officers shall must be under supervision as set forth in these rules unless they hold a current Part-Time Basic certificate. (4-2-08)()

36. School. Any school, college, university, academy, or local training program which offers law enforcement training and includes within its meaning the combination of course curriculum, instructors and facilities, or any training session as certified by POST. (7-1-93)

37. School Director or Coordinator. An individual charged with the responsibility of conducting a training school under the provisions of the Act. (7-1-93)

38. Specification. A description of a requirement supplementing a section of the Rules. (7-1-93)

39. Supervision. Supervision allows the employing agency to utilize a Level I reserve officer to work by himself without the immediate presence or direction of a full-time peace officer, but acting under the overall on-duty supervision of an on-duty, full-time peace officer. This may allow a Level I reserve officer to work alone in his jurisdiction, without immediate oversight of an agency full-time peace officer, as long as there were another full-time peace officer of the agency working at the same time to provide supervision of the Level I reserve officer's activities. (3-29-12)

40. Temporary. Employment of less than ninety (90) consecutive calendar days. (7-1-93)

41. Trainee. An officer participating in any POST approved training program. (3-15-02)

041. THE RECORDS SYSTEM.

01. Training File. The Idaho Peace Officer Standards and Training Council will maintain a training file on all Idaho law enforcement officers. Officer certifications granted and ~~certified~~ POST-approved training schools attended by officers will be recorded in these files. (4-5-00)(____)

02. Notification of Employment/Termination. The agency head of any agency whose officers are required to attend a POST Basic Training Academy ~~shall~~ must notify the Council of all presently employed officers every January and July. The names of all officers hired after submission of the original list must be submitted to the Council within fifteen (15) days of employment. The termination of an officer's employment must also be relayed to the Council within fifteen (15) days of such action on an appropriate form designated by the Council. (4-2-08)(____)

03. Training Record. A training record listing all ~~certified~~ POST-approved courses an officer has completed, the hours credit, and other pertinent data will be kept along with the officer's file. (4-5-00)(____)

~~04. Other Law Enforcement Personnel. A file on other law enforcement personnel may be maintained. This file will contain records for other law enforcement persons who successfully complete POST-certified courses.~~ (4-5-00)

05. Instructors. Names of certified instructors will be maintained. (4-5-00)

06. Instructors and Schools. A list of approved instructors and schools will be maintained. (4-5-00)

042. PROCEDURE.

01. Application. Each individual officer may apply for certification when they have met the requirements. When they are certified by the Council, this is entered into their file. (Refer to "Certification of Peace, Detention, Juvenile Detention, and Juvenile Probation Officers.") (4-2-08)

02. Roster. School coordinators will furnish to the Council a "Course Attendance Roster" on the appropriate form designated by the Council upon the completion of each certified training school. (Refer to "School Formation and Certification Required Documentation For School or Course Approval.") (4-2-08)()

251. GENERAL PROVISIONS.

01. Purpose. The Instructor Certification process ~~is~~ is established for the purpose of recognizing competence training, assessing and approving a person as an instructor of law enforcement subjects and/or general subjects pertinent to law enforcement personnel. (4-2-03)()

~~02. Certification. The Council shall certify instructors who meet the requirements set forth in Sections 250 through 256 and are deemed qualified to teach one (1) or more of the prescribed training courses.~~ (4-2-03)

~~03. Applications. All applications for award of Instructor Certificates shall be completed by the applicant on the prescribed "Certified Instructor Packet" as provided by the POST Council.~~ (4-2-03)

~~042. Submission Certification. The Certified Instructor Packet shall be submitted by the applicant to his agency head who shall review it prior to signing it and forwarding it to the POST Regional Training Specialist~~ The Council will certify applicants who meet the requirements set forth in Sections 250 through 256 and are deemed qualified to develop and instruct training courses to POST standards. Certificates shall will be issued to the agency head or school director for award to the applicant. (4-2-03)()

~~053. POST Training Credit. No~~ The POST Council will grant training credit shall be given for attendance at a school-taught successful completion of training sponsored and conducted by the POST Council or instructed entirely by one (1) or more instructors who are not POST-certified instructors, or an approved instructor as defined in Subsection 09 of this section, provided the training is properly documented and meets established POST standards regarding measurable, verifiable training. However, POST training credit may be given for attendance at a school taught by an instructor seeking instructor certification in the respective subject pursuant to Sections 250 through 256. (4-2-03)()

~~06. POST-Certified School. A school taught by one (1) or more POST-certified instructors in their respective subjects shall be considered a POST-certified school. (4-2-03)~~

~~074. Quality. Instructor certification cannot insure good is not a guarantee of quality instruction. Therefore, it shall will be the continuing responsibility of agencies, school directors or coordinators to see that instructors are assigned only subjects which they are qualified to teach and are supervised on a regular basis and POST Academy and Regional Training Specialists to supervise, monitor and audit instructors and courses to insure ensure that instructional excellence is maintained. (4-7-11)()~~

~~05. Suspension. Instructor certification may be suspended by the POST Division Administrator whenever an instructor significantly or repeatedly fails to develop, document, conduct or report training activities according to POST standards, or fails to abide by the POST Instructor Code of Ethics. ()~~

~~a. Suspensions are not punitive, and will only be initiated for the purpose of maintaining the integrity of POST standards and training activities. ()~~

~~b. Suspensions are temporary and will remain in effect no longer than one (1) year, pending review. ()~~

~~c. A suspension will initiate an immediate review of the suspended instructor's certification to determine if a revocation is warranted. ()~~

~~086. Revocation. Instructor certification may be revoked by the Council whenever an instructor is deemed to be unqualified to continue teaching instructing. Review of instructor certification may be initiated upon the request of an agency head, school director or coordinator, POST Division Administrator or other reliable source. Such review may also be initiated by the Council in the absence of external requests or complaints. (4-2-03)()~~

~~097. Exceptions POST Approval in Lieu of Certification. Judges, attorneys, educators, doctors, federal officials, state officials, and other non-police personnel are exempt from the instructor certification requirements, and should may be utilized as "Approved" instructors when their talents are expertise is deemed appropriate. The POST Council may grant training credit for training provided by an independent expert when the expert: (4-7-11)()~~

~~a. Has completed a POST-approved instructor orientation course; or ()~~

~~b. Acts as a presenter, guest speaker or panel member of a course facilitated by a POST-certified instructor; or ()~~

~~c. Acts as a presenter, guest speaker or panel member at a management or executive level course or seminar (for management or executive credit only). ()~~

252. REQUIREMENTS FOR INSTRUCTORS OF LAW ENFORCEMENT SUBJECTS.
The requirements in Sections 250 through 252 are necessary for award of the instructor

certificateion for law enforcement subjects and/or general subjects pertinent to law enforcement personnel: (4-2-03)(____)

01. Law Enforcement Experience. The applicant ~~shall~~ must have a minimum of three (3) years of law enforcement experience, possess a current or previous Idaho POST professional certification, and may not have been previously decertified as a public safety official of any jurisdiction. (4-2-03)(____)

~~02. Education. The applicant shall be a high school graduate or the equivalent as recognized by the Council.~~ (4-2-03)

~~032. Instructor Development Course. The applicant shall have~~ must satisfactorily completed ~~an~~ the Idaho POST Instructor Development Course approved by the Council. ~~The Council may waive this requirement in exceptional cases reflecting outstanding education, experience, or achievement; or under unusual circumstances upon written application by a school director or coordinator.~~ (4-2-03)(____)

~~043. Subsequent Applications. A current POST-certified instructor in good standing is not required to complete the Instructor Development Course again when making application for an instructor certification endorsement in an additional subject and who has already satisfactorily completed an Instructor Development Course approved by the Council shall not have to complete the course again.~~ (4-2-03)(____)

~~054. Conducted Energy Device Instructor Certification Endorsement. An applicant POST Certified Instructor applying for Conducted Energy Device Instructor Certification shall Endorsement must provide proof of successful completion of the device manufacturer's "operator" and "instructor" courses for the Conducted Energy Device they will be instructing in to obtain or maintain POST instructor endorsement for the device.~~ (4-7-11)(____)

~~253. REQUIREMENTS FOR INSTRUCTORS OF GENERAL SUBJECTS PERTINENT TO LAW ENFORCEMENT PERSONNEL.~~

~~The requirements in Sections 250, 251, and 253 are necessary for award of the instructor certificate for general subjects pertinent to law enforcement personnel such as criminal law, human relations, and management topics:~~ (4-2-03)

~~01. Experience. The applicant shall have a minimum of three (3) years of experience in the subject area to be instructed.~~ (4-2-03)

~~02. Education. The applicant shall have a baccalaureate or higher degree in a related field.~~ (4-2-03)

~~03. Recommendation. The applicant shall be recommended by a school director or coordinator.~~ (4-2-03)

2543. PROCEDURES FOR POST INSTRUCTOR CERTIFICATION.

01. Application for the Instructor Development Course. After meeting the requirements set out in Sections 250, and 251, and either 252 or 253, the applicant shall must submit to his POST Regional Training Specialist a completed POST “Certified Instructor Packet;” to his POST Regional Training Specialist, which shall must include: (4-2-03)()

a. ~~Three (3) letters~~ A signed attestation of recommendation eligibility for certification; (4-2-03)()

b. ~~A resume of schools attended in preparation for instructing the selected subject~~
The applicant’s agency head’s or school director’s signature; (4-2-03)()

e. ~~A lesson plan, including visual aids, equipment needed, handouts, performance objectives, and test questions with answers.~~ (4-2-03)

02. Evaluation Completion of the Instructor Development Course. Applicants for Instructor Certification must attend and successfully complete all of the requirements of the POST Instructor Development Course. (4-2-03)()

03. POST Instructor Certification. Pending written notification of certification, Instructor Development Course graduates may only observe or co-instruct courses which generate data or records for POST certification, recognition or credit. Applicants may only act as a lead instructor as part of the evaluation process conducted by a POST Regional Training Specialist. ()

a. ~~Within two (2) weeks after submitting the packet, t~~The applicant shall must contact his POST Regional Training Specialist upon successful completion of the POST Instructor Development Course to set up a time for the Training Specialist to monitor evaluate a class the applicant is instructing. In addition to evaluating the quality of instruction provided by the applicant, the Training Specialist shall take into consideration background, education, achievement, teaching experience, and qualifications, as well as such variables as need, region, and recommendations. (4-2-03)()

b. ~~A current POST-certified instructor making application for instructor certification in an additional subject and who has previously had a class monitored by a POST Training Specialist shall not be required to have a class in the additional subject monitored.~~ Applicants who fail to arrange for and complete an evaluation within one (1) calendar year of completion of the Instructor Development Course may be required to complete a POST Instructor Orientation Course prior to proceeding with the certification process. (4-2-03)()

03c. ~~Recommendation.~~ After ensuring all requirements are met and the Certified Instructor Packet is complete evaluating the applicant for compliance with POST standards for certification as an instructor, the POST Regional Training Specialist shall will attach his comments and recommendation to the Certified Instructor Ppacket and forward it to the POST Division Administrator. ()

d. The POST Division Administrator shall will review the POST Regional Training Specialist's evaluation and recommendation, and upon approval, issue the POST Instructor Certification. (4-7-11)()

e. POST will notify applicants in writing of their certification status. ()

254. PROCEDURES FOR HIGH LIABILITY INSTRUCTOR ENDORSEMENT.

01. Requirements. POST Certified Instructors must obtain additional endorsements to instruct topics related to Defensive Tactics, Firearms, Conducted Energy Devices, Emergency Vehicle Operations and any other topic deemed as "high liability" by the POST Council. High liability topic instructor endorsement must be maintained as required by Subsection 256.02.e. ()

02. Application. After meeting the requirements set out in Sections 250 through 253, the applicant must submit a completed POST High Liability Instructor Endorsement Application Packet to his POST Regional Training Specialist. Upon notification from the POST Regional Training Specialist, the applicant may begin observation of instruction in the topic for which the application was submitted. The POST High Liability Instructor Endorsement Application Packet must include: ()

a. A resume of experience and schools attended in preparation for instructing the selected subject; ()

b. The applicant's agency head's or school director's signature. ()

03. Completion of a High Liability Instructor School. An applicant for High Liability Instructor Endorsement must attend and successfully complete all of the requirements of the POST instructor course specific to the high liability area he intends to instruct. ()

a. The POST Regional Training Specialist will verify the high liability instructor school roster bearing the applicant's name. ()

b. Upon notification from the POST Regional Training Specialist, the applicant may begin co-instruction of the topic for which the application was submitted, in preparation for evaluation as an endorsed instructor in the high liability area. ()

04. Evaluation. Prior to evaluation by a POST Regional Training Specialist, high liability instructor endorsement applicants are not approved to act as a lead instructor for any course offered for POST training credit in the topic for which the application was submitted. Within one (1) calendar year after completing the high liability instructor school, the applicant must arrange and complete a practical evaluation conducted by his POST Regional Training Specialist. In addition to evaluating the quality of instruction provided by the applicant, the Training Specialist will take into consideration documented observation and co-instructor experience, and recommendations of currently endorsed instructors. ()

05. Recommendation. After ensuring all requirements are met and the High Liability Endorsement Instructor Packet is complete, the POST Regional Training Specialist will attach his recommendation to the packet and forward it to the POST Division Administrator. The POST Division Administrator or his designee will review the POST Regional Training Specialist's evaluation and recommendation, and upon approval, issue the endorsement. ()

06. Multiple Endorsements. A current POST-endorsed high liability instructor making application for instructor endorsement in an additional high liability topic must meet the requirements of this section for the additional topic prior to endorsement in that topic area. ()

255. EXPIRATION.

01. Valid Instructor Certification. Instructor certification shall will remain valid for a period of two (2) years with the exception of firearms instructor certification which shall remain valid for a period of one (1) year indefinitely, provided the instructor remains in good standing and complies with all POST requirements for refresher training. (4-7-11)()

a. Instructors who fail to instruct for a period of two (2) years will be deemed inactive and may not instruct as a POST instructor until they have reapplied as required in Subsection 253.01. ()

b. Inactive instructors must complete a POST-approved instructor orientation course. The POST Regional Training Specialist will verify and approve the POST-approved instructor orientation course roster or course record. The POST Division Administrator will then re-issue the instructor certification. ()

02. Valid High Liability Endorsement. Instructor endorsements will remain valid for two (2) years, with the exception of Firearms endorsements which will remain valid for one (1) year, provided the instructor remains in good standing and complies with all POST requirements for refresher training. ()

a. High Liability Instructors who fail to instruct for a period of two (2) years will be deemed inactive with respect to the relevant endorsement(s) and may not instruct as a POST instructor in the topic area(s) until they have reapplied as required in Subsection 254.02. ()

b. Inactive high liability instructors must be re-evaluated by a POST Regional Training Specialist. ()

c. After ensuring all requirements are met and the High Liability Endorsement Instructor Packet is complete, the POST Regional Training Specialist will attach his recommendation to the packet and forward it to the POST Division Administrator. The POST Division Administrator or his designee will review the POST Regional Training Specialist's evaluation and recommendation, and upon approval, re-issue the endorsement. ()

03. Conducted Energy Device. A POST-~~certified~~ endorsed Conducted Energy Device instructor ~~shall~~ must maintain valid certification through the manufacturer for each Conducted Energy Device they are POST-~~certified~~ endorsed to instruct. If their certification through the manufacturer becomes invalid for any reason, their POST Conducted Energy Device Instructor ~~Certification~~ Endorsement for that device ~~shall~~ will immediately be deemed inactive. (4-7-11)()

256. RENEWAL OF HIGH LIABILITY ENDORSEMENT.

01. Notification. At the end of the ~~certification~~ endorsement period, the POST Council will send notification to the instructor, provided the instructor still meets the qualifications for instructor certification and endorsement. (4-11-15)()

02. Requirements. To renew the ~~certification~~ endorsement, the instructor must submit the following to POST Council: (4-11-15)()

a. A teaching log indicating the instruction of at least one (1) class during the last ~~certification~~ endorsement period; (4-2-03)()

b. ~~An updated lesson plan, if any changes have been made since it was last submitted; and~~ (4-2-03)

e. A firearms qualification score sheet witnessed by a current POST-~~certified~~ endorsed firearms instructor other than the renewing instructor. The qualification course must be the POST Council-approved course pertinent to the topic the instructor is certified to teach. This requirement applies only to POST-~~certified~~ endorsed firearms instructors who are renewing their firearms instructor ~~certification~~ endorsement. (4-11-15)()

dc. Instructors must meet ~~recertification~~ endorsement requirements in compliance with Council and applicable industry standards. (4-11-15)()

ed. In addition to the above subsections, instructors of topics related to Defensive Tactics, Firearms, and Emergency Vehicle Operations must complete a minimum of eight (8) hours of continuing instructor training every two (2) years, to include use of force law, liability, and further instructor training specific to the knowledge and skills to teach in the ~~certified~~ endorsed instructional topic area(s). (4-11-15)()

fe. Conducted Energy Device instructors must submit proof of successful completion of the manufacturer's recertification requirements for each Conducted Energy Device they are POST-~~certified~~ endorsed to instruct. (4-11-15)()

281. POST TRAINING CREDIT: APPROVAL OF FORMAL SCHOOLS FORMATION AND CERTIFICATION OTHER COURSES OF INSTRUCTION.

282. GENERAL PROVISIONS.

01. Purpose. School ~~certification~~ and course approval is established for the purpose of recognizing schools training deemed adequate to effectively teach law enforcement subjects and/or general subjects pertinent to law enforcement personnel. (4-2-03)()

02. ~~Certification Approval~~. The Council ~~shall certify~~ may approve schools or courses ~~deemed adequate to effectively teach one (1) or more of the prescribed~~ that meet established POST standards regarding measurable, verifiable training ~~courses~~. (4-2-03)()

03. ~~Applications~~. All applications for award of school certification ~~shall be completed by the school director on the prescribed "Application for Certification of School" as provided by the POST Council~~. (4-2-03)

04. ~~Submission~~. The Application for Certification of School form ~~shall be submitted by the school director to his agency head who shall review it prior to signing it and forwarding it to the POST Regional Training Specialist~~. (4-2-03)

05. Appeal. In the event that ~~certification~~ approval is denied, appeal may be made directly to the Council. (7-1-93)()

064. No POST Training Credit. No POST training credit ~~shall~~ will be given for attendance at a school that has not been ~~certified~~ approved by the Council. (4-2-03)()

075. ~~POST-Certified~~Approved School or Course. ~~A school sponsored and conducted by the POST Council or a school taught by a POST-certified instructor in their respective subject shall be considered a POST-certified school. In addition to training instructed according to Subsection 251.04 of these rules, the POST Council will grant training credit for schools and organized collections or series of courses according to the following criteria:~~ (4-2-03)()

a. A school or course facilitated by a POST-certified or approved instructor which is taught in whole or in part by one (1) or more instructors who are not POST-certified or approved will be considered a POST-approved school provided the training meets the requirements of Section 284. ()

b. A school or course provided by a third party will be considered a POST-approved school provided the sponsoring agency provides documentation meeting the pre-approval status requirements of Subsection 284.02, and if applicable, Sections 306 through 310. All schools or courses approved pursuant to this subsection are subject to the provisions of Section 285, "Course Evaluation Fee." ()

c. A school or course which is taught or delivered outside of the state of Idaho will be considered a POST-approved school provided the trainee provides either documentation of POST course approval of the host state or documentation of International Association of Directors of Law Enforcement Standards and Training (IADLEST) national course certification

and provides a certificate indicating successful completion of the training within thirty (30) days of the completion of the training session. ()

d. Any management or executive-level school or course attended for the purpose of compliance with Sections 119 or 120 of these rules by a trainee currently holding a command level rank will be considered a POST-approved school provided the trainee provides a certificate indicating successful completion of the training within thirty (30) days of the completion of the training session. ()

~~08. Revocation. Certification may be revoked by the Council whenever a school is deemed to be inadequate. In such event, the head of the sponsoring agency of the school shall be notified by the Council. The school may be recertified by the Council when it deems the deficiencies have been corrected.~~ (4-2-03)

283. EXAMINATIONS.

Written examinations may be required of each trainee in each school ~~certified~~ approved by the Council for thirty-five (35) or more POST training hours. (4-2-03)()

284. ~~CERTIFICATES OF COMPLETION.~~

~~Certificates of completion may be issued by the Council to those satisfactorily completing schools worth thirty five (35) or more POST training hours.~~ (4-2-03)

285. ~~SCHOOL CERTIFICATION.~~

~~01. Temporary Certification. Temporary certification may be granted for a specific law enforcement training school offered on a one (1) time or infrequent basis. Temporary certification shall be issued for a definite period of time not to exceed one (1) year.~~ (4-2-03)

~~02. Continuing Certification. Continuing certification may be granted for longer than one (1) year for law enforcement training schools offered on a regular basis. Such certification may be reviewed at any time at the discretion of the POST Division Administrator.~~ (4-2-03)

286. PROCEDURES REQUIRED DOCUMENTATION FOR SCHOOL OR COURSE APPROVAL.

~~01. Application Documentation. The completed Application for Certification of School form shall~~ Documentation must be submitted ~~to~~ by the POST ~~certified or approved instructor acting as the lead instructor or facilitator for the training~~ Regional Training Specialist a ~~minimum of thirty (30) days prior to the start of the school, and shall~~ must include: (4-2-03)()

a. A course outline; (4-2-03)

b. A course description of the subject material being offered and the time period to be devoted to each subject area; (4-2-03)

- c. ~~A schedule of classes;~~ (4-2-03)
- d. ~~A statement about the law enforcement personnel to whom it shall will be directed;~~ (4-2-03)()
- ed. ~~A resume on each instructor, unless the instructor is a POST-certified or approved instructor; and~~ (4-2-03)()
- fe. ~~A lesson plan meeting the guidelines presented in the POST Instructor Development and POST Instructor Orientation Courses, unless the lesson plan is permanently on file at the sponsoring agency, including all performance objectives and any documentation of the assessment method(s) used to verify student participation and/or measure the students' completion of the performance objectives.~~ (4-2-03)()

~~02. Evaluation. An evaluation of the school shall be made on the basis of the information provided in the Application for Certification of School. A school inspection may be conducted by the Council or its representative as part of the certification procedure. If there is still a question about whether or not the school shall be certified after the evaluation is complete, the POST Council shall review the application and determine whether the school shall be certified. Submission Deadlines. The documentation listed in Subsection 284.01 must be submitted to the POST Regional Training Specialist within the following timeframes to be eligible for POST training credit:~~ (4-2-03)()

a. ~~For pre-approval status, documentation should be submitted as early as possible and must be submitted no later than thirty (30) days prior to the start of the training session, school or course. All third-party training must be pre-approved, with the exception of management or executive-level training.~~ ()

~~03b. Notification. Notification of approval or denial of the request for certification shall be sent in the form of a letter from the POST Regional Training Specialist to the agency head. If approval is granted, the letter shall indicate how many POST training hours shall be awarded for completion of the training. Documentation should be submitted as early as possible and must be submitted no later than thirty (30) days following the completion of a training session, school or course, including management or executive-level training.~~ (4-2-03)()

~~043. Course Attendance Roster. The school director shall submit the original copy of the An original or electronic POST Course Attendance Roster to the POST Regional Training Specialist within seven must be submitted by the POST-certified or approved instructor acting as the lead instructor or facilitator no later than thirty (730) days of following the completion of the a training session, school or course for POST training credit approval.~~ (4-2-03)()

287. THE SCHOOL DIRECTOR.

~~01. Responsibilities. The school director shall be responsible for the overall supervision of the school, including, if applicable:~~ (4-2-03)

- a. ~~Arranging for qualified instructors;~~ (4-2-03)
- b. ~~Arranging for adequate facilities such as classrooms, gymnasium, safe firearms ranges, etc.;~~ (4-2-03)
- e. ~~Applying for POST certification of school;~~ (4-2-03)
- d. ~~Providing for food and lodging for trainees where appropriate;~~ (4-2-03)
- e. ~~Preparing and grading examinations;~~ (4-2-03)
- f. ~~Grading classroom notebooks; and~~ (4-2-03)
- g. ~~The conduct and discipline of the trainees.~~ (7-1-93)

~~02. Determination of Successful Completion. The school director shall make the final determination as to whether a trainee has successfully completed all reasonable standards and requirements of the training course. The school director shall also have the authority to dismiss from the school any trainee prior to the completion of the course if, in the school director's opinion, the trainee is unable or unwilling to successfully complete the prescribed training course. Immediately upon such dismissal, the school director shall submit a written report to the Council and the trainee's agency head with a detailed explanation of the action.~~ (4-2-03)

~~03. Records. The school director shall maintain complete records on each trainee. Within seven (7) days of completion of the school, he shall submit the original copy of the POST Course Attendance Roster to the POST Regional Training Specialist.~~ (4-2-03)

~~288.—295. (RESERVED)~~

~~296. CERTIFICATION OF HIGH LIABILITY SCHOOLS.~~

~~In addition to the requirements set forth in Sections 281 through 287 of these rules, the requirements in Sections 296 through 298 are necessary for evaluation of the request for certification of a high liability school.~~ (4-2-03)

~~297. REQUIREMENTS.~~

~~01. Determination of High Liability. The POST Training Specialist shall have the discretion to make the determination whether the school includes an element of risk or potential damage or injury to the trainees, property, or a third party not directly involved with the school. If such a determination is made, some or all of the following may be required:~~ (4-2-03)

- a. ~~Course evaluations from past participants or from agencies having direct knowledge of the course content and presentation;~~ (4-2-03)
- b. ~~A list of past participants having direct knowledge of the course content and presentation;~~ (4-2-03)

- e. ~~Documentation of certification of the school in other states;~~ (4-2-03)
 - d. ~~A complete lesson plan, to include:~~ (4-2-03)
 - i. ~~How the material relates to Idaho Code;~~ (4-2-03)
 - ii. ~~Any applicable court rulings;~~ (4-2-03)
 - iii. ~~Any content warnings or precautions;~~ (4-2-03)
 - iv. ~~A safety plan; and~~ (4-2-03)
 - v. ~~A legal review.~~ (4-2-03)
 - e. ~~A demonstration of the course for the POST Training Specialist and/or a subject matter expert who shall evaluate the content and presentation.~~ (4-2-03)
02. ~~Specialized Equipment. Any associated costs or specialized equipment needed for the evaluation process shall be provided by the applicant at the time of application.~~ (4-2-03)
03. ~~Liability Disclaimer. A liability disclaimer indemnifying the state of Idaho may be required as a condition of POST certification of the school.~~ (4-2-03)

2985. COURSE EVALUATION FEE.

01. Fee Schedule. The entity making application ~~shall~~ will be charged a course evaluation fee at the time of application. The course evaluation fee schedule is as follows: (4-2-03)(____)
- a. The fee for evaluating a one (1) to four (4) hour course ~~shall~~ will be two hundred dollars (\$200). (4-2-03)(____)
 - b. The fee for evaluating a five (5) to eight (8) hour course ~~shall~~ will be four hundred dollars (\$400). (4-2-03)(____)
 - c. The fee for evaluating a nine (9) to sixteen (16) hour course ~~shall~~ will be six hundred dollars (\$600). (4-2-03)(____)
 - d. The fee for evaluating a seventeen (17) to twenty-four (24) hour course ~~shall~~ will be eight hundred dollars (\$800). (4-2-03)(____)
 - e. The fee for evaluating a twenty-five (25) to forty (40) hour course ~~shall~~ will be one thousand dollars (\$1,000). (4-2-03)(____)

f. The fee for evaluating a course in excess of forty (40) hours shall will be a combination of the above as determined by the POST Division Administrator. (4-2-03)(____)

02. Exception. The course evaluation fee shall will not be charged for courses developed and conducted by governmental agencies. (4-2-03)(____)

03. Waiver. The course evaluation fee may be waived in whole or in part at the discretion of the POST Division Administrator. (4-2-03)

29986. -- 305. (RESERVED)

306. ~~CERTIFICATION OF SCHOOLS~~ APPROVAL OF TRAINING UTILIZING ALTERNATIVE METHODS OF TRAINING DELIVERY.

307. ALTERNATIVE METHODS OF TRAINING DELIVERY.

Alternative methods of training delivery shall may include, but not be limited to, the following types of technology: (4-2-03)(____)

- 01. Videotape; (4-2-03)
- 02. Television-Based; (4-2-03)
- 03. Computer-Based; (4-2-03)
 - a. Simulator; (4-2-03)
- 04. Web-Based; (4-2-03)
 - a. Distance learning; (4-2-03)
 - b. On-line interactive; and (4-2-03)
- 05. Correspondence. (4-2-03)

308. GENERAL PROVISIONS.

01. Minimum Length. Each course shall must be a minimum of two (2) hours in length. (4-2-03)(____)

02. Notification. Notification of approval or denial of the request for ~~certification~~ shall approval will be sent in the form of a letter from the POST Regional Training Specialist to the applicant. If approval is granted, the letter shall will indicate how many POST training hours shall will be awarded for completion of the training. (4-2-03)(____)

03. Examinations. (4-2-03)

a. Upon completion of the course, each trainee ~~shall~~ must be given an examination to assess their knowledge of the course material. The examination ~~shall~~ must be proctored by an Idaho POST-certified instructor or a subject matter expert approved by POST prior to the examination. (4-2-03)()

b. Only those trainees receiving a passing score on the examination ~~shall~~ will be awarded POST training hours for the course. (4-2-03)()

04. POST Training Credit. To receive credit on their POST training record, the trainee ~~shall~~ must submit the following to POST: (4-2-03)()

a. The certificate of completion; (4-2-03)

b. A signed statement from their agency head or school director verifying participation and completion of the course. (4-2-03)()

05. Falsification of Information. The POST Council may proceed with decertification proceedings against any officer who falsifies any information. (4-2-03)

06. Liability Disclaimer. A liability disclaimer indemnifying the state of Idaho ~~shall~~ must be printed on all commercially-developed or distributed training materials ~~certified approved~~ by POST Council. (4-2-03)()

309. REQUIREMENTS.

In addition to the requirements set forth in Sections 281 and 282 of these rules, the requirement in Sections 306 through 311 are necessary for evaluation of the request for certification of a school utilizing an alternative method of training delivery. (4-2-03)

01. Training Medium. The training medium utilized ~~shall~~ must be indicated on the Application for Certification of School. (4-2-03)()

02. Specialized Equipment. Any specialized equipment, software, network access, etc. needed for the evaluation process ~~shall~~ must be provided to POST free-of-charge by the applicant at the time of application. (4-2-03)()

03. Course Evaluation Fee. A course evaluation fee ~~shall~~ must be charged pursuant to Section 2985 of these rules. (4-2-03)()

310. RECORDS.

A course file ~~shall~~ must be maintained by the ~~applicant~~ host agency or facilitating instructor and ~~shall~~ must be readily available to POST Council. The file ~~shall~~ must include: (4-2-03)()

01. Name. The name of the course provider; (4-2-03)

02. The Lesson Plan; (4-2-03)

- 03. Objectives. The course learning objectives; (4-2-03)
- 04. Hours Awarded. The number of POST training hours awarded; (4-2-03)
- 05. Attendance. The attendance policy and the methodology for ascertaining and validating trainee attendance and participation, such as secure password, attendance roster, encrypted passcode, etc. (4-2-03)
- 06. Assessment Record. The trainee assessment record; (4-2-03)
- 07. Certificate of Completion. The names of the trainees awarded a certificate of completion and the date they completed the course; and (4-2-03)
- 08. Course Evaluations. The Course Evaluations by the Trainees. (4-2-03)

311. CERTIFICATES OF COMPLETION.

The ~~applicant shall~~ host agency or facilitating instructor will issue a certificate of completion to each trainee successfully completing the training course. The certificate ~~shall~~ will include the following information: (4-2-03)(____)

- 01. Course Provider. The name of the course provider; (4-2-03)
- 02. Trainee. The name of the trainee successfully completing the course; (4-2-03)
- 03. Date. The date the trainee completed the course; (4-2-03)
- 04. Hours. The number of course hours completed; and (4-2-03)
- 05. Course ~~Administrator~~ Facilitator. The name of the ~~person~~ POST-certified or POST-approved instructor responsible for the general administration of the course. (4-2-03)(____)

312. -- 320. (RESERVED)

Sharon Harrigfeld made a motion to accept the Standards Subcommittee’s recommendations. Shane Turman seconded, and the motion carried unanimously.

16. Training Subcommittee Report

Lorin Nielsen presented the following update from the August 24, 2015 Training Subcommittee meeting:

The PSAP Board presented to the subcommittee a proposal for mandatory POST hiring, basic training, continuing training, and certification standards for part-time and full-time emergency communications officers. The issue will be taken before the Sheriffs’ Association, the Chiefs of Police Association, and the Fire and EMS Associations. Although the PSAP Board is not ready

to make a formal presentation to the POST Council, they will provide an update at the December POST Council meeting.

Jeff Lavey stated after thinking about this further, POST might not be the appropriate organization to certify emergency dispatchers responsible for several different disciplines to include police, fire, and EMS.

Victor McCraw stated it is adding an entire new discipline to POST. He prefers POST get out of the business of training communications officers and only train communications officer instructors. Those instructors would then go back to their jurisdictions and train the students. That would be less expensive and easier for POST to manage. All of the emergency communications officers would have to be certified at the higher police level since they'd be privy to everything that police agencies have access to. Bringing everyone up to that level will be a significant task statewide.

17. POST-Certified Training Programs (continued)

Jeff Lavey made a motion to allow ISP and Boise PD to conduct their own patrol academies at their own expense as a pilot project over the upcoming year, and afterward the results of their efforts be presented to the Council for evaluation. Paul Panther seconded, and the motion carried unanimously.

Open Campus

Chairman Kevin Fuhr stated sometime in the next week, a special telephonic POST Council meeting may be scheduled to vote on running the September and January Basic Patrol Academies as open campus academies.

18. POST Policy: Written and Demonstrative Assessments

The Council members agreed that future POST policies and procedures should be reviewed by the Standards Subcommittee and a recommendation made to the full POST Council on whether to approve or not.

Victor McCraw presented the following POST policy:

12.08 WRITTEN AND DEMONSTRATIVE ASSESSMENTS

A. General

Students attending Peace Officer Standards and Training (POST) basic academies and related POST-certified basic training programs must meet established minimum standards. The standards must be accomplished satisfactorily by each student for each required objective. Successful completion is measured through written or demonstrative assessments.

Scenario demonstrative assessment is addressed in POST procedure 12.07 Scenario Development, Execution and Assessment.

B. Definitions

“Academy coordinator” means a POST employee directly responsible for a specific training academy or basic academy session.

“Certified training institution” means a POST Council-approved entity certified to provide a POST academy-equivalent program.

“Cheating” means any behavior or pattern of behavior that tends to disrupt, diminish or otherwise jeopardize the integrity of any assessment, or to provide unfair advantage to a student taking the assessment, as determined by the instructor or a POST coordinator and upheld by the POST Division Administrator (administrator).

“Cognitive objectives” means standards of training for which information may be presented, learned, and mastery confirmed through an assessment in which the student provides written responses to questions regarding the material taught.

“Demonstrative assessment” means a student assessment process requiring the student to physically demonstrate mastery of a skill or skills.

“Demonstrative objectives” means standards of training for which information may be presented, learned, and mastery confirmed through a demonstrative assessment.

“High liability topics” means training for firearms, all defensive tactics, Emergency Vehicle Operations Course (EVOC), first aid, use of force, liability, search and seizure, and laws of arrest.

“Performance Objective” means a cognitive or demonstrative standard.

“Proctor” typically means a POST employee who administers a written examination. In rare instances a proctor may be a non-employee approved by POST to administer a written examination, adhering to POST standards for examinations.

“Quiz” means a scored assessment offered during the presentation of course material. Quizzes are developed and scored by the instructor or academy coordinator; they are not typically maintained in the Training Manager System. Quizzes may be used to determine academic progress.

“Training Manager System” (TMS) means an electronic training record and testing database used by POST for developing and scoring examinations, and recording individual test scores.

“Written assessment” means a student assessment process requiring the student to provide information in writing or by electronic text.

C. Written Assessment Development and Maintenance

1. The committee developing the curriculum for the class, or a certified instructor who teaches the curriculum, develops written assessment questions based on the objectives.
2. A minimum of 3 written assessment questions are developed for each objective, and are:
 - a. maintained within the TMS;
 - b. available for preparing academy instructors prior to instructing the class;
 - c. reviewed by instructors only at secure locations maintained by POST;
 - d. under the control of a POST employee during the review and may not be copied by instructors or taken from the review location; and
 - e. no notes made may be taken from the review location.
3. Training coordinators provide the Curriculum, Standards and Certification (CSC) section the course objectives no later than 72 hours prior to the scheduled assessments.
4. CSC staff develops written assessments from the TMS based on the course objectives taught during the previous week's presentations.
5. All academies conduct scheduled written assessments not to exceed 100 questions, with a certification examination not to exceed 200 questions.
6. Law week written assessments do not exceed 150 questions.
7. The DUI/SFST is an officer certification for DUI testing in Idaho, delivered by a subject matter expert and not maintained in the TMS.

D. Administering Written Assessments

1. Proctors ensure the integrity of the examination process:
 - a. provide examination booklets, answer sheets and information regarding the assessment process to students;
 - b. monitor student behavior during examinations;
 - c. report any behavior rising to the level of cheating to the appropriate POST manager or staff;
 - d. provide appropriate explanation of written assessment statements or answer choices; and
 - e. collect completed examination booklets and answer sheets.
2. POST provides reasonable accommodation for persons with a known disability affecting written assessments, in accordance with the Americans with Disabilities Act:
 - a. when notified prior to the date of the scheduled written assessment; and
 - b. with documentation of the disability.

E. Scoring Written Assessments

1. Students must achieve a minimum score of 75% for most scheduled written assessments.
2. Firearms and EVOC written assessments require a passing score of 80%.
3. Proctors:
 - a. collect examination booklets and answer sheets at the end of the test period; and
 - b. immediately (or by overnight mail) deliver the materials to the CSC.
4. CSC or other designated POST staff score written assessments.

F. Written Assessment Analysis

1. After test results are generated POST staff produces and reviews a class response analysis report.
2. When more than 50% of students record an incorrect response to a test question POST staff reviews and analyzes the question and the correct answer.
3. POST staff reviews the course lesson plan and PowerPoint (PPT) presentation:
 - a. if the correct answer is contained within the PPT presentation, the question remains valid and staff documents in the TMS where the information appears in the PPT;
 - b. if the correct answer is contained within the lesson plan POST staff contacts the instructor to determine whether or not the material was covered in classroom instruction:
 - 1) when the material was covered in classroom instruction the question remains valid;
 - 2) when the material was not covered in classroom instruction, the question is marked “do not score” and the written assessment is rescored.
4. POST staff provides the academy coordinator with:
 - a. test score reports both alphabetically by student last name and by student identification number;
 - b. the class response analysis report;
 - c. training objective results; and
 - d. training tests objectives are provided after a certification exam only if the student fails.
5. POST staff receives answer sheets for challenge examinations for certified training institutions or agencies:
 - a. after test results are generated, staff produces the test scores and reviews the class analysis response report if appropriate; and
 - b. provides the training test objective results when the student(s) fail the examination.
6. Academy examinations and score sheets are shredded after the period for appeal expires.

7. Challenge examinations and score sheets are shredded immediately following the scoring.

G. Retaking Scheduled Written Assessments

1. A minimum passing grade on each scheduled written assessment is required.
 - a. students failing a scheduled written assessment receive notification of the failure and are placed on academic probation;
 - b. staff counsels the student on the specific problem area(s); and
 - c. develops a study plan.
2. Students may retake failed written assessments, on their own time:
 - a. within 2 to 4 academy days of the initial assessment as scheduled by the academy coordinator;
 - b. POST staff prepares a retake written assessment covering the same material as the original failed exam; and
 - c. provides the written assessment to the academy coordinator.
3. Students failing the retake of a written assessment are dismissed from the academy.
4. Students may only fail and successfully retake two scheduled written assessments.
5. Students failing a third scheduled written assessment may be dismissed from the academy.

H. Retaking the Basic Patrol Certification Written Assessment

1. IDAPA rule 11.1101.101.b governs the retaking of the basic academy certification written assessment.
2. Students who fail the retest of the certification assessment:
 - a. cannot not be certified as Idaho officers; and
 - b. must successfully complete a later academy for certification.

I. Demonstrative Assessment Development and Maintenance

1. CSC staff and subject matter experts develop the demonstrative assessment checklist based on course objectives.
2. Each objective has one skills demonstration test item.
3. POST staff provides the skills demonstration assessment materials to the instructor.

J. Administering and Scoring Demonstrative Assessments

1. Instructors administer demonstrative assessments.

2. Arrest techniques and EVOC demonstrative assessments require a passing score of 80%; each skill demonstrated within the assessment requires a passing score of 80%.
3. Firearms demonstrative assessments passing scores vary:
 - a. the 25-yard handgun short course is defined in IDAPA rule 11.1101. for both daylight and night shooting;
 - b. the shotgun demonstrative assessment requires a minimum score of 70%;
 - c. the patrol rifle demonstrative assessment requires a minimum score of 85%; and
 - d. the 50-yard handgun long course requires a minimum score of 30 points for both daylight and night shooting.
4. The Appropriate Use of Force demonstrative assessment for juvenile detention, correction or probation officers requires a minimum passing score of 80%.
5. Instructors evaluate the demonstrative assessments.
6. POST staff records demonstrative assessment scores in the appropriate location and ensures that the score sheet is retained in the officer's POST file.

K. Retaking Demonstrative Assessments

1. Students may retake demonstrative assessments in which they perform below the minimum acceptable score:
 - a. typically within 2 to 4 academy days of the initial assessment as scheduled by the academy coordinator; and
 - b. POST staff provides the demonstrative assessment to the appropriate instructor.
2. Students may be permitted up to two retests of the skills assessment:
 - a. one after the initial failure to achieve a passing score; and
 - b. a second if granted a limited extended training and retest period.
3. Prior to retest, instructors provide remedial instruction to students failing to successfully demonstrate a skill.
4. Students successfully retesting a demonstrative assessment receive the minimum passing score for the assessment.

L. Skills Training Extension Period

1. A limited extended training and retest period may be offered to students who repeatedly fail to successfully demonstrate a skill, but who have previously demonstrated an exceptional overall performance.

2. A skills training extension is not available to students who:
 - a. demonstrate overall marginal performance;
 - b. resign or voluntarily withdraw from the academy;
 - c. are withdrawn from the academy by the employing agency;
 - d. are dismissed from the academy;
 - e. incur an injury or illness preventing completion of the academy; or
 - f. are subject to disciplinary action.
3. The academy coordinator verbally informs the employing agency:
 - a. that a student is unable to successfully demonstrate a skill after remedial instruction and retest; and
 - b. the agency head can request to remediate the student in the proficiency area.
4. The agency head must submit a written request for a skills training extension within 2 business days of the notification:
 - a. the remediation training schedule, staffing and cost is the responsibility of the employing agency and cannot conflict with any remaining basic training instruction;
 - b. the remediation and retest must occur no later than 30 business days after the scheduled graduation date.
5. Students failing the retest following a skills training extension:
 - a. cannot be certified; and
 - b. must successfully complete a later academy for certification.
6. The employing agency may terminate the training extension of a student during the proficiency skills extension and retest period:
 - a. the student is immediately dismissed from the academy; and
 - b. the student cannot receive POST certification.
7. The retest after remediation is conducted in a manner prescribed by POST.

M. Graduation Following a Skills Training Extension Period

1. The student participates in class graduation if the student achieves a passing score on a retest occurring no later than 2 days prior to the scheduled graduation exercise.
2. The student does not participate in class graduation if the retest occurs after the scheduled graduation exercise.

Ralph Powell made a motion to approve the policy as submitted. Wayne Rausch seconded, and the motion carried unanimously.

Lorin Nielsen made a motion to adjourn. Greg Wooten seconded, and the motion carried unanimously.

The meeting adjourned at 1:09 P.M.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "VRM", with a long horizontal flourish extending to the right.

Victor R. McCraw
Division Administrator
Idaho Peace Officer Standards & Training

VRM:pac