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**IDAPA 11
TITLE 11
CHAPTER 04**

**11.11.04 - RULES OF THE IDAHO PEACE OFFICER STANDARDS AND
TRAINING COUNCIL FOR CORRECTION OFFICERS
AND ADULT PROBATION AND PAROLE OFFICERS**

000. LEGAL AUTHORITY.

01. Section 20-214, Idaho Code. Pursuant to Section 20-214, Idaho Code, the State Board of Correction shall have power and authority to specify the training of such assistants, officers and other persons necessary for the proper and efficient administration of the Department of Correction and the Parole and Probation system. (4-11-06)

02. Section 19-5109(g), Idaho Code. Pursuant to Section 19-5109(g), Idaho Code, the Peace Officer Standards and Training Council may, upon recommendation of the Correction Standards and Training Council, implement minimum basic training and certification standards for correction officers and for adult probation and parole officers. (4-11-06)

03. Section 20-241A(3)(c), Idaho Code. Pursuant to Section 20-241A(3)(c), Idaho Code, any contract between the State Board of Correction and a private prison contractor providing for the housing, care, and control of inmates shall require that the private prison contractor provide training to its personnel to a level acceptable to the Idaho Department of Correction. The Idaho Department of Correction may provide training to the personnel of a private prison contractor and may charge a reasonable fee for the training, not to exceed the cost of training. (4-11-06)

001. TITLE AND SCOPE.

01. Title. These rules will be cited as IDAPA 11.11.04, "Rules of the Idaho Peace Officer Standards and Training Council for Correction Officers and Adult Probation and Parole Officers," IDAPA 11, Title 11, Chapter 04. (4-11-06)

02. Scope. These rules constitute the minimum standards of training, education, employment, and certification of correction officers and adult probation and parole officers in Idaho. (4-11-06)

002. WRITTEN INTERPRETATIONS.

In accordance with Section 67-5201(19)(b)(iv), Idaho Code, any written statements which might pertain to the interpretation of these rules or to the documentation of compliance with these rules will be available for public inspection and copying at cost to the extent allowed by Title 9, Chapter 3, Idaho Code, at the Department of Correction, 1299 N. Orchard, Suite 110, P.O. Box 83720, Boise, Idaho, 83720-0018 and at the Idaho State Police, Peace Officer Standards and Training, 700 S. Stratford Dr., P.O. Box 700, Meridian, Idaho 83680-0700. (4-11-06)

003. ADMINISTRATIVE APPEALS.

Rules of procedure in contested cases will be governed by the Administrative Procedures Act. (Title 67, Chapter 52, Idaho Code). (4-11-06)

004. INCORPORATION BY REFERENCE.

There are no documents that have been incorporated by reference into this rule. (4-11-06)

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. (4-11-06)

02. Idaho Department of Correction. The principal place of business of the Idaho Department of Correction is in Boise, Idaho. The office is located at 1299 North Orchard, Suite 110, 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 Correction, P.O. Box 83720, Boise, Idaho 83720-0018. The telephone of the office is (208) 658-2000. The facsimile number of the office is (208) 327-7496. (4-11-06)

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. (4-11-06)

007. -- 009. (RESERVED).

010. DEFINITIONS.

01. 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. (4-11-06)

02. Basic Adult Probation and Parole Academy. A basic course of instruction for Adult Probation and Parole Officers as recognized by POST Council. (4-11-06)

03. Basic Correction Academy. A basic course of instruction for Correction Officers as recognized by POST Council. (4-11-06)

04. 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. (4-11-06)

05. 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. (4-11-06)

011. -- 020. (RESERVED).

021. CERTIFICATION OF CORRECTION AND ADULT PROBATION AND PAROLE OFFICERS.

022. GENERAL PROVISIONS.

01. POST Basic Correction Academy Costs for Personnel of Private Prison Contractors. Pursuant to Section 20-241A(3)(c), Idaho Code, the Idaho Department of Correction may provide training to personnel of private prison contractors and charge a fee not to exceed the cost of training. Since the Basic Correction Academy is conducted by the Peace Officer Standards & Training Council, any fees collected by the Idaho Department of Correction for attendance at the POST Basic Correction Academy by personnel of private prison contractors must be submitted to the POST Council. (4-11-06)

02. Property. Certificates and awards remain the property of the Council and are only valid as long as the officer is appointed as an Idaho correction or adult probation and parole officer. (4-11-06)

03. Eligibility. To be eligible for the award of a Basic Correction Officer certificate, each applicant must be a full-time correction officer or a professional member of the POST Council staff. To be eligible for the award of a Basic Adult Probation and Parole Officer certificate, each applicant must be a full-time adult probation and parole officer or a professional member of the POST Council staff. (4-11-06)

04. Applications. All applications for award of certification must be completed by the applicant on the prescribed form "Application for Certification" as provided by the POST Council. (4-11-06)

05. Submission. The Application for Certification form must be submitted by the applicant to his

agency head who must review it for accuracy prior to signing it and forwarding it to the Council. Certificates will be issued to the agency head for award to the applicant. (4-11-06)

06. Decertification. The Council may decertify any correction or adult probation and parole 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. (4-11-06)

023. -- 030. (RESERVED).

031. MINIMUM STANDARDS FOR EMPLOYMENT FOR CORRECTION OFFICERS.
Every correction officer must meet the requirements in Sections 031 through 044. (8-21-07)T

032. CITIZENSHIP.
The applicant shall be a citizen of the United States. (8-21-07)T

01. Documentation. Proof of citizenship shall not have been mutilated, altered, or damaged, and shall be in the form of one (1) of the following: (8-21-07)T

- a. Birth Certificate issued by the city, county, or state and filed within one (1) year of birth; (8-21-07)T
- b. Naturalization Certificate; (8-21-07)T
- c. U.S. Passport; (8-21-07)T
- d. Consular Report of Birth Abroad or Certification of Birth; or (8-21-07)T
- e. Certificate of Citizenship. (8-21-07)T

033. EDUCATION.
The applicant shall be a high school graduate or have earned a GED (General Education Development) certificate. (8-21-07)T

01. Documentation. Proof of education shall not have been mutilated, altered, or damaged, and shall be in the form of one (1) of the following: (8-21-07)T

- a. High school diploma; (8-21-07)T
- b. GED certificate; (8-21-07)T
- c. High school transcript; (8-21-07)T
- d. GED test report form; or (8-21-07)T
- e. College transcript indicating the successful completion of a minimum of fifteen (15) academic credits. (8-21-07)T

034. EXPERIENCE.
The applicant shall have a minimum of two (2) years of any combination of responsible work experience, military service, education, or any other productive activity. (8-21-07)T

035. CHARACTER.
The POST Council may take into consideration the commission of any act or offense involving moral turpitude to ensure an applicant is of good moral character and warrants the public trust. The purpose of this requirement is to prohibit persons who engage in dishonest, unprofessional, unethical, or immoral conduct from becoming correction officers, and to protect against acts or conduct which may endanger the safety and welfare of the public. (4-11-06)

036. CRIMINAL RECORD.

01. Fingerprints. The applicant must be fingerprinted on two (2) copies of the standard FBI Applicant fingerprint form, and a search made of local, state, and national fingerprint files to disclose any criminal record. The original copies of all records check results must be retained by the POST Council. (4-11-06)

02. Conviction. The term “conviction” includes: (4-11-06)

a. Any conviction in a federal, tribal, state, county, or municipal court; (4-11-06)

b. A voluntary forfeiture of bail, bond, or collateral deposited to secure a defendant’s appearance in court as final disposition; (4-11-06)

c. The payment of a fine; (4-11-06)

d. A plea of guilty, nolo contendere; or (4-11-06)

e. A finding of guilt regardless of whether the sentence is imposed, suspended, deferred, or withheld, and regardless of whether the plea or conviction is set aside or withdrawn, or the case or charge is dismissed, or the record expunged under Section 19-2604, Idaho Code, or any other comparable statute or procedure, where the setting aside of the plea or conviction, or dismissal of the case or charge, or expungement of the record is based upon lenity or the furtherance of rehabilitation rather than upon any defect in the legality or factual basis of the plea, finding of guilt, or conviction. (4-11-06)

03. Misdemeanor Conviction. A misdemeanor conviction of any federal, state, or local crime may be grounds for rejection of the applicant. (4-11-06)

a. An applicant must be rejected who has been convicted of any misdemeanor sex crime, crime of deceit, or drug offense unless the conviction occurred more than five (5) years prior to application and the applicant’s agency head files a written request for review with the POST Council. In the case of a willful concealment or petit theft conviction, the applicant may be accepted upon approval of the POST Executive Director. The Executive Director will have the discretion to refer the application to the POST Council. In all other cases, the POST Council must review the application and determine whether the individual will be certifiable as a correction officer in the state of Idaho. (4-11-06)

b. An applicant with any other misdemeanor conviction will be accepted upon approval of their agency head provided the conviction occurred more than two (2) years prior to application and the applicant’s agency head submits written documentation that, with knowledge of the facts and circumstances concerning the offense or violation, he approves the applicant. If the conviction occurred during the two (2) years immediately preceding application, the POST Council must review the application and determine whether the individual will be certifiable as a correction officer in the state of Idaho. (4-11-06)

04. Felony Conviction. An applicant must be rejected who has been convicted of any felony crime, the punishment for which could have been imprisonment in a federal or state penal institution. For the purpose of this rule, a felony conviction will continue to be considered a felony conviction regardless of whether the conviction is later reduced to a misdemeanor conviction under Section 19-2604, Idaho Code, or any other comparable statute or procedure, where the reduction is based upon lenity or the furtherance of rehabilitation rather than upon any defect in the legality or factual basis of the felony conviction. No waivers will be granted by the POST Council, except where, since the time of the conviction, the crime for which the defendant was convicted has, by statute, been reduced to a misdemeanor or decriminalized in the jurisdiction where the conviction occurred. In such cases, the POST Council must review the application and determine whether the individual will be certifiable as a correction officer in the state of Idaho. (4-11-06)

037. MILITARY RECORD.

A “dismissal,” “bad conduct discharge” (BCD), “dishonorable discharge” (DD), or administrative discharge of other than honorable (OTH) from the military service will disqualify the applicant. The administrative discharge of “general under honorable conditions” (GEN), a “general” discharge, or an “uncharacterized” discharge may be

grounds for rejection. (4-11-06)

038. BACKGROUND INVESTIGATION.

01. Requirements. The applicant must have undergone a comprehensive background investigation, the results of which attest to the fact that the person meets the minimum standards for employment, has not engaged in conduct or a pattern of conduct that would jeopardize public trust in the correction profession, and is of good moral character. Consideration will be given to any and all law violations, including traffic and fish and game infractions or convictions. (4-11-06)

02. Procedures. (4-11-06)

a. The applicant must complete and submit to the appointing correction agency a comprehensive application and personal history statement prior to the start of the background investigation. The history statement must contain questions which aid in determining whether the applicant is eligible for certified status as a correction officer. The background investigation must include information provided by personal references, schools, and the last three (3) previous employers, as well as law enforcement agency records in jurisdictions where the applicant has lived or worked. This information must be recorded and retained by the appointing agency. (4-11-06)

b. The appointing agency must conduct a personal interview with the applicant to ascertain personal attributes such as personal appearance, demeanor, attitudes that are relevant to the correction mission, judgment, maturity, resourcefulness, and ability to communicate. Searching questions may include, but not be limited to: (4-11-06)

i. Use of intoxicants, narcotics and drugs; (4-11-06)

ii. Physical, mental, and emotional history; (4-11-06)

iii. Family problems; (4-11-06)

iv. Moral outlook and habits; and (4-11-06)

v. Financial transactions. (4-11-06)

c. The appointing agency must conduct a thorough investigation into the character and reputation of the applicant which may include, but not be limited to, the applicant's morality, integrity, reputation, honesty, dependability, qualifications, experience, associations, emotional stability, prejudice, and loyalty. (4-11-06)

d. All results of the background investigation must be considered confidential and processed accordingly. (4-11-06)

e. The results of the background investigation must ultimately be evaluated by the agency head and/or the appointing authority to determine whether the applicant is suitable. (4-11-06)

039. PHYSICAL -- MEDICAL.

01. Requirements. (4-11-06)

a. Hearing. The applicant must have unaided or aided hearing between zero (0) and thirty (30) decibels for each ear at the frequencies of one thousand (1000) Hz and two thousand (2000) Hz; and unaided or aided hearing between zero (0) and fifty (50) decibels for each ear at the frequency of three thousand (3000) Hz. Waiver of the above may be considered if accompanied by the certificate of an audiologist or ear, nose, and throat physician that the applicant's condition will not jeopardize or impair the applicant's ability to perform the duties of a correction officer. If the applicant's unaided or aided hearing at one thousand (1000) Hz and two thousand (2000) Hz is between thirty-one (31) and forty (40) decibels, the applicant may be accepted upon approval of the POST Executive Director. The Executive Director shall have the discretion to refer the application to the POST Council. If the applicant's unaided or aided hearing at one thousand (1000) Hz and two thousand (2000) Hz is over forty (40) decibels or if the

applicant's unaided or aided hearing at three thousand (3000) Hz is over fifty (50) decibels, the POST Council shall review the application and determine whether the individual shall be certifiable as a correction officer in the state of Idaho. (8-21-07)T

b. Vision. (4-11-06)

i. The applicant must demonstrate to a vision specialist the ability to distinguish primary colors. (4-11-06)

ii. The applicant must have uncorrected vision in each eye of no weaker than twenty/two hundred (20/200) with the strong eye corrected to twenty/thirty (20/30) and the weaker eye corrected to twenty/sixty (20/60). An applicant who wears contact lenses is exempt from the uncorrected vision of twenty/two hundred (20/200), but must have the strong eye corrected to twenty/thirty (20/30) and the weaker eye corrected to twenty/sixty (20/60). A full eye examination must be administered by an optometrist or ophthalmologist to any applicant who wears glasses whose uncorrected vision in either eye is twenty/one hundred fifty (20/150) or weaker. Waiver of the above may be considered by the Council if accompanied by the certificate of a vision specialist that the applicant's condition will not jeopardize or impair the applicant's ability to perform the duties of a correction officer. (8-21-07)T

c. Disease/Condition. The applicant must be free from any impediments of the senses of sight, hearing, taste, smell, and touch; physically sound; well developed physically and in possession of his extremities; free from any physical defects, chronic or organic diseases, organic or functional conditions, or emotional or mental instabilities which may tend to impair efficient performance of duty or which might endanger the lives of others or the life of the officer. Waiver of Section 039 may be considered by the Council upon the applicant's demonstration that the deficiency does not jeopardize or impair his ability to perform the duties of a correction officer. (8-21-07)T

d. Physical Agility. The applicant must pass the POST Physical Agility Test for Correction Officers. (4-11-06)

02. Procedures. (4-11-06)

a. A POST Council-approved medical history form must be supplied by each applicant to the examining physician. The medical history must include information on past and present diseases, injuries and operations. (4-11-06)

b. A medical examination must be administered by a licensed physician or his designee to determine if the applicant is free from any physical, emotional, or mental condition which might adversely affect the applicant's ability to perform the duties of a correction officer. The physician must record his findings on the appropriate form or letter and must note thereon, for evaluation by the appointing authority, any past or present physical defects, diseases, injuries, operations or conditions of an abnormal or unusual nature, or indications of mental or emotional instability. A medical examination shall remain valid for one (1) year. (8-21-07)T

040. MENTAL EXAMINATION.

01. Requirement. Where a question of emotional stability or disorder is indicated by the physician's report or the background investigation, a thorough evaluation must be made by a licensed psychiatrist or clinical psychologist to determine if the applicant is free from any emotional or mental condition which might adversely affect the applicant's ability to perform the duties of a correction officer. (4-11-06)

02. Procedure. During the interview, the examining psychiatrist or psychologist must evaluate the applicant sufficiently to assess those symptoms of a degree that would impair the effective performance of duty. The results of the examination must be recorded and that record or a summary of recommendations must be forwarded to the appointing authority for review. (4-11-06)

041. APTITUDE.

The applicant must be evaluated on the agency-approved aptitude test to determine if the applicant possesses the aptitude, capacity, and adaptability for absorbing and understanding the training and skills which are essential to the performance of the correction function. (4-11-06)

042. CODE OF CONDUCT/CODE OF ETHICS.

Each applicant must attest that he has read, understands, and will abide by the Law Enforcement Code of Conduct as found in IDAPA 11.11.01, "Rules of the Idaho Peace Officer Standards and Training Council," Subsection 091.04 and the Law Enforcement Code of Ethics as found in Subsection 091.05. (8-21-07)T

043. PROBATIONARY PERIOD.

01. Probation. Every officer appointed by an agency below the level of agency head must satisfactorily complete a probationary period of not less than six (6) months. This requirement must also apply to officers who transfer laterally into an agency. (4-11-06)

02. Supervisor/Mid-Manager. Every officer who is promoted or appointed to a supervisory, middle management, or assistant agency head position must satisfactorily complete a probationary period of not less than six (6) months in that position. (4-11-06)

03. Extended. No correction officer who lacks the training qualifications required by the Council will have his temporary or probationary employment extended beyond one (1) year by renewal of appointment or otherwise. (4-11-06)

044. SPECIAL PROVISIONS.

01. Minimum Standards. It is emphasized that these are minimum standards for employment. Higher standards are recommended whenever the availability of qualified applicants meets the demand. (4-11-06)

02. No Discrimination. No agency will discriminate as to employment against any persons on the basis of race, creed, color, or sex, pursuant to state or federal law. (4-11-06)

03. Equal Opportunity Employer. Every agency must be an equal opportunity employer. (4-11-06)

045. -- 050. (RESERVED).

051. LAPSE OF CORRECTION OFFICER CERTIFICATION.

The certification of any correction officer will be considered lapsed if the officer does not serve as a correction officer in Idaho for three (3) consecutive years. (4-11-06)

01. Three to Five Years. A correction officer who has been out of full-time correction officer status from three (3) to five (5) years and who wants to be recertified must meet the following POST requirements: (4-11-06)

a. Submit a POST Certification Correction Challenge Packet; (4-11-06)

b. Pass the following tests administered by a POST Training Specialist: (4-11-06)

i. The POST correction certification examination approved by the Council, conducted in the manner set forth in Subsection 053.02.b. of these rules; and (4-11-06)

ii. The POST Correction Officer Physical Agility Test; and (4-11-06)

c. Satisfactorily complete a probationary period of not less than six (6) months. (4-11-06)

02. Over Five Years. A correction officer who has been out of full-time correction officer status for over five (5) years must attend the POST Basic Correction Academy or a POST-certified private prison contractor's correction officer training program to be recertified. The Council may waive this requirement on a showing of good cause by the officer supported by clear and convincing evidence that during a substantial part of the time out of full-time correction officer status, the officer was engaged in an occupation requiring correction officer training, skill, and experience. This evidence must be submitted with a POST Certification Correction Challenge Packet. Upon receiving

a waiver, the officer must meet the following POST requirements: (4-11-06)

- a. Pass the following tests administered by a POST Training Specialist: (4-11-06)
 - i. The POST correction certification examination approved by the Council, conducted in the manner set forth in Subsection 053.02.b. of these rules; and (4-11-06)
 - ii. The POST Correction Officer Physical Agility Test; and (4-11-06)
- b. Satisfactorily complete a probationary period of not less than six (6) months. (4-11-06)

03. Over Eight Years. A correction officer who has been out of full-time correction officer status for over eight (8) years must attend the POST Basic Correction Academy or a POST-certified private prison contractor's correction officer training program to be recertified. No waiver of this requirement will be granted by the Council. (4-11-06)

052. CORRECTION OFFICER CERTIFICATION.

01. Mandatory Certification. Every correction officer employed after July 1, 2005 must be certified by the Peace Officer Standards and Training Council within one (1) year after first being appointed unless granted additional time to complete certification by the POST Council as set forth in IDAPA 11.11.01, "Rules of the Idaho Peace Officer Standards and Training Council," Subsection 030.11. (8-21-07)T

02. Voluntary Certification. Correction officers employed prior to July 1, 2005, although specifically excluded by law from meeting the requirements set by the Council, may be certified provided they meet the minimum requirements for certification as prescribed in Sections 022, 031 through 044, and 053 of these rules. However, the requirement for successful completion of the POST Basic Correction Academy will be waived if the officer scores a minimum of seventy-five percent (75%) on the POST correction certification examination approved by the Council. The applicant 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 an officer fails both attempts or fails to retake the examination within six (6) months, he must successfully complete the POST Basic Correction Academy to be certified. This option closes on June 30, 2010. (8-21-07)T

053. THE BASIC CERTIFICATE.

In addition to the requirements set forth in Sections 022 and 031 through 044 of these rules, the requirements in Section 053 of these rules are necessary for award of the Basic Correction Officer certificate. (8-21-07)T

01. Probation. The applicant must have satisfactorily completed at least a six (6) month probationary period, which may include basic correction academy time. The probationary period may be extended by the appointing agency which could delay certification until the probationary period is satisfactorily completed. This six (6) months' time must be continuous with the agency the officer is appointed to when applying for certification. The probationary period must not extend over one (1) year for certification purposes. (4-11-06)

02. Basic Training. The applicant must have satisfactorily completed: (4-11-06)

- a. The POST Basic Correction Academy; or (4-11-06)
- b. Be a graduate of a private prison contractor's correction officer training program, the curriculum of which has been certified by the Council as being equivalent to the POST Basic Correction Academy, and must have passed the POST correction certification examination approved by the Council. The applicant 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 an officer fails both attempts or fails to retake the examination within six (6) months, he must successfully complete the POST Basic Correction Academy to be certified. (4-11-06)

03. Correction Field Training Manual. The applicant must have satisfactorily completed forty (40) hours of POST-approved correction field training. (4-11-06)

04. Private Prison Contractor's Correction Officer Training Program. A graduate from an Idaho POST-certified private prison contractor's correction officer training program must also submit a completed POST Correction Officer Certification Packet. (4-11-06)

054. CHALLENGING THE BASIC CORRECTION ACADEMY.

Any correction officer presently appointed by the Idaho Department of Correction or by a private prison contractor of the State Board of Correction who, within the last five (5) years, has been employed and certified or commissioned by another state or the federal government as a correction officer or a student who has satisfactorily completed a Basic Correction Academy equivalent to the Idaho POST Basic Correction Academy within the last three (3) years will be eligible for certification in the state of Idaho without attending the Basic Correction Academy, provided the officer: (4-11-06)

01. Submission of Challenge Packet. Submits a POST Certification Correction Challenge Packet to POST Council, which must include copies of POST training records from other states to substantiate the officer's training; and transcripts, certificates, diplomas, or other documents that substantiate the officer's education and experience; (4-11-06)

02. Passes Required Tests. Passes the following tests administered by a POST Training Specialist: (4-11-06)

a. The POST correction certification examination approved by the Council, conducted in the manner set forth in Subsection 053.02.b. of these rules; and (4-11-06)

b. The POST Correction Officer Physical Agility Test; and (4-11-06)

03. Completes Probationary Period. Completes his probationary period as required by Subsection 053.01. (4-11-06)

055. -- 060. (RESERVED).

061. MINIMUM STANDARDS FOR EMPLOYMENT FOR ADULT PROBATION AND PAROLE OFFICERS.

Every adult probation and parole officer must meet the minimum standards for employment as provided in IDAPA 11.11.01, "Rules of the Idaho Peace Officer Standards and Training Council," Sections 050 through 065, with the exception of hearing, vision, and physical agility. (8-21-07)T

01. Hearing. An applicant for adult probation and parole officer certification must have unaided or aided hearing between zero (0) and twenty-five (25) decibels for each ear at the frequencies of one thousand (1000) Hz, two thousand (2000) Hz, and three thousand (3000) Hz. Waiver of the above may be considered if accompanied by the certificate of an audiologist or ear, nose, and throat physician that the applicant's condition will not jeopardize or impair the applicant's ability to perform the duties of an adult probation and parole officer. If the applicant's unaided or aided hearing is between twenty-six (26) and forty (40) decibels, the applicant may be accepted upon approval of the POST Executive Director. The Executive Director shall have the discretion to refer the application to the POST Council. If the applicant's unaided or aided hearing is over forty (40) decibels, the POST Council shall review the application and determine whether the individual shall be certifiable as an adult probation and parole officer in the state of Idaho. (8-21-07)T

02. Vision. (4-11-06)

a. An applicant for adult probation and parole officer certification must possess binocular coordination that does not manifest diplopia; depth of proficiency of a minimum of one (1) minute of arc at twenty (20) feet; peripheral vision must be binocularly two hundred (200) degrees laterally with sixty (60) degrees upward and seventy (70) degrees downward. There must be no pathology of the eye; applicant must possess a minimum of seventy percent (70%) proficiency on a color discrimination test. Waiver of the above may be considered by the Council if accompanied by the certificate of a vision specialist that the applicant's condition will not jeopardize or impair the applicant's ability to perform the duties of an adult probation and parole officer. (8-21-07)T

b. The applicant must have uncorrected vision in each eye of no weaker than twenty/two hundred (20/200) with the strong eye corrected to twenty/twenty (20/20) and the weaker eye corrected to twenty/sixty (20/60). An applicant who wears contact lenses is exempt from the uncorrected vision of twenty/two hundred (20/200), but must have the strong eye corrected to twenty/twenty (20/20) and the weaker eye corrected to twenty/sixty (20/60). A full eye examination must be administered by an optometrist or ophthalmologist to any applicant who wears glasses whose uncorrected vision in either eye is twenty/one hundred fifty (20/150) or weaker. Waiver of the above may be considered by the Council if accompanied by the certificate of a vision specialist that the applicant's condition will not jeopardize or impair the applicant's ability to perform the duties of an adult probation and parole officer. (8-21-07)T

03. Physical Agility. An applicant for adult probation and parole officer certification must pass the POST Physical Agility Test for Adult Probation and Parole officers. (4-11-06)

062. LAPSE OF ADULT PROBATION AND PAROLE OFFICER CERTIFICATION.

The certification of any adult probation and parole officer will be considered lapsed if the officer does not serve as an adult probation and parole officer in Idaho for three (3) consecutive years. (4-11-06)

01. Three to Five Years. An adult probation and parole officer who has been out of full-time adult probation and parole officer status from three (3) to five (5) years and who wants to be recertified must meet the following POST requirements: (4-11-06)

- a.** Submit a POST Certification Adult Probation and Parole Challenge Packet; (4-11-06)
- b.** Pass the following tests administered by a POST Training Specialist: (4-11-06)
 - i.** The POST adult probation and parole certification examination approved by the Council, conducted in the manner set forth in Subsection 053.02.b. of these rules; (8-21-07)T
 - ii.** The POST Firearms Qualification Course; (8-21-07)T
 - iii.** The POST Adult Probation and Parole Officer Physical Agility Test; and (4-11-06)
- c.** Satisfactorily complete a probationary period of not less than six (6) months. (4-11-06)

02. Over Five Years. An adult probation and parole officer who has been out of full-time adult probation and parole officer status for over five (5) years must attend the POST Basic Adult Probation and Parole Academy to be recertified. The Council may waive this requirement on a showing of good cause by the officer supported by clear and convincing evidence that during a substantial part of the time out of full-time adult probation and parole officer status, the officer was engaged in an occupation requiring adult probation and parole officer training, skill, and experience. This evidence must be submitted with a POST Certification Adult Probation and Parole Challenge Packet. Upon receiving a waiver, the officer must meet the following POST requirements: (4-11-06)

- a.** Attend and pass Idaho POST-certified courses in Arrest Techniques and Practical Problems; (4-11-06)
- b.** Pass the following tests administered by a POST Training Specialist: (4-11-06)
 - i.** The POST adult probation and parole certification examination approved by the Council, conducted in the manner set forth in Subsection 053.02.b. of these rules; (8-21-07)T
 - ii.** The POST Firearms Qualification Course; (8-21-07)T
 - iii.** The POST Adult Probation and Parole Officer Physical Agility Test; and (4-11-06)
- c.** Satisfactorily complete a probationary period of not less than six (6) months. (4-11-06)

03. Over Eight Years. An adult probation and parole officer who has been out of full-time adult probation and parole officer status for over eight (8) years must attend the POST Basic Adult Probation and Parole Academy to be recertified. No waiver of this requirement will be granted by the Council. (4-11-06)

063. ADULT PROBATION AND PAROLE OFFICER CERTIFICATION.

01. Mandatory Certification. Every adult probation and parole officer employed after July 1, 2005 must be certified by the Peace Officer Standards and Training Council within one (1) year after first being appointed unless granted additional time to complete certification by the POST Council as set forth in IDAPA 11.11.01, "Rules of the Idaho Peace Officer Standards and Training Council," Subsection 030.11. (8-21-07)T

02. Voluntary Certification. Adult probation and parole officers employed prior to July 1, 2005, although specifically excluded by law from meeting the requirements set by the Council, may be certified provided they meet the minimum requirements for certification as prescribed in Sections 022, 061, and 064 of these rules. However, the requirement for successful completion of the POST Basic Adult Probation and Parole Academy will be waived if the officer scores a minimum of seventy-five percent (75%) on the POST adult probation and parole certification examination approved by the Council. The applicant 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 an officer fails both attempts or fails to retake the examination within six (6) months, he must successfully complete the POST Basic Adult Probation and Parole Academy to be certified. This option closes on June 30, 2009. (3-30-07)

064. THE BASIC CERTIFICATE.

In addition to the requirements set forth in Sections 022 and 061 of these rules, the requirements in Section 064 of these rules are necessary for award of the Basic Adult Probation and Parole Officer certificate. (4-11-06)

01. Probation. The applicant must have satisfactorily completed at least a six (6) month probationary period, which may include basic adult probation and parole academy time. The probationary period may be extended by the appointing agency which could delay certification until the probationary period is satisfactorily completed. This six (6) months' time must be continuous with the agency the officer is appointed to when applying for certification. The probationary period must not extend over one (1) year for certification purposes. (4-11-06)

02. Basic Training. The applicant must have satisfactorily completed the POST Basic Adult Probation and Parole Academy. (4-11-06)

03. Firearms Qualification. The applicant must have passed the POST Firearms Qualification Course. (8-21-07)T

04. Adult Probation and Parole Field Training Manual. The applicant must have satisfactorily completed forty (40) hours of POST-approved adult probation and parole field training. (4-11-06)

065. CHALLENGING THE BASIC ADULT PROBATION AND PAROLE ACADEMY.

Any adult probation and parole officer presently appointed by the Idaho Department of Correction who, within the last five (5) years, has been employed and certified or commissioned by another state or the federal government as an adult probation and parole officer or a student who has satisfactorily completed a Basic Adult Probation and Parole Academy equivalent to the Idaho POST Basic Adult Probation and Parole Academy within the last three (3) years will be eligible for certification in the state of Idaho without attending the Basic Adult Probation and Parole Academy, provided the officer: (4-11-06)

01. Submission of Challenge Packet. Submits a POST Certification Adult Probation and Parole Challenge Packet to POST Council, which must include copies of POST training records from other states to substantiate the officer's training; and transcripts, certificates, diplomas, or other documents that substantiate the officer's education and experience; (4-11-06)

02. Attends and Passes POST-Certified Courses. Attends and passes Idaho POST-certified courses in Arrest Techniques and Practical Problems; (4-11-06)

03. Passes Required Tests. Passes the following tests administered by a POST Training Specialist:

(4-11-06)

a. The POST adult probation and parole certification examination approved by the Council, conducted in the manner set forth in Subsection 053.02.b. of these rules; (8-21-07)T

b. The POST Firearms Qualification Course; and (8-21-07)T

c. The POST Adult Probation and Parole Officer Physical Agility Test. (8-21-07)T

04. Completes Probationary Period. Completes his probationary period as required by Subsection 064.01 of these rules. (4-11-06)

066. -- 999. (RESERVED).

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