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**IDAPA 11
TITLE 11
CHAPTER 03**

**11.11.03 - RULES OF THE IDAHO PEACE OFFICER STANDARDS AND TRAINING
COUNCIL FOR JUVENILE PROBATION OFFICERS**

000. LEGAL AUTHORITY.

01. Section 20-504(14), Idaho Code. Pursuant to Section 20-504(14), Idaho Code, the Idaho Department of Juvenile Corrections, by rule, and in cooperation with the courts and the counties, shall establish uniform standards, criteria and operating procedures for county juvenile probation services, as well as qualifications for and standards for the training of juvenile probation officers. (5-3-03)

02. Section 19-5109(f), Idaho Code. Pursuant to Section 19-5109(f), Idaho Code, the Peace Officer Standards and Training Council may, upon recommendation of the Juvenile Training Council, implement minimum training and certification standards for juvenile probation officers. (5-3-03)

001. TITLE AND SCOPE.

01. Title. These rules shall be cited as IDAPA 11.11.03, "Rules of the Idaho Peace Officer Standards and Training Council for Juvenile Probation Officers," IDAPA 11, TITLE 11, Chapter 03. (5-3-03)

02. Scope. These rules are established to provide the opportunity for all county juvenile probation officers in the state to receive quality, consistent training to ensure that juveniles receive appropriate supervision. (5-3-03)

002. WRITTEN INTERPRETATIONS.

In accordance with Section 67-5201(19)(b)(iv), Idaho Code, any written statements which might pertain to the interpretations of these rules will be available for public inspection to the extent allowed by Title 9, Chapter 3, Idaho Code, and will be available at the Department of Juvenile Corrections, 400 N. 10th (second floor), P.O. Box 83720, Boise, Idaho, 83720-0285. Additional written interpretations are available for public inspection at 700 South Stratford Drive, Meridian, Idaho 83642, P.O. Box 700, Meridian, Idaho 83680-0700. (5-3-03)

003. ADMINISTRATIVE APPEALS.

Any appeals allowed under these rules shall be governed by the Idaho Administrative Procedure Act and by the IDAPA 04.11.01, "Idaho Rules of Administrative Procedure of the Attorney General". (5-3-03)

004. INCORPORATION BY REFERENCE.

There are no documents that have been incorporated by reference into this rule. (5-3-03)

005. OFFICE -- OFFICE HOURS -- MAILING ADDRESS AND STREET ADDRESS.

01. Idaho State Police, Peace Officer Standards and Training. The principal place of business of the Idaho State Police, Peace Officer Standards and Training, is in Meridian, Idaho. The office is located at 700 South Stratford Drive, Meridian, Idaho and is open from 8 a.m. to 5 p.m., except Saturday, Sunday and legal holidays. The mailing address is: Peace Officer Standards and Training Academy, P.O. Box 700, Meridian, Idaho 83680-0700. The telephone of the office is (208) 884-7250. The facsimile number of the office is (208) 884-7295. (5-3-03)

02. Idaho Department of Juvenile Corrections. The principal place of business of the Idaho Department of Juvenile Corrections is in Boise, Idaho. The office is located at 400 North Tenth Street, Second Floor, Boise, Idaho and is open from 8 a.m. to 5 p.m., except Saturday, Sunday and legal holidays. The mailing address is: Idaho Department of Juvenile Corrections, P.O. Box 83720, Boise, Idaho 83720-0285. The telephone of the office is (208) 334-5100. The facsimile number of the office is (208) 334-5120. (5-3-03)

006. PUBLIC RECORDS ACT COMPLIANCE.

The rules contained herein have been promulgated according to the provisions of Title 67, Chapter 52, Idaho Code, and are public records. (5-3-03)

007. -- 009. (RESERVED).

010. DEFINITIONS.

01. Basic Juvenile Probation Academy. A basic course of instruction for Juvenile Probation Officers as recognized by POST Council. (5-3-03)

02. Challenge Exam. A test to determine a person's competence for waiver of the basic Juvenile Probation Academy. (5-3-03)

03. Juvenile Probation Department. Any public or private agency administered by or contracted with the court, made up of one (1) or more staff to provide juvenile probation services to a county at the expense and concurrence of the county commissioners. Services may include intake, diversion, supervision, restitution, and community service work. (5-3-03)

04. Juvenile Probation Officer. Any 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. (5-3-03)

05. Juvenile Training Council. An advisory group to the POST Council that is represented by the Director of the Department of Juvenile Corrections, a Magistrate, a county Juvenile Detention Director, a county Chief Probation Officer, a county Commissioner, 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 Probation Academy. (5-3-03)

06. Mandatory Certification. To issue a certificate to a juvenile probation officer based upon successful completion of the mandatory training requirements established by POST Council. (5-3-03)

07. Voluntary Certification. To issue a certificate to a juvenile probation officer based upon successful completion of the voluntary training requirements established by POST Council. (5-3-03)

011. -- 029. (RESERVED).

030. JUVENILE PROBATION OFFICER CERTIFICATION.

01. Decertification. The council may decertify any juvenile probation officer in the same manner as provided in IDAPA 11.11.01, "Rules of the Idaho Peace Officer Standards and Training Council," Subsection 091.03. (5-3-03)

02. Certification. The following dates govern voluntary and mandatory certification: (5-3-03)

a. From October 1, 2001 through September 30, 2003, any county Juvenile Probation Officer may receive voluntary certification from POST upon successful completion of the requirements outlined in Sections 031 or 032. (5-3-03)

b. If employed after October 1, 2003, any juvenile probation officer shall be certified by obtaining mandatory certification from the Peace Officer Standards and Training Council within one (1) year of the date the officer was first employed as a juvenile probation officer. (5-3-03)

c. Juvenile probation officers employed prior to October 1, 2003, shall comply with the training and certification provisions of Section 030 by September 30, 2005, however, the requirement for successful completion of the POST Basic Juvenile Probation Academy will be waived if the officer scores a minimum of seventy-five percent (75%) on a challenge examination administered by POST and any other requirements for certification. The officer will be allowed two (2) attempts to pass the examination. The attempts must be no less than thirty (30) days apart and no more than six (6) months apart. If the officer fails both attempts, the officer must successfully complete the POST Basic Juvenile Probation Academy to be certified. (5-3-03)

03. Applications. All applications for award of the Juvenile Probation Officer Certificate shall be completed on the prescribed form "Application for Certification" as provided by the POST Council. (5-3-03)

04. Submission. The Application for Certification form must be submitted by the officer/applicant to the applicant's department head, who shall forward the application to the Council. Certificates will be issued to the department head for award to the applicant. (5-3-03)

05. Minimum Standards. Each applicant must meet the minimum standards for employment and training as provided in IDAPA 11.11.01, "Rules of the Idaho Peace Officer Standards and Training Council," with the exception of height, weight, fitness, and physical disability which will be left to the discretion of the employing agency. (5-3-03)

031. THE BASIC CERTIFICATE.

The following requirements are necessary for award of the basic certificate: (5-3-03)

01. Probation. The applicant must have completed at least a six (6) month satisfactory probationary period (may include basic training academy time). Probationary period may be extended by the agency which could delay certification until the probationary period is satisfactorily completed. This six (6) months' time must be continuous with the department the officer is employed with when applying for certification. Probationary period may not extend over one (1) year for certification purposes. (5-3-03)

02. Basic Training. The applicant shall have completed the POST Basic Juvenile Probation Academy and shall have passed the POST juvenile probation certification examination approved by the Council. The applicant shall be allowed two (2) attempts to pass the examination with a minimum score of seventy-five percent (75%). The attempts must be no less than thirty (30) days apart and no more than six (6) months apart. If an applicant fails both attempts, the applicant must reapply and successfully complete the POST Basic Juvenile Probation Academy to be certified. (5-3-03)

03. Juvenile Probation Training Manual. Successful completion of forty (40) hours of supervised juvenile probation training in the employing department, or another department if necessary, is required. Evidence of such training must be submitted by applicant's employer to POST Council. (5-3-03)

032. CHALLENGE PROCEDURE.

Any juvenile probation officer employed by an Idaho juvenile probation department who has, within the last five (5) years, been employed by another county, state, or the federal government as a juvenile probation officer or a student who has satisfactorily completed a Basic Juvenile Probation Academy equivalent to Idaho's POST Basic Juvenile Probation Academy within the last three (3) years shall be eligible for certification in the state of Idaho without attending the Basic Juvenile Probation Academy, provided the officer: (5-3-03)

01. Documents. Submits a POST Juvenile Probation Certification Challenge Packet to POST Council, which must include copies of transcripts, certificates, diplomas, or other documents that substantiate the officer's training and experience; (5-3-03)

02. Examination. Passes the POST juvenile probation certification examination approved by the Council and administered by a POST Training Specialist, conducted in the manner set forth in Subsection 030.02; (5-3-03)

03. Training. Attends and passes the Idaho POST Juvenile Probation Academy's "Legal and Liability Issues" and "Appropriate Use of Physical Force" training or POST-approved equivalent; and (5-3-03)

04. Probation Period. Satisfactorily completes the probationary period, as required by Subsection 031.01. (5-3-03)

033. -- 999. (RESERVED).

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