Table of Contents

11.11.05 - Rules of the Idaho Peace Officer Standards and Training Council for Idaho Department of Juvenile Corrections Direct Care Staff

000. Legal Authority. 2
001. Title And Scope. 2
002. Written Interpretations. 2
003. Administrative Appeals. 2
004. Incorporation By Reference. 2
005. Office -- Office Hours -- Mailing Address And Street Address. 2
006. Public Records Act Compliance. 3
007. -- 009. (Reserved) 3
010. Definitions. 3
011. -- 099. (Reserved) 4
100. Juvenile Corrections Direct Care Staff Certification. 4
101. The Basic Certificate. 4
102. Challenge Procedure. 5
103. Lapse Of Juvenile Corrections Certification. 6
104. -- 999. (Reserved) 6

IDAPA 11
TITLE 11
CHAPTER 05

11.11.05 - RULES OF THE IDAHO PEACE OFFICER STANDARDS AND TRAINING COUNCIL FOR IDAHO DEPARTMENT OF JUVENILE CORRECTIONS DIRECT CARE STAFF

000. LEGAL AUTHORITY.

01. Section 20-504(3), Idaho Code. Pursuant to Section 20-504(3), Idaho Code, the Idaho Department of Juvenile Corrections shall establish and administer all secure residential facilities including all state juvenile corrections centers. (5-8-09)

02. Section 20-504(11), Idaho Code. Pursuant to Section 20-504(11), Idaho Code, the Idaho Department of Juvenile Corrections shall have authority to adopt such administrative rules as are deemed necessary for the functioning of the department and the implementation and administration of the juvenile corrections act. (5-8-09)

03. Section 20-531(4), Idaho Code. Pursuant to Section 20-531(4), Idaho Code, the Idaho Department of Juvenile Corrections shall adopt standards, policies, and procedures for the regulation and operation of secure facilities. (5-8-09)

04. Section 19-5109(6), Idaho Code. Pursuant to Section 19-5109(6), Idaho Code, the Peace Officer Standards and Training Council may, upon recommendation of the juvenile training council, implement minimum training and certification standards for employees of the department who are engaged in the direct care and supervision of juveniles. (5-8-09)

001. TITLE AND SCOPE.

01. Title. These rules shall be cited as IDAPA 11.11.05, "Rules of the Idaho Peace Officer Standards and Training Council for Idaho Department of Juvenile Corrections Direct Care Staff," IDAPA 11, Title 11, Chapter 05. (5-8-09)

02. Scope. These rules are established to provide the opportunity for all Idaho Department of Juvenile Corrections staff who are engaged in the direct care and supervision of juveniles to receive quality, consistent training to ensure that juveniles in custody receive appropriate care and supervision. (5-8-09)

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 74, Chapter 1, Idaho Code, and will be available at the Idaho Department of Juvenile Corrections, 954 W. Jefferson St., P.O. Box 83720, Boise, Idaho 83720-0285. Additional written interpretations are available for public inspection at the Idaho State Police, Peace Officer Standards and Training, 700 South Stratford Drive, Meridian, Idaho 83642-6202. (5-8-09)

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." (5-8-09)

004. INCORPORATION BY REFERENCE.

There are no documents that have been incorporated by reference into this rule. (5-8-09)

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, 700 South Stratford Drive, Meridian, Idaho 83642-6202. The telephone number of administration is (208) 884-7250 and the telephone number of the basic

academy is (208) 884-7337. The facsimile number of administration is (208) 884-7295 and the facsimile number of basic academy is (208) 884-7398. The Peace Office Standards and Training website at http://www.post.idaho.gov. (5-8-09)

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 954 W. Jefferson St., 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 number of the office is (208) 334-5100. The facsimile number of the office is (208) 334-5120. (5-8-09)

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 record. (5-8-09)

007. -- 009. (RESERVED)

010. DEFINITIONS.

01. Basic Juvenile Corrections Academy. A basic course of instruction for direct care staff of the Idaho Department of Juvenile Corrections as recognized by POST Council. (5-8-09)

02. Challenge Exam. A test to determine an IDJC staff's competence for waiver of successful completion of the basic Juvenile Corrections Academy. (5-8-09)

03. Council. As used in this chapter, refers to the POST Council. (5-8-09)

04. Department. As used in this chapter, refers to the Idaho Department of Juvenile Corrections, IDJC. (5-8-09)

05. Director. As used in this chapter, refers to the Director of the Idaho Department of Juvenile Corrections. (5-8-09)

06. Juvenile Corrections Direct Care Staff. Any full or part-time employee of the department whose primary job duties include providing for the safety, care, education, protection, or supervision of juveniles committed to the custody of the department. Current job titles specifically included in this definition are, but are not limited to: (5-8-09)

a. Rehabilitation Technician; (5-8-09)

b. Rehabilitation Technician Supervisor; (5-8-09)

c. Rehabilitation Specialist; (5-8-09)

d. Rehabilitation Specialist Associate; (5-8-09)

e. Instructor - DJC; (5-8-09)

f. Instructor Specialist; (5-8-09)

g. Instructor Assistant; and (5-8-09)

h. Safety and Security Officer. (5-8-09)

07. 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, a county Clerk, and a county Sheriff. (5-8-09)

08. **Mandatory Certification**. To issue a certificate to an IDJC direct care staff based upon successful completion of the mandatory training requirements established by POST Council. (5-8-09)

09. **Voluntary Certification**. To issue a certificate to an IDJC direct care staff based upon successful completion of the voluntary training requirements established by POST Council. (5-8-09)

011. -- 099. (RESERVED)

100. JUVENILE CORRECTIONS DIRECT CARE STAFF CERTIFICATION.

01. **Property**. Certificates and awards remain the property of the Council and are only valid as long as the direct care staff is employed by the department in a direct care staff role as defined in Subsection 010.06 of these rules. (5-8-09)

02. **Eligibility**. To be eligible for the award of a Basic Juvenile Corrections Direct Care Staff Certificate, each applicant must be a full or part-time employee of the department in a direct care staff role. (5-8-09)

03. **Applications**. All applications for award of the Basic Juvenile Corrections Direct Care Staff Certificate shall be completed on the prescribed form "Application for Certification" as provided by the POST Council. (5-8-09)

04. **Submission**. The Application for Certification form must be submitted by the direct care staff/ applicant to the applicant's department head. The department head shall forward the application to the Council. Certificates will be issued to the department head for award to the applicant. (5-8-09)

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 fitness which will be left to the discretion of the department. (5-8-09)

06. **Certification**. The following dates govern voluntary and mandatory certification. (5-8-09)

a. From July 1, 2008 through June 30, 2010 any juvenile corrections direct care staff may receive voluntary certification from POST upon successful completion of the requirements outlined in Sections 101 or 102 of these rules. Earning voluntary certification during this period will satisfy the mandatory requirement in Subsection 100.06 of these rules. This option will close on June 30, 2010. (5-8-09)

b. If employed after June 30, 2010 every juvenile corrections direct care staff must be certified by the Peace Officer Standards and Training Council within one (1) year after first being employed 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. (5-8-09)

c. Juvenile corrections direct care staff employed prior to June 30, 2010 shall comply with the training and certification provisions of Sections 100 and 101 of these rules by June 30, 2012. However, the requirement for successful completion of the POST Basic Juvenile Corrections Academy will be waived if the direct care staff scores a minimum of seventy-five percent (75%) on the POST juvenile corrections certification examination approved by the Council. The direct care staff 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 direct care staff fails both attempts or fails to retake the examination within six (6) months, they must successfully complete the POST Basic Juvenile Corrections Academy to be certified. (5-8-09)

07. **Decertification**. The Council may decertify any juvenile corrections direct care staff in the same manner as provided in IDAPA 11.11.01, "Rules of the Idaho Peace Officer Standards and Training Council," Subsection 091.03. (5-8-09)

101. THE BASIC CERTIFICATE.
The following requirements are necessary for award of the basic certificate to hired department direct care staff. (5-8-09)

01. Probation. The applicant must have satisfactorily completed a minimum one thousand forty (1,040) hour probationary period with the department, which may include basic juvenile corrections academy time. This period must reflect continuous employment as direct care staff with the department. The probationary period may be extended by the department which could delay certification until the probationary period is satisfactorily completed. This probationary period of one thousand forty (1,040) hours must be continuous with the department when applying for certification. The probationary period shall not extend over two thousand eighty (2,080) hours for certification purposes. (5-8-09)

02. Basic Training. The applicant must have attended and completed the POST Basic Juvenile Corrections Academy and must have passed the POST juvenile corrections certification examination approved by the Council. The applicant will 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 or fails to retake the examination within six (6) months, the applicant must reapply, attend and successfully complete the POST Basic Juvenile Corrections Academy to be certified. (5-8-09)

03. Juvenile Corrections on the Job Training. Successful completion of forty (40) hours of approved and supervised juvenile corrections training provided by the department is required. Evidence of such training must be submitted by the applicant's employer to POST Council prior to certification. (5-8-09)

102. CHALLENGE PROCEDURE.

01. Eligibility for Certification - Challenge Procedure. Any juvenile corrections direct care staff employed by the department for a minimum of one (1) year or who, within the last five (5) years, has been employed by another state, county, or the federal government as a juvenile corrections direct care staff, or a student who has satisfactorily completed a Basic Juvenile Corrections Academy equivalent to Idaho's POST Basic Juvenile Corrections Academy within the last three (3) years, shall be eligible for certification in the state of Idaho without attending the Basic Juvenile Corrections Academy if approved by the division administrator for the unit in which the direct care staff will be employed, and provided the staff person: (5-8-09)

a. Documents. Submits a POST Juvenile Corrections Certification Challenge Packet to POST Council, which must include copies of transcripts, certificates, diplomas, or other documents that substantiate the direct care staff's training and experience; (5-8-09)

b. Examination. Passes the POST juvenile corrections certification examination approved by the Council and administered by a POST Training Specialist, conducted in the manner set forth in Subsection 100.06 of these rules; (5-8-09)

c. Training. Attends and passes the following POST-approved courses: (5-8-09)

i. The Idaho POST Juvenile Corrections Academy's "Appropriate Use of Physical Force" training; (5-8-09)

ii. "Legal and Liability Issues"; (5-8-09)

iii. "Code of Ethical Conduct"; (5-8-09)

iv. "Prohibition of Abuse of Residents"; (5-8-09)

v. "Suicide Prevention;" (5-8-09)

vi. "Prison Rape Elimination Act;" and (5-8-09)

vii. "Incident Reporting;" and (5-8-09)

d. Satisfactorily completes the employment probationary period as required by Subsection 101.01 of these rules. (5-8-09)

02. Challenge Academy. In order to facilitate the POST certification of its direct care staff, with the approval of the POST Division Administrator, the department may offer academies specific to those topics identified in Subsection 102.01.c. of these rules. In all such cases, only POST-certified courses will be included and each will be led by POST-certified instructors. (5-8-09)

03. Direct Care Staff Approved for Participation in the Challenge. Juvenile corrections direct care staff approved for participation in the challenge process may also be provided an opportunity to test for POST certification following successful completion of a challenge academy. All otherwise specified rules concerning POST certification testing will apply in these instances. (5-8-09)

103. LAPSE OF JUVENILE CORRECTIONS CERTIFICATION.
The certification of any juvenile corrections direct care staff shall be considered lapsed if the individual does not serve as a juvenile corrections direct care staff in Idaho for three (3) consecutive years. Provided, however, that an Idaho POST-certified juvenile corrections direct care staff who remains in a juvenile detention officer, juvenile probation officer, or misdemeanor probation officer duty assignment with a law enforcement agency that is a part of or administered by the state of Idaho or any political subdivision thereof shall retain their POST certification provided they work at least sixty (60) hours per year in that capacity. The three-year period provided herein shall be tolled during any time period that a juvenile corrections direct care staff is the subject of a POST decertification investigation and is no longer employed in law enforcement. (4-7-11)

01. Three to Five Years. A juvenile corrections direct care staff who has been out of juvenile corrections direct care staff employment status from three (3) to five (5) years and who wants to reactivate certification shall meet the following POST requirements: (4-7-11)

a. Submit a POST Certification Juvenile Corrections Challenge Packet; (4-7-11)

b. Pass the POST juvenile corrections certification examination approved by the POST Council, administered by a POST Training Specialist, and conducted in the manner set forth in Subsection 100.06.c. of these rules; and (4-7-11)

c. Satisfactorily complete a probationary period as set forth in Subsection 101.01 of these rules. (4-7-11)

02. Over Five Years. A juvenile corrections direct care staff who has been out of juvenile corrections direct care staff employment status for over five (5) years shall attend the POST Basic Juvenile Corrections Academy and comply with the requirements of Sections 100 and 101 of these rules to reactivate certification. The Council may waive this requirement on a showing of good cause by the direct care staff supported by clear and convincing evidence that during a substantial part of the time out of juvenile corrections direct care staff employment, the individual was engaged in an occupation requiring juvenile corrections direct care staff training, skill, and experience. This evidence shall be submitted with a POST Certification Juvenile Corrections Challenge Packet. Upon receiving a waiver, the direct care staff shall meet the following POST requirements: (4-7-11)

a. Pass the POST juvenile corrections certification examination approved by the POST Council, administered by a POST Training Specialist, and conducted in the manner set forth in Subsection 100.06.c. of these rules; and (4-7-11)

b. Satisfactorily complete a probationary period as set forth in Subsection 101.01 of these rules. (4-7-11)

03. Over Eight Years. A juvenile corrections direct care staff who has been out of juvenile corrections direct care staff employment status for over eight (8) years shall attend the POST Basic Juvenile Corrections Academy and comply with the requirements of Sections 100 and 101 of these rules to reactivate certification. No waiver of this requirement shall be granted by the Council. (4-7-11)

104. -- 999. (RESERVED)

Subject Index

C

Challenge Procedure 5
- Challenge Academy 6
- Direct Care Staff Approved for Participation in the Challenge 6
- Eligibility for Certification - Challenge Procedure 5

D

Definitions, IDAPA 11.11.05
- Basic Juvenile Detention Academy 3
- Challenge Exam 3
- Council 3
- Department 3
- Director 3
- Juvenile Corrections Direct Care Staff 3
- Juvenile Training Council 3
- Mandatory Certification 4
- Voluntary Certification 4

J

Juvenile Detention Officer Certification
- Applications 4
- Certification 4
- Decertification 4
- Eligibility 4
- Minimum Standards 4
- Property 4
- Submission 4

L

Lapse Of Juvenile Corrections Certification 6
- Over Eight Years 6
- Over Five Years 6
- Three to Five Years 6

T

The Basic Certificate
- Basic Training 5
- Juvenile Corrections on the Job Training 5
- Probation 5