IDAPA 11 – IDAHO STATE POLICE

Peace Officer Standards and Training Council

11.11.01 – Rules of the Idaho Peace Officer Standards and Training Council

Who does this rule apply to?
Law enforcement agencies, colleges and universities with law enforcement programs, law enforcement officers, and general public members.

What is the purpose of this rule?
These rules constitute the minimum standards of training, education, employment, and certification for any discipline certified by the POST Council. They further establish POST Council powers, membership, and duties, Division Administrator duties and selection, application, certification, education, and ineligibility of law enforcement officers and candidates for basic and higher level certification, standards of conduct for officers and students, reimbursement requirements, decertification and due process proceedings, instructor certifications, in service training standards, law enforcement, college or university programs, and record keeping standards.

What is the legal authority for the agency to promulgate this rule?
This rule implements the following statute passed by the Idaho Legislature:

Criminal Procedure -
Peace Officer Standards and Training Council:
- Section 19-5107, Idaho Code – Rules and Regulations

Who do I contact for more information on this rule?

Idaho State Police
Peace Officer Standards and Training
Monday through Friday, 8:00 a.m. to 5:00 p.m.
700 S. Stratford Drive, Suite 125
Meridian, ID 83642
Phone: (208) 884-7250
Fax: (208) 884-7294
Email: adminrules@isp.idaho.gov
Web: http://www.post.idaho.gov/

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IDAPA 11 – IDAHO STATE POLICE
PEACE OFFICER STANDARDS AND TRAINING COUNCIL

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

000. LEGAL AUTHORITY.
Pursuant to Section 19-5107, Idaho Code, the Peace Officer Standards and Training Council has authority, in accordance with Title 67, Chapter 52, Idaho Code, to promulgate rules it deems necessary to carry out the provisions of Title 19, Chapter 51, Idaho Code. (3-20-20)T

001. TITLE AND SCOPE.

01. Title. These rules are titled IDAPA 11.11.01, "Rules of the Idaho Peace Officer Standards and Training Council," IDAPA 11, Title 11, Chapter 01. (3-20-20)T

02. Scope. These rules constitute the minimum standards of training, education, employment, and certification for any discipline certified by the POST Council. (3-20-20)T

002. APPLICATIONS AND FORMS.
All persons seeking certification or endorsement by POST under these rules must complete all relevant POST approved forms, which shall be signed by the applicant's agency head or designee (on file at POST) prior to submission to POST. (3-20-20)T

003. DOCUMENTATION – COPIES.

01. Citizenship, Education, Military and Criminal Records. All documentation of citizenship, educational records and transcripts, military service, and criminal records required by these rules shall be submitted to POST in the form of a copy of a certified original document. (3-20-20)T

02. Training and Other Records. Training records and other records required or allowed to be submitted to POST by these rules shall be submitted in the form of an original or certified copy. Where neither an original or certified copy is available, records shall be legible and not mutilated, altered or damaged. (3-20-20)T

03. Notice of Employment/Termination. The names of all officers hired 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. (3-20-20)T

004. – 009. (RESERVED)

010. DEFINITIONS.
In addition to the definitions under 19-5101, Idaho Code, the following terms apply: (3-20-20)T

01. Act. Title 19, Chapter 51, of the Idaho Code. (3-20-20)T

02. Adult Felony Probation and Parole Officer. An employee of the Idaho Department of Correction who is responsible for supervision of adult offenders on felony probation or parole. (3-20-20)T

03. Adult Misdemeanor Probation Officer. An employee of a county misdemeanor probation department or contractor of a county who is responsible for preparing reports to the court, making recommendations regarding conditions of probation, and the supervision of misdemeanor offenders' compliance with court orders. (3-20-20)T

04. Agency. A law enforcement agency which is a part of or administered by the state of Idaho 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; an adult misdemeanor probation department, a Public-Safety Answering Point (PSAP); the Idaho Department of Juvenile Corrections; 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 a private correctional facility. (3-20-20)T

05. Agency Head. A chief of police of a city, sheriff of a county or chief administrator of a law

enforcement agency, as defined herein. (3-20-20)T

06. **Applicant**. A person applying to participate in a POST training program or applying for POST certification. (3-20-20)T

07. **Basic Training Academy**. A basic course of Council approved instruction in a discipline certified by POST. (3-20-20)T

08. **Canine Team**. A specific person and a specific dog controlled by that person as its handler, formally assigned to perform law enforcement duties together. (3-20-20)T

09. **Canine Team Evaluator**. An officer trained and certified by POST to evaluate the competence of canine teams. (3-20-20)T

10. **Challenge Examination**. A test to aid POST in determining whether an officer has sufficient competence that a waiver of completion of a basic training academy for that officer is warranted. (3-20-20)T

11. **College Credit**. A unit of work toward an academic or vocational degree awarded by a college or university accredited by one of the accrediting agencies listed in Subsection 11.11.01.053.01.d. or other POST accepted U.S. regional accrediting agency. (3-20-20)T

12. **Conviction**. Any conviction in any federal, tribal, state, county, or municipal court; a voluntary forfeiture of bail, bond, or collateral deposited to secure a defendant's appearance in court as final disposition; the payment of a fine or civil penalty; a plea of guilty or nolo contendere; or a finding of guilt, notwithstanding the form of judgment or withheld judgment, regardless of whether the sentence is imposed, suspended, deferred, or withheld, or whether the plea or conviction is set aside or withdrawn, or the case or charge is dismissed or reduced, 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 or reduction of the case or charge, or expungement of the record is based upon lenity or rehabilitation rather than upon a defect in the legality or factual basis of the plea, finding of guilt, or conviction. "Conviction" does not include a misdemeanor conviction upon a bond forfeiture for a violation that is or would at the time have in Idaho been an infraction violation, if the only reason it is classified as a misdemeanor is due to the bond forfeiture. (3-20-20)T

13. **Correction Officer**. An employee of the Idaho Department of Correction or a 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 a correction facility. (3-20-20)T

14. **Council**. The Idaho Peace Officer Standards and Training Council. (3-20-20)T

15. **County Detention Officer**. An employee of a county sheriff who works in a county jail and is responsible for the safety, care, protection, and monitoring of county jail inmates. (3-20-20)T

16. **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 and Counterfeiting), 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. (3-20-20)T

17. **Division Administrator**. The administrator of the Idaho Peace Officers Standards and Training Division of the Idaho State Police. (3-20-20)T

18. **Emergency Communications Officer**. Any emergency call taker or dispatcher employed by a Public Safety Answering Point (PSAP), whose responsibilities include receiving or dispatching 9-1-1 calls. (3-20-20)T

19. **Field Training**. Formal, on the job training for special and defined purposes. (3-20-20)T

20. **Full Time**. An employee who is, for a calendar month, employed on average at least thirty (30) hours of service per week, or one hundred thirty (130) hours of service per month. (3-20-20)T

21. **Hearing Board**. A board of three members designated by the Chair of the Council to hear contested cases and enter recommended orders for the Council's decision. (3-20-20)T

22. **Hearing Officer**. A person designated by the Council to preside over decertification proceedings and to render findings of fact, conclusions of law and a recommended order at the conclusion of those proceedings. (3-20-20)T

23. **In-Service Training**. Training designed to refresh or enhance a certified officer's ability to perform their duties. (3-20-20)T

24. **Juvenile Corrections Direct Care Staff**. An employee of the Idaho Department of Juvenile Corrections whose primary job duties include the safety, care, education, protection, or supervision of juveniles committed to the custody of the department. Direct care staff positions include: Rehabilitation Technician Trainee; Rehabilitation Technician; Rehabilitation Supervisor; Rehabilitation Specialist; Rehabilitation Specialist Associate; Instructor – DJC; Instructor Specialist; Instructor Assistant; Safety and Security Officer; Recreation Coordinator, Corrections; and Safety and Security Supervisor. (3-20-20)T

25. **Juvenile Detention Center**. A facility that is part of or administered by an Idaho county and is responsible for the safety, care, protection, and monitoring of juvenile offenders. (3-20-20)T

26. **Juvenile Detention Officer**. An employee working in a juvenile detention center who is responsible for the safety, care, protection, and monitoring of juvenile offenders. (3-20-20)T

27. **Juvenile Probation Department**. A public or private agency administered by or contracted with

the court, and providing juvenile probation services to a county at the concurrence and expense of the county commissioners. (3-20-20)T

28. Juvenile Probation Officer. An 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. (3-20-20)T

29. Law Enforcement Certification Program. A program operated by a college or university, law enforcement agency, or private entity and satisfying POST basic training academy requirements. (3-20-20)T

30. Law Enforcement Certification Program Facility. A facility at which law enforcement certification programs conduct training. (3-20-20)T

31. Law Enforcement Profession. As used in these rules in reference to agreements authorized pursuant to Section 19-5112, Idaho Code, the "law enforcement profession" includes the following positions: Peace Officer, County Detention Officer, Emergency Communications Officer, Juvenile Detention Officer, Juvenile Probation Officer, Correction Officer, Juvenile Corrections Direct Care Staff, Adult Felony Probation and Parole Officer, Idaho Department of Juvenile Corrections Direct Care Staff, and Adult Misdemeanor Probation Officer. (3-20-20)T

32. Marine Deputy. A person employed by a county sheriff whose primary function is to perform marine-related enforcement duties within established policies and procedures. (3-20-20)T

33. Misdemeanor Probation Department. A public or private agency administered by or contracted with the county, and providing misdemeanor probation services to a county at the concurrence and expense of the county commissioners. (3-20-20)T

34. Part-Time Employee. An employee, regardless of discipline, who works less than thirty (30) hours per week or one hundred thirty (130) hours per month. (3-20-20)T

35. Peace Officer. A full or part-time patrol officer employed by an agency whose duties 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 a patrol or reserve officer employed by a police or law enforcement agency of a federally recognized Indian tribe who has completed a POST basic training academy and has been deputized by a sheriff of a county or a chief of police of a city in Idaho. (3-20-20)T

36. POST. The Idaho Peace Officer Standards and Training Program. (3-20-20)T

37. POST Certified Instructor. A person certified by POST as qualified to instruct or assess students in a course of instruction which meets POST standards for certification or training. (3-20-20)T

38. Program Coordinator. A person designated by a college, university, or agency to be responsible for a law enforcement certification program. (3-20-20)T

39. 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. (3-20-20)T

40. Public Safety Answering Point (PSAP). A city, county, or state emergency call center that receives direct or transferred 9-1-1 calls for police, firefighting, and ambulances. (3-20-20)T

41. Regional Training Specialist. A POST employee who is assigned to a specific region of the state, and who assesses training materials and instruction for law enforcement personnel to assure compliance with POST standards. (3-20-20)T

42. Reserve Peace Officer. A person appointed by an agency to perform the duties of a peace officer on a limited basis. (3-20-20)T

43. **School**. A school, college, university, academy, or local training program which offers law enforcement training and which is certified by the Council. (3-20-20)T

44. **State**. Unless otherwise indicated, the state of Idaho. (3-20-20)T

45. **Student**. A person participating in any Council-approved basic training program or law enforcement certification training program. (3-20-20)T

46. **Temporary/Seasonal**. Employment of less than one hundred eighty (180) consecutive days. (3-20-20)T

47. **Trainee**. A POST certified officer participating in in-service training. (3-20-20)T

011. – 029. (RESERVED)

030. POST COUNCIL.

01. **Council Members**. The Council will be made up of such members as designated by statute. (3-20-20)T

02. **Compensation**. Council members will not be compensated for services to POST, but will be allowed actual and necessary expenses incurred in performing their duties. (3-20-20)T

03. **Resignations**. A Council member who ceases to qualify as such or intends to resign from the Council needs to notify the Governor and Chair in writing as soon as practicable. (3-20-20)T

031. POWERS AND DUTIES OF POST COUNCIL.
The duties of the Council include, but are not limited to, the following: (3-20-20)T

01. **Certification**. Authorizing POST to issue certification to members of the law enforcement profession as defined in these rules and issue certifications, approvals or endorsements to instructors, schools and programs providing instruction to law enforcement personnel. (3-20-20)T

02. **Records**. Maintaining records on all certified officers, certified or endorsed instructors and approved law enforcement certification programs, and furnish records upon request in accordance with the Idaho Public Records Act. (3-20-20)T

03. **Committees**. Establishing such committees as may be necessary to more fully carry out the duties of the Council. (3-20-20)T

04. **Vice-Chairman**. Electing a Vice-Chairman annually from among the Council's membership. (3-20-20)T

05. **Rules**. Adopting rules and procedures for the internal management of POST and the operation of law enforcement certification programs. (3-20-20)T

06. **Assist, Study, Consult and Cooperate**. Assisting departments and law enforcement certification training programs in complying with POST requirements, studying law enforcement training methods, consulting and cooperating with agencies and educational institutions concerned with law enforcement training. (3-20-20)T

07. **Additional Time to Complete POST Training and Certification**. Granting or delegating to the Division Administrator the authority to grant additional time, upon a showing of good cause and in writing, to complete POST training and certification. Good cause includes, but is not limited to, sickness or physical disability of officer or immediate family member, cancellation of a basic academy, natural disaster, or reapplication to the academy after failing or being unable to complete a previous basic academy. (3-20-20)T

08. Reimbursement of Instructors. Reimbursing instructors at POST certified training programs for travel, food and lodging at state per diem rates. (3-20-20)T

032. POST HEARING BOARD.
The Council may appoint a Hearing Board to hear matters assigned to the Board by the Council. (3-20-20)T

01. Members. The Council Chair will appoint three (3) members of the Council to serve on the Hearing Board. (3-20-20)T

02. Recommended and Final Orders. Orders issued by the Hearing Board at the conclusion of proceedings are recommended orders and become final orders after the Council's review. (3-20-20)T

03. Discovery. Discovery may be conducted in contested cases before a Hearing Officer and the Council. (3-20-20)T

033. POST DIVISION ADMINISTRATOR.
The Idaho State Police will employ a POST Division Administrator in a non-classified position, to serve under the direction of the Council. (3-20-20)T

01. Selection. The Director of the Idaho State Police will, subject to approval of the Council, select the Division Administrator from the register established by the Idaho Division of Human Resources after competitive testing. The Council Chair will select one (1) Chief or Sheriff from the Council to serve on the examining board. (3-20-20)T

02. Responsibilities. The Division Administrator will: (3-20-20)T

a. Supervise POST employees; (3-20-20)T

b. Report to the Council on such matters as the Council may direct; and (3-20-20)T

c. Perform such other duties as set forth in these rules or as the Council and the Director of the Idaho State Police direct. (3-20-20)T

03. Administration. For administrative purposes, the Division Administrator and POST staff are governed by the Policies and Rules of the Idaho State Police, concerning but not limited to fiscal, purchasing, and personnel matters. (3-20-20)T

034 – 049. (RESERVED)

050. BASIC CERTIFICATION OF LAW ENFORCEMENT OFFICERS.
All applicants for POST certification must meet the following standards and comply with the following requirements to be eligible to attend a basic training academy and for certification and employment in Idaho in any law enforcement discipline. (3-20-20)T

051. MANDATORY AND VOLUNTARY CERTIFICATION.

01. Mandatory Certification. Except as otherwise provided in these rules, no person shall act as a peace officer, marine deputy, county detention officer, emergency communications officer, juvenile detention officer, juvenile probation officer, correctional officer, adult probation and parole officer, juvenile direct care staff or misdemeanor probation officer in Idaho unless they are certified to do so by POST in accordance with these rules. (3-20-20)T

02. Voluntary Certification for Correctional Officers and Adult Probation and Parole Officers Employed Prior to July 1, 2005. Correctional officers and adult probation and parole officers who were employed prior to July 1, 2005 are not required to be POST certified in those disciplines, but may become certified by meeting all requirements for certification set forth in these rules. (3-20-20)T

03. Voluntary Certification for Emergency Communications Officers Employed Prior to July 1, 2012. Emergency Communications Officers who were employed prior to July 1, 2012 are not required to be POST certified, but may become certified by meeting all requirements for certification set forth in these rules. (3-20-20)T

04. Voluntary Certification for Certain Officials. The director of the Idaho State Police or any elected official, although specifically excluded by law from meeting the requirements set by the Council, may be certified if they so desire, provided they meet the minimum requirements for certification as prescribed in these rules. (3-20-20)T

052. CITIZENSHIP.

An applicant shall be a citizen of the United States and submit a certified copy or original of one (1) of the following as verification of citizenship: (3-20-20)T

01. Birth Certificate. A birth certificate issued by a city, county, or state; (3-20-20)T

02. Passport. A current passport issued by the United States Government; (3-20-20)T

03. Naturalization Certificate; (3-20-20)T

04. Consular Report of Birth Abroad or Certification of Birth; or (3-20-20)T

05. Certificate of Citizenship. (3-20-20)T

053. EDUCATION.

01. Acceptable Education. An applicant must have: (3-20-20)T

a. Graduated from a school accredited as a high school at the time of graduation by the state in which it is located or by a recognized regional accreditation body; (3-20-20)T

b. Passed a GED or an IBM Assessment Test in subject areas required by POST; (3-20-20)T

c. Have completed a high school equivalency program and obtained a state- issued certificate; (3-20-20)T

d. Completed a minimum of fifteen (15) credits at a college accredited by one of the following: Middle States Association of Schools and Colleges; New England Association of Schools and Colleges; North Central Association of Colleges and Schools (the Higher Learning Commission); Northwest Association of Colleges and Universities; Southern Association of Colleges and Schools; and Western Association of Schools and Colleges; or (3-20-20)T

e. Completed a course of study, either in a formal school setting or through homeschooling if the program is recognized by a state or by a local school district within a state as having met that state's high school graduation requirements. (3-20-20)T

f. If educated outside the United States, an applicant must have passed GED testing or provide an evaluation from a member of the National Association of Credential Evaluation Services (NACES) or Association of International Credential Evaluators, Inc. (AICE), showing the applicant's education meets or exceeds the U.S. requirements for high school graduation. (3-20-20)T

02. Documentation of Education. An applicant must provide a certified copy or original of one of the following: (3-20-20)T

a. High school diploma indicating date of graduation; (3-20-20)T

b. Official high school transcript indicating date of graduation; (3-20-20)T

c. Official transcript of GED results indicating a passing score; (3-20-20)T

d. Correspondence from the Idaho Department of Labor, providing a passing score result of testing; (3-20-20)T

e. Correspondence from a state or local school district indicating that the applicant has met that state's high school graduation requirements; (3-20-20)T

f. State-issued high school equivalency certificate; (3-20-20)T

g. Official transcript from a POST accepted U.S. regionally-accredited college indicating completion of a minimum of fifteen (15) credits; (3-20-20)T

h. Official evaluation of foreign education by a member of the National Association of Credential Evaluation Services (NACES) or Association of International Credential Evaluators, Inc. (AICE) showing the applicant's education meets or exceeds the U.S. requirements for high school graduation. (3-20-20)T

054. AGE.
The minimum age requirements for employment in the following disciplines are: (3-20-20)T

01. Twenty-One (21) Years of Age. Patrol officers, felony probation and parole officers, misdemeanor probation officers, juvenile detention officers, juvenile probation officers, and juvenile corrections direct care staff. (3-20-20)T

02. Eighteen (18) Years of Age. Corrections officers, adult detention officers, emergency communications officers. (3-20-20)T

055. INELIGIBILITY BASED UPON PAST CONDUCT.
An applicant is ineligible to attend a basic training academy and for certification under the following circumstances. (3-20-20)T

01. Criminal Conviction. An applicant is ineligible if he was convicted of: (3-20-20)T

a. A felony, if the applicant was eighteen (18) years old or older at the time of conviction; (3-20-20)T

b. A misdemeanor Driving Under the Influence offense(s) within two (2) years immediately preceding application, or two or more (2) misdemeanor Driving Under the Influence offenses within five (5) years immediately preceding application; (3-20-20)T

c. A misdemeanor crime involving domestic violence, if the relevant law enforcement discipline requires the applicant to possess a firearm in the course of their duty, or if the conviction occurred within 5 years immediately preceding application; (3-20-20)T

d. A misdemeanor crime of deceit, as defined in these rules, or a misdemeanor sex offense, if the conviction occurred within five (5) years immediately preceding application; (3-20-20)T

e. A misdemeanor drug-related offense, if the conviction occurred within one (1) year immediately preceding application. (3-20-20)T

02. Driver's License. An applicant is ineligible if he does not possess a valid driving license from the applicant's state of residence and is unable to qualify for an Idaho driver's license, except for the following disciplines: (3-20-20)T

a. Correction Officers; (3-20-20)T

b. Emergency Communications Officers. (3-20-20)T

03. Marijuana. An applicant is ineligible if he used marijuana, cannabis, hashish, hash oil, or THC in synthetic and natural forms, whether charged or not, if such use occurred: (3-20-20)T

a. Within one (1) year immediately preceding application; (3-20-20)T

b. While employed as a law enforcement officer, in a prosecutorial position, or in a position of public safety, regardless of when the use occurred. (3-20-20)T

04. Violations of Idaho Controlled Substances Act. An applicant is ineligible if he, while eighteen (18) years old or older, violated any provision of the Idaho Uniform Controlled Substances Act, Section 37-2701 et seq., Idaho Code, whether charged or not, that constitutes a felony, or of a comparable statute of another state or country, if the violation occurred: (3-20-20)T

a. Within three (3) years immediately preceding application; (3-20-20)T

b. While employed as a law enforcement officer, in a prosecutorial position, or in a position of public safety, regardless of when the illegal use occurred. (3-20-20)T

05. Use of Prescription or Other Legally Obtainable Controlled Substance. An applicant is ineligible if he unlawfully used any prescription drug or a legally obtainable controlled substance within the past three (3) years, unless: (3-20-20)T

a. The applicant was under the age of eighteen (18) at the time of using the controlled substance; or (3-20-20)T

b. An immediate, pressing, or emergency medical circumstance existed to justify the use of a prescription controlled substance not specifically prescribed to the person. (3-20-20)T

06. Military Discharge. An applicant is ineligible if he received a "dismissal," "bad conduct discharge" (BCD), "dishonorable discharge" (DD), or administrative discharge of other than honorable (OTH) from military service. (3-20-20)T

07. Decertification or Denial of Certification. An applicant is ineligible if he has been denied certification or his basic certificate has been revoked by the Council in this state or the responsible licensing agency in any other issuing jurisdiction, unless the denial or revocation has been rescinded by the Council or by the responsible licensing agency of the issuing jurisdiction. (3-20-20)T

056. DOCUMENTATION OF CRIMINAL, TRAFFIC, AND MILITARY DISCHARGE RECORDS.
With a POST application, an applicant shall submit the following to verify criminal, traffic or military records. (3-20-20)T

01. Criminal or Traffic Matters. Charging documents, including citations, complaints, information or indictments; judgements of convictions, orders of restitution; orders involving probation, parole, or revocation of probation or parole; orders of dismissal or release; records of payments to the court. (3-20-20)T

02. Military Discharge. Copies of a DD214 for active military service, NGB Form 22 for National Guard Service, or Official Military Discharge Documentation for Reserve military service. (3-20-20)T

057. REQUIREMENTS FOR BASIC CERTIFICATION.
In addition to complying with the foregoing standards, each applicant for certification must also comply with the following requirements. (3-20-20)T

01. Agency Employment. Each applicant must be an employee of an agency, as defined in these rules, in a position requiring POST certification, or be a member of POST professional staff. (3-20-20)T

02. Background Investigation. The employing agency must conduct a comprehensive background

investigation of each applicant to ensure that he meets requirements for POST certification and employment in the law enforcement profession. (3-20-20)T

a. The applicant must complete a comprehensive application and personal history statement prior to a background investigation in aid of determining he is eligible for certification. (3-20-20)T

b. The applicant must be fingerprinted on a standard FBI Applicant fingerprint card and a search of local, state, and national fingerprint data bases must be made to disclose any criminal record. The employing agency must retain originals of all records check results. (3-20-20)T

c. The employing agency must investigate the applicant's traffic records in each state in which he resided. (3-20-20)T

d. The background investigation must include information from personal references, schools, the applicant's last three (3) previous employers, and law enforcement agency or PSAP records in jurisdictions where the applicant has lived or worked. (3-20-20)T

e. The employing agency must interview each applicant to ascertain his suitability for the law enforcement profession. Interview topics must include use of intoxicants, controlled substances, physical, mental, and emotional history, family problems, moral outlook and habits, and the applicant's financial history. (3-20-20)T

f. An experienced investigator must conduct a thorough investigation into the applicant's reputation, integrity, honesty, dependability, qualifications, experience, associations, emotional stability, and respect for the law. (3-20-20)T

03. Physical Readiness Assessment. The employing agency shall require an assessment of an applicant's physical readiness to ensure he can perform physically demanding tasks and tests while attending a basic training academy or equivalent program. An applicant who fails a required physical test during an academy may be dismissed, but may attend a future academy and must pass a physical readiness test prior to certification. (3-20-20)T

04. Mental Readiness Assessment. Where there is a question as to whether the applicant may be subject to a mental or emotional disorder that calls his suitability for the law enforcement profession into question, the employing agency shall have a psychiatrist or clinical psychologist conduct a thorough evaluation to ensure he is capable of performing law enforcement duties. (3-20-20)T

05. Application. Each applicant must fill out a POST Application and submit it to the employing agency, which shall submit it to POST with all required documentation. (3-20-20)T

a. Upon review of an application, POST may inspect an agency's background investigation file to ensure it is accurate and complete. If a review indicates that information submitted to POST may be inaccurate, incomplete or falsified, the Division Administrator must inspect the agency's background investigation file. (3-20-20)T

b. If the application contains inaccuracies or omissions, the Division Administrator may require the agency to supplement the application, and may approve the application. (3-20-20)T

c. If the application contains evident falsifications, the Division Administrator shall reject the application. (3-20-20)T

06. Aptitude Test. An applicant shall complete an aptitude test to ensure he is capable of performing law enforcement duties. (3-20-20)T

07. Code of Ethics/Standards of Conduct. Each applicant shall attest that he will abide by the following Law Enforcement Code of Ethics, and that he understands violations thereof constitute grounds for decertification:

As a member of the law enforcement profession, my fundamental duty is to serve the community; to

safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all to liberty, equality and justice.

I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or my agency. I will maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret, unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and the relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge or position of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of law enforcement/public service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other law enforcement or emergency communications officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence. I will constantly strive to achieve these objectives and ideals, dedicating myself before God or have a sincere and unfaltering commitment to my chosen profession…law enforcement.

(3-20-20)T

08. Time for Completing Basic Training Academy or Alternative Training, Field Training and Probationary Period. (3-20-20)T

a. Except as otherwise provided in these rules, every person attending a basic training academy must complete that academy, a minimum of 40 hours of field training and six consecutive months of probation in that discipline with that hiring agency within twelve months of beginning employment in order to be certified.(3-20-20)T

b. Emergency communications officers attending a basic training academy must complete that academy, and six consecutive months of probation in that discipline with that hiring agency within eighteen (18) months of beginning employment in order to be certified. (3-20-20)T

c. Any person who does not become certified in the relevant discipline within three (3) years of graduating from a basic training academy or POST certified equivalent program must repeat that entire academy or program in order to become certified. (3-20-20)T

d. Every person seeking certification through the POST challenge process must complete that process within one year of beginning employment with an agency. (3-20-20)T

058. STANDARDS OF CONDUCT FOR BASIC TRAINING ACADEMY STUDENTS.

01. Required Behavior. All students shall conduct themselves in a manner which will bring credit to the law enforcement profession. Student behavior must reflect courtesy, consideration and respect for others.

(3-20-20)T

02. Prohibited Conduct. Any conduct detrimental to the efficiency or discipline of the academy, whether or not stated in the instructions, is prohibited and can be cause for disciplinary action or expulsion. A student's agency head will be informed of any such infraction. (3-20-20)T

03. Notice. POST shall inform students of requirements relating to residency, equipment, supplies, and

conduct at the academy at the time of their acceptance into an academy. (3-20-20)T

059. CHALLENGING A BASIC TRAINING ACADEMY.
An applicant for POST certification may challenge the basic training academy in the relevant discipline under the following circumstances, and subject to the following conditions. (3-20-20)T

01. Requirements for Challenging a Basic Training Academy. Except as otherwise provided by these rules, an applicant challenging a basic training academy must: (3-20-20)T

a. Be employed by an agency in Idaho; (3-20-20)T

b. Have been employed, and if applicable, have been certified or commissioned by another state or the federal government as an officer in the relevant discipline within the last five (5) years, or a student who has satisfactorily completed a basic training academy equivalent to the POST basic training academy in the relevant discipline within the last three (3) years; (3-20-20)T

c. Submit a POST certification challenge packet, including copies of all relevant service, educational and training records; (3-20-20)T

d. Disclose all information regarding any decertification investigation or proceeding or the equivalent from any other jurisdiction; (3-20-20)T

e. Complete a probationary period of at least six (6) consecutive months with the employing agency in the relevant discipline; (3-20-20)T

f. Comply with any additional provisions required by POST for a challenge in a specific discipline; and (3-20-20)T

g. Reserve Officers must have been employed, certified, or commissioned by another state or the federal government as an officer in the relevant discipline within the last three (3) years. (3-20-20)T

02. Patrol and Detention Law Enforcement Certification Program or POST Academy Graduates. An applicant who is appointed to either a peace officer or a detention officer position from 3 to 5 years after completing both the patrol and detention officer training through a POST approved law enforcement certification program or POST basic training academy, will be eligible for certification in the other discipline without attending an additional basic training academy, provided the officer: (3-20-20)T

a. Was appointed to a peace officer or detention officer position in Idaho within three (3) years from graduating from a law enforcement certification program or a POST Academy; (3-20-20)T

b. Possesses a detention or peace officer certification from POST; (3-20-20)T

c. Submits a POST challenge packet; (3-20-20)T

d. Discloses information regarding any decertification investigation or proceeding or the equivalent from any other jurisdiction; (3-20-20)T

e. Completes a probationary period of at least six (6) consecutive months with the employing agency in the relevant discipline; and (3-20-20)T

f. Complies with any additional provisions required by POST for a challenge in a specific discipline. (3-20-20)T

060. AGREEMENT TO SERVE – REIMBURSEMENT REQUIREMENT.

01. Agreement. Pursuant to Section 19-5112, Idaho Code, any student attending a POST funded basic training academy must execute an agreement promising to remain within the law enforcement profession in Idaho for

two (2) years immediately following graduation. Violation of the agreement will give rise to a civil action which may be commenced by the Council on behalf of the state for restitution of all costs of education paid by the Council plus costs and reasonable attorney's fees. (3-20-20)T

02. Fulfillment of Agreement. The agreement will be fulfilled if, following graduation from a basic training academy, the student remains in the law enforcement profession in Idaho, as follows: (3-20-20)T

a. On a full-time basis, for two (2) full calendar years immediately following graduation date; or (3-20-20)T

b. On a part-time basis, and the officer provides the Council with documentation of four thousand one hundred sixty (4,160) hours of service immediately following graduation date. (3-20-20)T

03. Relief from Obligation to Serve. A student is relieved of his obligations under the agreement if the student is: (3-20-20)T

a. Terminated by the employing agency due to budget cutbacks or loss of funding and the agency provides POST with a letter stating the student was terminated due to the agency's lack of funding; (3-20-20)T

b. Forced to resign due to his own or an immediate family member's terminal illness or prolonged debilitating condition and the student provides POST with documentation from an attending physician verifying the medical condition; (3-20-20)T

c. Ordered into full-time active military service, and the student provides POST with documentation of official military orders; or (3-20-20)T

d. The spouse of a person who is a member of the military and is being required to transfer outside Idaho for a prolonged period of time, and the student provides POST with documentation of the spouse's official military orders. (3-20-20)T

04. Reimbursement. A student who graduates from a basic training academy whose employment is terminated or resigns prior to fulfillment of the agreement or does not qualify for disqualification must reimburse the state for educational training expenses. (3-20-20)T

05. Proration. A student's reimbursement obligation under the agreement will be prorated if he remains in the law enforcement profession in Idaho following graduation from a basic training academy for the following time periods: (3-20-20)T

a. On a full-time basis for less than twelve (12) complete months following graduation. The full amount of money set forth in the agreement shall be owed; (3-20-20)T

b. On a full-time basis for a minimum of twelve (12) complete months following graduation but less than twenty-four (24) complete months. The amount owed to the Council will be reduced proportionately for each complete month worked from the date of graduation to the date of separation; or (3-20-20)T

c. On a part-time basis for a documented minimum of two thousand eighty (2,080) hours service following graduation, but less than four thousand one hundred sixty (4,160) hours. The amount owed to the Council will be reduced proportionately for each one hundred seventy-three (173) hours worked from the date of graduation to the date of separation. (3-20-20)T

06. Multiple Basic Training Academies. A student who graduates from more than one (1) basic training academy must fulfill a two-year agreement for each academy attended. (3-20-20)T

07. Decertification. A student who is decertified by POST prior to a period of two (2) years after graduating from an academy shall not be relieved of the obligation to reimburse POST pursuant to this section. (3-20-20)T

061. – 069. (RESERVED)

070. HIGHER LEVEL CERTIFICATION.
In addition to basic certification, the Council may issue higher-level certifications in recognition of additional training and experience to full-time officers already possessing a basic POST certification. (3-20-20)T

01. Types of Higher-Level Certification. In addition to basic certification, the Council may issue the following: (3-20-20)T

a. Intermediate certification for peace officers, detention officers, juvenile probation officers, juvenile detention officers and emergency communications officers; (3-20-20)T

b. Advanced certification for peace officers, detention officers and emergency communications officers; (3-20-20)T

c. Supervisor certification for peace officers, detention officers and emergency communications officers; (3-20-20)T

d. Master certification for peace officers, detention officers and emergency communications officers; (3-20-20)T

e. Management certification for peace officers, detention officers and emergency communications officers; (3-20-20)T

f. Executive certification for peace officers. (3-20-20)T

02. Requirements. In addition to the requirements otherwise set forth in these rules, the following are required for higher level certification: (3-20-20)T

a. An applicant shall possess POST basic certification in the relevant discipline and be a full-time employee of an agency. (3-20-20)T

b. An applicant shall attach to his POST application all relevant transcripts, certificates, diplomas, degrees, course outlines, or other documents not listed on the applicant's POST training record, verifying his education and training. (3-20-20)T

c. The agency of an applicant for a Supervisor, Management, or Executive certification must submit a job description or other documentation verifying the applicant's duties. (3-20-20)T

071. LAW ENFORCEMENT EXPERIENCE, MILITARY EXPERIENCE, AND COLLEGE CREDITS FOR PURPOSES OF HIGHER CERTIFICATION.
For purposes of determining whether a person is eligible for higher level certifications based upon experience and education, the following apply. (3-20-20)T

01. Law Enforcement Experience. Law enforcement experience shall include actual time served with a law enforcement agency as a peace officer or county detention officer. POST Council determines the acceptability of time served in one of those positions in a jurisdiction other than Idaho, or one which does not comply with the minimum standards set forth in these rules. (3-20-20)T

02. Juvenile Justice Experience. Juvenile justice experience means actual time served as a full-time juvenile corrections, juvenile detention, or juvenile probation officer. (3-20-20)T

03. Emergency Communications Officer Experience. Emergency communications officer experience means actual time served as a full-time emergency communications officer with a duly constituted law enforcement or PSAP agency. (3-20-20)T

04. Military Law Enforcement Service and Education. An applicant who has served in the military

as a full-time military law enforcement officer may be awarded partial credit toward law enforcement experience and training. The applicant shall have served as a full-time military law enforcement officer for the period of time for which credit is requested. Regular guard duty does not qualify. (3-20-20)T

a. Credit will be awarded as follows: (3-20-20)T

i. One (1) year of accepted military law enforcement service shall equal three (3) months of law enforcement experience. (3-20-20)T

ii. Eight (8) hours of accepted military law enforcement training shall equal four (4) hours of law enforcement training. (3-20-20)T

b. No applicant shall be awarded more than two (2) years of law enforcement experience or more than one thousand (1,000) hours of law enforcement training. (3-20-20)T

c. Educational credit may be awarded for completion of military law enforcement schools. All certificates, course outlines, diplomas, DD-214's, and certificates of completion showing length of school shall be submitted to POST with the application for higher certification. (3-20-20)T

05. College Credits. POST may award credits for college education as follows: (3-20-20)T

a. One (1) college or university semester hour or unit shall equal one (1) college credit. (3-20-20)T

b. One (1) college or university quarter hour or unit shall equal two-thirds (2/3) of one (1) college credit. (3-20-20)T

c. College credits may be converted to POST training hours at the rate of twenty (20) POST training hours for one (1) college credit. (3-20-20)T

d. When college credit is awarded or purchased for POST approved training, it may be counted for either POST training hours or college credit, whichever is to the advantage of the applicant. (3-20-20)T

e. Applicants shall submit an official college transcript as verification of college credit. (3-20-20)T

072. INTERMEDIATE AND ADVANCED CERTIFICATION.
POST Intermediate and Advanced certification recognizes the additional training and experience of patrol, detention, emergency communications officers, juvenile probation officers and juvenile detention officers already possessing a basic POST certification. In addition to the requirements otherwise set forth in these Rules, the following are required for an Intermediate or Advanced Certificate. (3-20-20)T

01. Intermediate Certification. An applicant shall hold a current POST basic certification, and have acquired either the combination of college credits and/or POST training hours, combined with the prescribed years of law enforcement experience, or an associate or baccalaureate degree from a college recognized by a regional accreditation agency, combined with the prescribed years of law enforcement experience, as set forth in the following subsections: (3-20-20)T

a. Peace officers.

POST Training Hours Including POST Basic Patrol Academy	600 hours	800 hours	1,200 hours	1,600 hours	1,800 hours	POST Basic Patrol Academy	
One College Credit Equals Twenty (20) POST Training Hours	The above may be a combination of College Credits and POST Training Hours					Associate Degree	Baccalaureate Degree

Years of Law Enforcement Experience	8 or more	7	6	5	4	4	2

(3-20-20)T

b. Detention officers.

POST Training Hours Including POST Basic Detention Academy	600 hours	800 hours	1,200 hours	1,600 hours	1,800 hours	POST Basic Detention Academy	
One College Credit Equals Twenty (20) POST Training Hours	The above may be a combination of College Credits and POST Training Hours					Associate Degree	Baccalaureate Degree
Years of Law Enforcement Experience	8 or more	7	6	5	4	4	2

(3-20-20)T

c. Emergency communications officers. The applicant shall: (3-20-20)T

i. Have completed a minimum of one hundred twenty (120) hours of POST certified training, which must include basic training. (3-20-20)T

ii. A minimum of three (3) years of emergency communications officer experience. (3-20-20)T

d. Juvenile detention officers.

POST Training Hours Including POST Basic Juvenile Detention Academy	200 hours	400 hours	600 hours	800 hours	1,000 hours	POST Basic Juvenile Detention Academy	
One College Credit Equals Twenty (20) POST Training Hours	The above may be a combination of College Credits and POST Training Hours					Associate Degree	Baccalaureate Degree
Years of Juvenile Justice Experience	8 or more	7	6	5	4	4	2

(3-20-20)T

e. Juvenile probation officers.

POST Training Hours Including POST Basic Juvenile Probation Academy	200 hours	400 hours	600 hours	800 hours	1,000 hours	POST Basic Juvenile Probation Academy

One College Credit Equals Twenty (20) POST Training Hours	The above may be a combination of College Credits and POST Training Hours					Associate Degree	Baccalaureate Degree
Years of Juvenile Justice Experience	8 or more	7	6	5	4	4	2

(3-20-20)T

02. Advanced Certification. An applicant shall hold a current POST basic certification, possess or be eligible to possess an intermediate certificate, and have acquired either the combination of college credits and POST training hours, combined with the prescribed years of law enforcement experience, or an associate, baccalaureate, master's or doctoral degree from a college recognized by a regional accreditation agency, combined with the prescribed years of law enforcement experience, as set forth in the following subsections: (3-20-20)T

a. Peace officers.

POST Training Hours Including POST Basic Patrol Academy	500 hours	600 hours	700 hours	800 hours	900 hours	1,200 hours	POST Basic Patrol Academy		
College Credits	15	20	30	40	45	60	Associate Degree	Baccalaureate Degree	Master's Degree or PhD
Years of Law Enforcement Experience	13 or more	12	11	10	9	8	8	6	4

Graduation from the Drug Enforcement Administration School in Washington, D.C., the Northwestern University Traffic Institute School of Police Staff and Command, the FBI National Academy or Southern Police Institute's Administrative Officers Course/Command Officers Development Course shall be accepted in lieu of the fifteen (15) college credits required for the Advanced Certificate with thirteen (13) years or more of experience. (3-20-20)T

b. Detention officers.

POST Training Hours Including POST Basic Detention Academy	500 hours	600 hours	700 hours	800 hours	900 hours	1,200 hours	POST Basic Detention Academy		
College Credits	15	20	30	40	45	60	Associate Degree	Baccalaureate Degree	Master's Degree or PhD
Years of Law Enforcement Experience	13 or more	12	11	10	9	8	8	6	4

Graduation from the Drug Enforcement Administration School in Washington, D.C., the Northwestern University

Traffic Institute School of Police Staff and Command, the FBI National Academy or Southern Police Institute's Administrative Officers Course/Command Officers Development Course shall be accepted in lieu of the fifteen (15) college credits required for the Advanced Certificate with thirteen (13) years or more of experience. (3-20-20)T

c. Emergency communications officers. (3-20-20)T

i. Have completed a minimum of five hundred (500) hours of POST certified training, which must include POST approved basic training. (3-20-20)T

ii. Have at least ten (10) years of communications specialist experience. (3-20-20)T

03. Probationary Period. An applicant shall have completed a probationary period of at least six (6) consecutive months with the employing agency prior to applying for intermediate or advanced certificates. Agencies may require a longer probationary period prior to application. (3-20-20)T

073. SUPERVISOR CERTIFICATION.
POST supervisor certification recognizes the training and experience of patrol, detention and emergency communications officers employed in positions above the operational level who holds the rank of sergeant or equivalent title and who are responsible for the direct supervision of line personnel. In addition to the requirements otherwise set forth in these rules, an applicant for a supervisor certificate must: (3-20-20)T

01. Position. Be employed for a minimum of one (1) year by an agency in a first-line supervision position above the operational level which is responsible for the direct supervision of nonsupervisory personnel. (3-20-20)T

02. Certification. Possess an intermediate or advanced patrol, detention officer or emergency communications officer certificate. (3-20-20)T

03. Training. Have completed one hundred (100) hours of POST certified supervisory-level training, of which fifty (50) hours shall have been completed within three (3) years immediately prior to submitting an application for the supervisor certificate. (3-20-20)T

074. MASTER CERTIFICATION.
POST master certification recognizes the training and experience of patrol, detention and emergency communications officers who hold a rank below sergeant or equivalent title and who have focused their career efforts on line functions. In addition to the requirements otherwise set forth in these Rules, an applicant for a master certificate must: (3-20-20)T

01. Prior Certification. Possess an advanced certificate. (3-20-20)T

02. Training. Have completed one thousand five hundred (1,500) hours of POST certified training. College credits may be converted to POST training hours at the rate of one (1) college credit equals twenty (20) POST training hours. (3-20-20)T

03. Experience. Have completed a minimum of fifteen (15) years of full-time law enforcement service in assignments which did not include full-time supervisory, management, or executive positions. (3-20-20)T

075. MANAGEMENT CERTIFICATION.
POST management certification recognizes the training and experience of patrol, detention and emergency communications officers in positions between a first-line supervisor and an executive, with responsibility for direct supervision of supervisory personnel and/or command duties. POST management certification is also available to city police chiefs or administrators within state agencies having law enforcement powers whose duties are primarily administrative. In addition to the requirements otherwise set forth in these rules, the following are required for an award of a management certificate. (3-20-20)T

01. Position. An applicant must be employed by an agency for a minimum of six (6) months in a management or executive position with primary responsibilities that are administrative or managerial in nature,

including direct supervision of supervisory personnel and/or command duties, and which is typically occupied by a person holding the rank of lieutenant or higher, or equivalent title. (3-20-20)T

02. Certification. An applicant must possess POST certification as a peace officer, detention officer, or emergency communications officer; certification from another state that has minimum peace officer standards; or a certificate of completion from a city, county, state, or federal law enforcement academy that meets that state's minimum training standards. (3-20-20)T

03. Training. An applicant must have completed one hundred (100) hours of POST certified management-level training, of which fifty (50) hours shall have been completed within three (3) years immediately prior to submitting an application for the Management Certificate. (3-20-20)T

04. Officers not Certified in Idaho. In addition to the other requirements of this section, officers who are not POST certified must: (3-20-20)T

a. Submit a Patrol Challenge Packet to POST, including copies of POST training records from other states, transcripts, certificates, diplomas, or other documents substantiating the officer's training, education and experience. (3-20-20)T

b. Attend a POST approved course of study in Idaho law and pass the POST Idaho law exam. (3-20-20)T

05. Police Chiefs, Agency Administrators. City police chiefs or administrators within state agencies having law enforcement powers who have duties which are primarily administrative may satisfy the certification requirement of Section 19-5109(2), Idaho Code, by obtaining this certificate. All other city police chiefs or state agency administrators having law enforcement powers may be awarded this certificate upon meeting the requirements, but shall also complete the requirements necessary to obtain a Basic Certificate. (3-20-20)T

076. EXECUTIVE CERTIFICATION.
POST Executive Certification recognizes the training and experience of law enforcement agency heads. In addition to the requirements otherwise set forth in these rules, an applicant for an Executive Certificate must: (3-20-20)T

01. Position. Be employed for a minimum of three (3) years as a chief of police, sheriff, director or chief executive of an agency. (3-20-20)T

02. Prior Certification. Possess a POST Advanced or Management Certificate, or the equivalent from another state meeting or exceeding Idaho standards. (3-20-20)T

03. Training. Have completed one hundred (100) hours of POST certified executive-level training, of which fifty (50) hours shall have been completed within three (3) years immediately prior to application for an Executive Certificate. (3-20-20)T

077. – 079. (RESERVED)

080. CERTIFICATIONS FOR PART-TIME OFFICERS.
In addition to basic POST certification, as set forth in these rules, the Council may issue certifications to the following employees who work under the supervision of full-time, POST certified Officers. (3-20-20)T

01. Requirements. Part-time officers in all disciplines except reserve peace officers, marine deputies and part-time juvenile detention officers will meet the same requirements as full time officers and will be issued a basic certificate. (3-20-20)T

a. Part-time juvenile detention officers who attend the basic juvenile detention academy will receive a basic certificate. Part-time juvenile detention officers who attend the part-time juvenile detention training will be issued a part-time juvenile detention certificate. (3-20-20)T

b. Part-time misdemeanor probation officers must work sixty (60) hours per year to maintain

certification. (3-20-20)T

c. Reserve peace officers will be issued a reserve peace officer certification. (3-20-20)T

d. Marine deputies will be issued a marine deputy certification. (3-20-20)T

02. Lapse of Certification. All part-time POST certifications shall lapse in the same manner as basic certifications, and as set forth in these rules. (3-20-20)T

03. Decertification. All-part time officers are subject to decertification in the manner set forth in these rules. (3-20-20)T

04. Limit and Authority. The certification and authority of part-time officers is not limited except where indicated in these rules. (3-20-20)T

081. RESERVE PEACE OFFICER CERTIFICATION.
The Council may issue reserve peace officer certification for part-time employees of agencies who are assigned limited duties and work under the supervision of full-time, POST certified peace officers. (3-20-20)T

01. Eligibility. An applicant for reserve peace officer certification must be a reserve peace officer employed on a part-time basis by an agency and meet minimum standards for employment as provided in these rules. (3-20-20)T

02. Reserve Officer Training. An applicant for reserve peace officer certification shall complete the POST approved reserve peace officer academy. (3-20-20)T

03. Peace or Reserve Officers Certified In Another State, Commissioned by the Federal Government, or Graduates of a Basic Police Academy. An applicant who has served as a full-time certified peace officer or reserve officer in another state or as a full-time commissioned peace officer of the federal government within the three (3) years immediately preceding application or a student who has completed an equivalent to the basic patrol academy within the three (3) years immediately preceding application is eligible for reserve office certification without attending the reserve officer academy, provided he: (3-20-20)T

a. Submits, with a reserve officer certification packet, records of certifications and training from other states, and transcripts, certificates, diplomas, or other documents that verify the officer's training and experience; (3-20-20)T

b. Discloses all information regarding any decertification investigation or proceeding or the equivalent from any other jurisdiction; (3-20-20)T

c. Comply with any additional provisions required by POST. (3-20-20)T

04. Absence of Three Years. An officer who has not served in law enforcement for over three (3) years must complete all requirements set forth in this section to be eligible for reserve peace officer certification. (3-20-20)T

05. Supervision. An agency utilizing reserve peace officers shall have a policy regarding the duties and supervision of certified reserve peace officers. (3-20-20)T

06. Limitation on Certification. A reserve peace officer's certification is effective only while he is formally assigned to peace officer duties by the employing agency. (3-20-20)T

07. Retaining Certification. A certified reserve peace officer must work a minimum of one hundred twenty (120) hours annually in a peace officer capacity to retain certification. A certified reserve peace officer working less than one hundred twenty (120) hours annually must complete all requirements for initial reserve peace officer certification to be recertified. (3-20-20)T

082. MARINE DEPUTY CERTIFICATION.

01. Appointment by Sheriff. Marine deputies may be appointed by the Sheriff of a county for the purpose of enforcing: (3-20-20)T

a. The provisions of Title 67, Chapter 70, Idaho Code; (3-20-20)T

b. The provisions of IDAPA 26, Title 01, Chapter 30, Administrative Rules of the Idaho Department of Parks and Recreation; (3-20-20)T

c. City and county ordinances pertaining to watercraft and waterways; and (3-20-20)T

d. Enforcement of Idaho Code as assigned by the Sheriff. (3-20-20)T

02. Minimum Basic Training. A person desiring marine deputy certification shall complete the Council approved core curriculum, comprising basic law enforcement and marine specific courses. (3-20-20)T

03. Peace Officer Eligibility. A person who, within the three (3) years immediately preceding application, has served as a full-time POST certified peace officer shall be eligible for POST marine deputy certification without completing the core curriculum, provided he completes required marine specific courses and passes the marine deputy certification examination. (3-20-20)T

04. Certified or Commissioned in Another Jurisdiction; Graduate of Basic Police Academy. A person who has, within the three (3) years immediately preceding application, served as a full-time certified peace officer in another state, or served as a full-time commissioned peace officer for the federal government, or completed a basic police academy equivalent to the POST basic patrol academy may be eligible for POST marine deputy certification, provided he passes the POST marine deputy certification examination and meets all additional POST requirements for marine deputy certification. (3-20-20)T

05. Absence of Three Years. A person who has not served as a marine deputy or as a peace officer for over three (3) years must complete the POST core curriculum to be eligible for marine deputy certification. (3-20-20)T

083. PART-TIME JUVENILE DETENTION OFFICER CERTIFICATION.
A part-time juvenile detention officer must be certified by the Council within one (1) year of the date he was first employed as a part-time juvenile detention officer. (3-20-20)T

01. Eligibility. An applicant shall: (3-20-20)T

a. Meet the definition of part-time juvenile detention officer as defined in these rules. (3-20-20)T

b. Meet the minimum standards for certification provided in these rules. (3-20-20)T

c. Must have been employed by the agency for a minimum six (6) consecutive months, which may include part-time juvenile detention officer training time, prior to certification. (3-20-20)T

02. Requirements for Certification. An applicant must: (3-20-20)T

a. Complete POST approved part-time juvenile detention officer training. (3-20-20)T

b. Complete POST approved part-time juvenile detention officer field-training of no less than forty (40) hours. (3-20-20)T

c. Comply with any additional provisions required by POST. (3-20-20)T

03. Retaining Certification. A certified part-time juvenile detention officer must work sixty (60) hours annually in a juvenile detention officer capacity to retain certification. Documentation of hours worked must be

kept on file at the appointing agency. A part-time juvenile detention officer working less than sixty (60) hours annually must complete all requirements for certification set forth in this section to be recertified. (3-20-20)T

04. Limitations on Certification and Authority. (3-20-20)T

a. A part-time juvenile detention officer's certification is effective only during those periods when he is formally assigned by the employing agency to perform the duties of a certified part-time juvenile detention officer. (3-20-20)T

b. All certified part-time juvenile detention officers shall be directly supervised by a POST certified full-time juvenile detention officer, and each agency shall have a policy regarding supervision of part-time juvenile detention officers. (3-20-20)T

084. – 089. (RESERVED)

090. CANINE-RELATED CERTIFICATIONS.
Canine related certificates ensure the competence of law enforcement canine teams and evaluators. These rules do not limit the use of canine teams employed by other states or federal agencies for law enforcement purposes, or the use of volunteer canine teams in which the handler is not an Idaho peace, detention, correction, or adult probation and parole officer. (3-20-20)T

091. CANINE TEAM CERTIFICATION.

01. Mandatory Certification. A canine team shall be POST certified to perform law enforcement duties. (3-20-20)T

02. Eligibility. A canine handler shall hold a POST law enforcement certification. Contract employees are not eligible for canine team certification. (3-20-20)T

03. Areas of Certification. The Council shall certify a canine team which successfully demonstrates the handler's ability to control the dog, under the scrutiny of an evaluator, in addition to proficiency in one (1) or more areas as deemed by the Council. (3-20-20)T

04. Evaluation. Evaluators of canine teams shall use POST standards for that particular skill category. Performance shall be rated on a pass/fail basis. The evaluator may discontinue testing if excessive time has been spent without results. The evaluator shall not be the owner or handler of the dog being evaluated, and not have a proprietary interest in the training of the team being evaluated. A Regional Training Specialist shall be notified of all canine certification testing. (3-20-20)T

05. Failed Evaluation. If a team fails any portion of an evaluation, the entire evaluation is considered as having been failed. All skills shall be repeated and successfully demonstrated during retesting. The team shall wait at least twenty-four (24) hours before retesting, and be retested by the same evaluator, or his designee, that evaluated the failed test. (3-20-20)T

06. Expiration of Certification. POST Canine Certification is valid for fifteen (15) months. A canine team must be evaluated prior to their certification expiration date to maintain certification. Certification shall lapse if the handler and canine dog cease to perform canine team functions together. (3-20-20)T

092. CANINE EVALUATOR CERTIFICATION.

01. Certification. POST shall certify applicants who meet the requirements set forth in this section and are deemed qualified by their training and experience to evaluate police canine teams. Certificates shall be issued in the areas of Patrol and Detection. (3-20-20)T

02. Eligibility. To be eligible for a Canine Evaluator Certificate, each applicant shall: (3-20-20)T

a. Possess a current or previous POST professional certification and not have been previously

decertified as a public safety official in any jurisdiction; (3-20-20)T

b. Have three (3) years of experience as a certified canine handler; (3-20-20)T

c. Have three hundred ninety (390) hours of POST certified or federally- approved canine-related training; (3-20-20)T

d. Complete the POST certified Canine Evaluators course; (3-20-20)T

e. Evaluate seven (7) dogs while under supervision of a POST certified canine evaluator; and (3-20-20)T

f. Submit a Canine Evaluator Application Packet to POST, which includes: (3-20-20)T

i. Transcripts, certificates, diplomas, or other documents verifying the applicant's education and training in the canine field; and (3-20-20)T

ii. A letter of recommendation from an administrator within the applicant's agency. (3-20-20)T

03. Retaining Certification. A certified canine evaluator shall evaluate a minimum of four (4) dogs every two (2) years in the discipline in which they are certified to evaluate. Any evaluator not satisfying this requirement shall complete all requirements for initial canine evaluator certification to be recertified. (3-20-20)T

04. Revocation. The Council may revoke Canine Evaluator certification if an evaluator is deemed unqualified to continue evaluating police canine teams. Review of canine evaluator certification may be initiated upon the request of an agency head, other reliable source or the Council. (3-20-20)T

093. – 099. (RESERVED)

100. LAPSE OF BASIC CERTIFICATION – REINSTATEMENT.

01. Lapse by Time. POST basic certification in any discipline will lapse if the officer does not serve as an officer in the discipline of certification in Idaho for three (3) consecutive years. The three-year period will be tolled during any time an officer is the subject of a POST decertification investigation and is no longer employed in law enforcement. (3-20-20)T

02. Exception for Officers Remaining With Agency. A POST certified officer who changes from one certified discipline to another while remaining with the same agency will retain certification in the original discipline in which he was employed if he satisfies the continuing training requirements set forth in these rules. (3-20-20)T

03. Reinstatement After Three to Five Years Absence. An officer who has not served in full-time law enforcement from three (3) to five (5) years must meet the following requirements to be recertified: (3-20-20)T

a. Submit a POST Certification Challenge Packet; (3-20-20)T

b. Disclose all information regarding any decertification investigation or proceeding or the equivalent from any other jurisdiction. (3-20-20)T

c. Comply with any additional provisions required by POST. (3-20-20)T

d. Satisfy any applicable probationary period set forth in these rules. (3-20-20)T

04. Reinstatement After Five Years to Eight Years Absence. An officer who has not served in full-time law enforcement for over five (5) years but less than eight (8) years must attend a basic training academy to be recertified. (3-20-20)T

a. The Council may waive this requirement on a showing of good cause supported by clear and

convincing evidence that during a substantial part of the that time out of full-time law enforcement, the officer engaged in an occupation requiring law enforcement training, skill, and experience equivalent to that required in the officer's discipline of certification. This evidence must be submitted with a POST challenge packet. (3-20-20)T

b. Upon receiving a waiver, the officer must: (3-20-20)T

i. Disclose all information regarding any decertification investigation or proceeding or the equivalent from any other jurisdiction. (3-20-20)T

ii. Satisfy any applicable probationary period set forth in these rules. (3-20-20)T

iii. Comply with any additional provisions required by POST. (3-20-20)T

05. Reinstatement After Eight Years Absence. An officer who has not served in full-time law enforcement for over eight (8) years must attend a basic training academy to be recertified. (3-20-20)T

101. – 109. (RESERVED)

110. DECERTIFICATION.

01. Mandatory Decertification. The Council shall decertify any person for: (3-20-20)T

a. A conviction of any felony or offense which would be a felony if committed in Idaho; (3-20-20)T

b. A conviction for a misdemeanor offense involving domestic violence; (3-20-20)T

c. Willfully falsifying or omitting any material information to obtain certification. (3-20-20)T

02. Discretionary Decertification. The Council may decertify any person for: (3-20-20)T

a. A conviction of any misdemeanor; (3-20-20)T

b. A violation of the Council's Code of Ethics; (3-20-20)T

c. Criminal conduct whether charged or not; (3-20-20)T

d. Consuming alcoholic beverages on duty, except as necessary for the lawful performance of duties; (3-20-20)T

e. Harassment or intimidation; (3-20-20)T

f. Lying or falsifying official written or verbal communications; (3-20-20)T

g. Inappropriate sexual conduct while on duty; (3-20-20)T

h. An inappropriate relationship, sexual or otherwise, with a person who the officer knows or should have known is a victim, witness, defendant, or informant in an ongoing investigation or adjudication; (3-20-20)T

i. Unauthorized use or unlawful conversion of the employing agency's property, equipment, or funds; (3-20-20)T

j. Intentional and unauthorized disclosure of confidential information or information that may compromise an official investigation; (3-20-20)T

k. Failure to report being charged with a felony or misdemeanor within five (5) business days; (3-20-20)T

l. Failure to respond or to respond truthfully to questions related to an investigation or legal proceeding. (3-20-20)T

03. Required Notifications by Officers and Agencies. (3-20-20)T

a. An officer charged with a felony or a misdemeanor shall notify his agency head within five (5) business days. (3-20-20)T

b. The agency head of an officer charged with a felony or misdemeanor shall notify the Division Administrator within fourteen (14) days of learning of the charge. (3-20-20)T

c. A person who is not currently employed by a law enforcement agency but is certified by POST shall notify POST of a misdemeanor or felony charge within fourteen (14) business days. (3-20-20)T

04. Effect of Decertification. (3-20-20)T

a. A person decertified by the Council is ineligible for POST certification of any kind for ten (10) years following the date of decertification. After the expiration of ten (10) years an agency head may petition the Council to allow a decertified officer to attend a basic academy and become certified. (3-20-20)T

b. No decertified person shall exercise any law enforcement authority until recertified. Any officer who is the subject of a decertification investigation is ineligible for any additional POST certification while under investigation. (3-20-20)T

111. DUE PROCESS PROCEDURES IN DECERTIFICATION PROCEEDINGS.

01. Legal Authority. In accordance with the Idaho Rules of Administrative Procedure of the Attorney General, IDAPA 04.11.01.050, the Council declines to adopt the procedures established in IDAPA 04.11.01 for contested cases. The procedures provided within these rules meet the unique requirements of the law enforcement profession for expeditious resolution of contested cases in order to assure public safety and to secure a just, speedy and economical determination of all matters presented to the Council. These procedures meet or exceed minimum Constitutional requirements for due process while allowing the Council to fulfill its obligations to protect the safety of the public and the integrity of the law enforcement profession. (3-20-20)T

02. Overview. The Division Administrator shall investigate all trustworthy allegations of misconduct by a person holding POST certification and determine whether decertification proceedings will be commenced. (3-20-20)T

03. Decertification Investigations. A person who is the subject of a decertification investigation shall receive an administrative warning requiring that he respond to questions, to answer such questions truthfully, and to acknowledge his understanding that no statements provided shall be used against him in criminal proceedings, as based on Garrity v.New Jersey, 385 U.S. 493 (1967). (3-20-20)T

112. DECERTIFICATION PROCEEDINGS.

If the Division Administrator determines that the allegations of misconduct by an officer, if proven, are cause for decertification, the officer shall be provided with notice and an opportunity to respond before a decision regarding decertification is made. (3-20-20)T

01. Notice of Intent to Decertify. The Division Administrator shall provide the person who is the subject of the proceeding with a notice of the intent to decertify, which includes: (3-20-20)T

a. The basis for the contemplated decertification and an explanation of the evidence supporting the intended action. (3-20-20)T

b. That the person shall have the opportunity to respond and present the Division Administrator, in writing or in person, any reasons why the intended action should not be taken. (3-20-20)T

c. That the officer person has a right to be represented by a person of their own choosing. (3-20-20)T

d. That the person may waive a response by submitting a written waiver to the Division Administrator. (3-20-20)T

e. That, if the person waives a response or fails to respond within the designated time, the Division Administrator will enter an order of decertification. (3-20-20)T

02. Decision – Request for Hearing. After the person who is the subject of the decertification proceeding has responded or waived a response, or the period to respond has expired, the Division Administrator shall, within twenty-eight (28) days, issue a decision on decertification. (3-20-20)T

a. The decision shall include findings of fact and conclusions of law and be final unless the person files a request for a hearing on the decision with the Council within fourteen (14) days of the date of the Division Administrator's decision. (3-20-20)T

b. A request for hearing shall include a brief statement of the issues on which the person contends a hearing is required. (3-20-20)T

03. Hearing and Order. Upon receipt of a request for hearing, the Council shall assign the matter to a hearing officer for hearing. (3-20-20)T

a. The hearing officer shall have the power to subpoena witnesses, administer oaths, examine evidence and witnesses and request additional information from the parties. (3-20-20)T

b. The person who is the subject of the proceeding shall have the right to be represented at the hearing by a person of their own choosing and the right to conduct discovery. (3-20-20)T

c. Prior to submitting testimonial evidence, the person shall receive an administrative warning requiring that he provide testimony truthfully, and to acknowledge his understanding that no statements provided shall be used against him in criminal proceedings, based on Garrity v. New Jersey, 385 U.S. 493 (1967). (3-20-20)T

d. The hearing shall be recorded at the Council's expense. The recording will be the official record of the hearing. Any party to the action may, at their expense, request that a transcript of the hearing be prepared or that additional recordings be made. Such a request shall be approved if the additional recording does not distract from or disrupt the hearing. (3-20-20)T

e. Pursuant to Idaho Code Section 19-5113, the Division Administrator shall have the authority to compel the attendance and testimony of witnesses and production and examination of books, papers, and records. (3-20-20)T

f. At the conclusion of proceedings, the hearing officer shall issue a decision in writing consisting of findings of fact, conclusions of law and an order that the person be decertified or that POST failed to show grounds for decertification and reinstating the officer. The decision and the record of the proceedings, shall be filed with the Council. (3-20-20)T

g. The decision shall be final, unless a petition for review by the full Council is filed with the Council within twenty-eight (28) days of the date of the decision. A petition for review shall include a brief statement of the basis upon which review is requested. (3-20-20)T

h. Where the decision directs the reinstatement of the person's certification, the Division Administrator shall reinstate certification upon the expiration of the time for filing a petition for review. (3-20-20)T

04. Petition for Review. (3-20-20)T

a. Upon receipt of a petition for review, the Council shall issue a briefing schedule allowing the petitioner an opening brief, the respondent a response brief and the petition a reply brief. The Council shall review the

record, briefs submitted and may allow oral argument. The petitioner may be represented by a person of their own choosing. (3-20-20)T

b. The Council may affirm, reverse, or modify the decision of the hearing officer, or may remand the matter. The Council's decision shall be final and may be appealed to district court by filing a notice of appeal within twenty-eight (28) days of the date of service of the decision. (3-20-20)T

05. **Service**. Service of all notices to be given, orders or other documents under Section 092 shall be by personal service, facsimile, other electronic means, or by U.S. mail, with postage prepaid, addressed to a party's last known address. (3-20-20)T

113. – 119. **(RESERVED)**

120. POST INSTRUCTOR CERTIFICATION.
To ensure the competence of instructors of subjects pertinent to law enforcement personnel, the Council will certify instructors who meet the requirements set forth in these rules. (3-20-20)T

121. POST INSTRUCTOR CERTIFICATION – GENERAL PROVISIONS.

01. **POST Training Credit**. POST will grant training credit for completion of training conducted by POST or instructed entirely by POST certified instructors provided the training is documented and meets POST training standards. (3-20-20)T

02. **Agency Responsibility**. Agencies, school directors, and POST Academy and Regional Training Specialists shall supervise, monitor, and audit instructors and courses to ensure that instructional excellence is maintained. (3-20-20)T

122. REQUIREMENTS FOR INSTRUCTORS OF LAW ENFORCEMENT SUBJECTS.
In addition to the other requirements for instructor certification set forth in these rules, instructors of law enforcement subjects must meet the following requirements. (3-20-20)T

01. **Experience and Certification**. An applicant must have a minimum of three (3) years of law enforcement experience, possess current or previous Idaho POST professional certification, and must not have been previously decertified as a law enforcement official of any jurisdiction. (3-20-20)T

02. **Instructor Development Course**. An applicant must complete the POST Instructor Development Course or approved equivalent. (3-20-20)T

03. **Additional Requirements**. An applicant must comply with any additional provisions required by POST. (3-20-20)T

123. REQUIREMENTS FOR HIGH LIABILITY INSTRUCTOR ENDORSEMENT.
POST certified instructors must obtain additional endorsements to instruct any topics deemed as "high liability" by the Council. (3-20-20)T

01. **Completion of a High Liability Instructor School**. An applicant for High Liability Instructor Endorsement must complete all requirements of the POST instructor course specific to the high liability topic area in which the applicant intends to instruct. (3-20-20)T

02. **Application**. After meeting the requirements for POST instructor certification, the applicant must submit a completed POST High Liability Instructor Endorsement Application Packet and must comply with any additional provisions required by POST. (3-20-20)T

03. **Multiple Endorsements**. A current POST endorsed high liability instructor applying for instructor endorsement in an additional high liability topic area must meet the requirements of this section for the additional topic area prior to endorsement in that topic. (3-20-20)T

04. Instruction Pending Endorsement. Prior to evaluation by a Regional Training Specialist, high liability instructor endorsement applicants cannot act as an instructor for any course offered for POST training credit in the intended topic area: Following completion of the POST instructor course specific to the intended high liability intended topic area, and upon notice from the Regional Training Specialist, the applicant may begin co-instruction of in the intended topic area, in preparation for evaluation. (3-20-20)T

05. Continuing Training Requirements. High liability instructors must complete a minimum of eight (8) hours of continuing instructor training every two (2) years, including use of force law, liability, and further instructor training specific to the endorsed topic area(s). (3-20-20)T

124. REQUIREMENTS FOR CANINE INSTRUCTOR CERTIFICATION.
POST canine instructor certificates recognize the competency of instructors of canine subjects pertinent to law enforcement. In addition to the other requirements set forth in these rules of POST Instructors, the following are necessary for award of a POST canine instructor certificate: (3-20-20)T

01. Canine Instructor School. The applicant must have completed a POST approved Canine Instructor School. (3-20-20)T

02. Certification and Service in Specific Discipline. The applicant must have served a minimum of five (5) years as a handler and have a minimum of five (5) annual certifications in the specific discipline for which certification is sought. (3-20-20)T

03. Canine Training. The applicant must have received a minimum of six hundred eighty (680) hours of canine training. (3-20-20)T

04. Recommendation. The applicant must be recommended for canine instructor certification by a committee comprised of a POST Training Specialist and two (2) POST certified canine instructors. (3-20-20)T

05. Application. After meeting the foregoing requirements, the applicant must submit a completed Certified Instructor Packet to POST. (3-20-20)T

06. Requirements for Maintaining Certification. To maintain certification, a POST certified canine instructor must teach a minimum of forty (40) hours every two (2) years in the specific discipline they are certified to teach. (3-20-20)T

07. Additional Requirements for Patrol Canine Instructor Certification. In addition to the requirements in this section, applicants for Patrol Canine Instructor Certification must obtain a High Liability Instructor Endorsement. (3-20-20)T

125. MASTER INSTRUCTOR CERTIFICATION.
POST master instructor certificates recognize exceptional competence as an instructor of instructors in subjects pertinent to law enforcement personnel. The Council will determine master instructor disciplines. In addition to the requirements otherwise set forth in these Rules, the following are required for award of a master instructor certificate. (3-20-20)T

01. POST Instructor Certification. POST will determine the number of master instructor certifications issued based upon POST's need of instructors. An applicant shall be a current POST certified instructor in the subject for which master instructor certification is sought in for a minimum of three (3) years prior to application. The Council may, upon written request, waive this requirement in exceptional cases. An applicant shall: (3-20-20)T

02. Instruction. Have instructed a minimum of forty (40) hours of classes in the subject for which he is applying for master instructor certification during each of the previous two (2) years. (3-20-20)T

03. Additional Training or Education. Have received additional training or education beyond basic training in the area of their instructor certification. (3-20-20)T

04. **Exceptional Ability**. Have demonstrated exceptional ability to develop and present training. (3-20-20)T

05. **Recommendation**. Be recommended for master instructor certification by a Regional Training Specialist or POST certified master instructor. (3-20-20)T

06. **Maintain Certification**. Teach a minimum of one (1) instructor class during the certification period to maintain certification. (3-20-20)T

07. **Compliance With Other POST Requirements**. Comply with any additional provisions required by POST. (3-20-20)T

126. MAINTAINING POST INSTRUCTOR CERTIFICATIONS AND ENDORSEMENTS.

01. **Renewal of High Liability Endorsement**. High liability instructor endorsements are valid for two (2) years, except Firearms endorsements which are valid for one (1) year, provided the instructor remains in good standing and complies with all POST requirements for in-service training. To renew the endorsement, the instructor must comply with any additional provisions required by POST. (3-20-20)T

02. **Renewal of Master Instructor Certification**. Master instructor certification is valid for three (3) years. To renew the certification, the instructor must comply with any additional provisions required by POST. If a master instructor's certification through the manufacturer becomes invalid for any reason, his POST certification for that device shall immediately be deemed inactive. (3-20-20)T

03. **Renewal of Canine Instructor Certification**. Canine instructor certification is valid for two (2) years. To renew the certification, the instructor must comply with any additional provisions required by POST. (3-20-20)T

04. **Lapse of POST Instructor Certification**. Except as otherwise set forth in these rules, POST instructor certification is valid indefinitely, provided it is not suspended or revoked, the instructor remains in good standing, and complies with all POST in-service training requirements. (3-20-20)T

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. (3-20-20)T

b. Inactive instructors may be required to complete a POST approved instructor orientation course. (3-20-20)T

127. SUSPENSION AND REVOCATION OF INSTRUCTOR CERTIFICATION OR ENDORSEMENT.

01. **Suspension**. The Division Administrator may suspend instructor certification or endorsement for up to one year if 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 suspension will initiate an immediate review to determine if a revocation of the instructor's certificate is warranted. (3-20-20)T

02. **Revocation**. The Council may revoke instructor certification if an instructor is deemed unqualified to continue instructing. Review of instructor certification may be initiated upon request of an agency head, school director or coordinator, POST Division Administrator, the Council, or other reliable source. (3-20-20)T

128. – 129. (RESERVED)

130. IN-SERVICE TRAINING REQUIREMENTS.
The Council may, as a condition of continuing certification, require law enforcement officers to attend in-service training meeting POST standards. (3-20-20)T

131. IN-SERVICE TRAINING REQUIREMENTS FOR RETAINING BASIC CERTIFICATION.

01. Peace Officers and County Detention Officers. To retain POST certification, a peace officer or county detention officer must complete a minimum of forty (40) hours of continuing law enforcement training related to law enforcement every two (2) calendar years beginning January 1 following the date the officer was certified. (3-20-20)T

02. Emergency Communications Officers. To retain POST certification, an emergency communications officer must complete a minimum of forty (40) hours of continuing training related to public safety emergency communications every two (2) calendar years beginning January 1 following the date the officer was certified. (3-20-20)T

03. Tolling of Two-Year Period. The two (2) year continuing training period shall be tolled while an officer is on active military duty, and recommence upon the officer's return to duty with his agency. The agency shall submit a Notice of Separation/Change in Status form upon the officer's departure from and return to the agency. (3-20-20)T

132. DOCUMENTATION OF IN-SERVICE TRAINING.

01. Agency Responsibility to Ensure Accuracy of Training Records. Agency heads are required to ensure POST records of agency personnel training are up to date and complete as of December 31 of each year. (3-20-20)T

02. Agency Retention of Training Records. Each agency shall maintain, and make available to POST, records of each in-service training course provided, including: (3-20-20)T

a. The name of the course provider and name and resume of the course instructor; (3-20-20)T

b. The course learning objectives, the number of instructional hours, the number of in-service training hours awarded and the attendance roster. (3-20-20)T

c. The names of the trainees completing the course and the date of completion. (3-20-20)T

03. POST Training Credit. No officer may receive POST training credit for training which has not been certified or approved by POST. (3-20-20)T

04. Notice of Non-Compliance. POST shall give written notice to officers who are not in compliance with in-service training requirements, and their agency heads. If an officer is not in compliance by December 31 of a two-year training cycle, his certification shall be suspended beginning January 1 of the following calendar year, unless an extension of time, not to exceed six (6) months, is granted by POST. The Division Administrator, may grant an additional extension of time for good cause shown. (3-20-20)T

05. College Courses. An officer fulfilling continuing training requirements by successfully completing a college course must have the college provide the employing agency with a transcript. The agency will make the transcript available to POST upon request. (3-20-20)T

133. POST CREDIT FOR IN-SERVICE TRAINING.

01. Credit for POST In-Service Training Provided by a Post Certified Instructor in Idaho. POST will grant training credit for in-service training according to the following criteria: (3-20-20)T

a. The training was provided by Idaho POST Certified Instructor(s). One (1) or more training instructors for any class must be POST certified. Instructors who are not POST certified will not be given credit for POST instructor hours. (3-20-20)T

b. The training was at least thirty (30) minutes in length. (3-20-20)T

02. Credit for POST In-Service Training Provided by an Organization or Vendor who is not POST Certified. All third-party in-service training must be pre- approved. The Council may maintain a list of

organizations and vendors that will be exempt from this pre-approval process based on their reputation providing quality training, that are well established training organizations within the law enforcement training community, or that are offered through a regionally accredited college or university. Organizations and vendors who do not meet the criteria established through the Council, or its designee must meet the following criteria. (3-20-20)T

a. At least thirty (30) days prior to an in-service training session, the host agency will submit the following documents to a Regional Training Specialist: (3-20-20)T

i. A course outline; (3-20-20)T

ii. A description of the subject material and the time period to be devoted to each subject area; (3-20-20)T

iii. A description of the enforcement personnel to be instructed; (3-20-20)T

iv. A résumé on each instructor, unless the instructor is POST certified or approved; and (3-20-20)T

v. A lesson plan and all presentation and handout materials used in the course. (3-20-20)T

b. The course must be at least four (4) hours in length. (3-20-20)T

c. Any course which has been approved through this process, may be placed on the Council's designated pre-approved list after meeting the following criteria: (3-20-20)T

i. The course has been taught at least once in a calendar year, for at least three (3) consecutive years; or (3-20-20)T

ii. Is approved by the International Association of Directors of Law Enforcement Standards and Training (IADLEST) and placed on the IADLEST national course certification index. (3-20-20)T

03. Course Attendance Roster. A lead instructor or facilitator must submit an original or electronic POST course attendance roster no later than thirty (30) days following the completion of the training for POST training credit approval. (3-20-20)T

04. Training Outside Idaho. In-service training which is delivered outside of Idaho will be considered POST approved if the trainee provides any of the following: (3-20-20)T

a. The training was approved by the state's equivalent of POST, where the training occurred; or (3-20-20)T

b. The training course was approved by the International Association of Directors of Law Enforcement Standards and Training (IADLEST); or (3-20-20)T

c. The training course meets the criteria set forth above; and (3-20-20)T

d. Is submitted within thirty (30) days of the completion of the course; and (3-20-20)T

e. The trainee provides POST with the location, hours of the training, and a course syllabus or table of contents. (3-20-20)T

134. COURSE EVALUATION FEE.

01. Fee Schedule. POST may charge an entity applying for school or course approval a course evaluation fee at the time of application as follows: (3-20-20)T

a. One (1) to four (4) hour course: $200. (3-20-20)T

b. Five (5) to eight (8) hour course: $400. (3-20-20)T

c. Nine (9) to sixteen (16) hour course: $600. (3-20-20)T

d. Seventeen (17) to twenty-four (24) hour course: $800. (3-20-20)T

e. Twenty-five (25) to forty (40) hour course: $1,000. (3-20-20)T

f. Over 40 hours: A combination of the above as determined by the Division Administrator. (3-20-20)T

02. **Exception**. POST will not charge a course evaluation fee to governmental entities. (3-20-20)T

03. **Waiver**. The Division Administrator may waive a course evaluation fee in whole or in part. (3-20-20)T

135. ALTERNATIVE METHODS OF IN-SERVICE TRAINING.
The Council may approve alternative methods of delivering training, including but not limited to training by videotape or compact discs, computer programs, internet-based training or written correspondence. (3-20-20)T

01. **Training Medium**. The training medium utilized must be indicated on the application for approval of the training. (3-20-20)T

02. **Specialized Equipment**. The applicant must provide POST with any specialized equipment, software, network access, etc. needed for the evaluation, at no cost at the time of application. (3-20-20)T

03. **Course Evaluation Fee**. A course evaluation fee may be charged pursuant to these rules. (3-20-20)T

136. – 139. (RESERVED)

140. LAW ENFORCEMENT CERTIFICATION PROGRAM APPROVAL.
POST approval of a law enforcement certification program is established to ensure that instruction offered by such programs is equivalent to or exceeds POST basic academy training. (3-20-20)T

141. LAW ENFORCEMENT CERTIFICATION PROGRAM – GENERAL PROVISIONS.

01. **Eligibility**. To be eligible for approval as a law enforcement certification program, program must comply with all Idaho Department of Education standards if applicable, for such programs, and all other requirements of these rules. (3-20-20)T

02. **Permission to Proceed With Approval Process**. A program seeking approval as a law enforcement certification program must receive permission to proceed from POST prior to beginning the approval process, comply with the requirements of these Rules, and contact a Regional Training Specialist to schedule an on-site assessment. (3-20-20)T

03. **Initial Assessment**. POST will conduct an on-site assessment and provide the results to the program coordinator. (3-20-20)T

a. If the assessment finds that all requirements for program approval have not been met, the program will be given ninety (90) days to correct the deficiencies and a Regional Training Specialist will conduct a second on-site assessment. (3-20-20)T

b. If all requirements for the program approval are met, the Council will approve the program. (3-20-20)T

04. **Assessment Visits**. POST may conduct scheduled and unscheduled visits to entities seeking law

enforcement certification program approval and currently- approved programs, to assess adherence to POST standards. (3-20-20)T

05. Expiration and Renewal of Certification. (3-20-20)T

a. Initial and subsequent law enforcement certification program approval is valid for two (2) years. (3-20-20)T

b. Renewals must be completed prior to the program approval expiration date. (3-20-20)T

142. ADMINISTRATION OF COLLEGE OR UNIVERSITY PROGRAM.
A college or university law enforcement certification program shall have an advisory committee comprised of the Division Administrator or his designee and criminal justice executives or their designees from several agencies representative of the region the program serves. (3-20-20)T

01. Chair and Vice-Chair; Selection; Term. The advisory committee will elect a chair and vice-chair from among the committee members other than the Division Administrator or designee. The terms of office will be initially staggered. No chair or vice-chair may serve in that capacity for longer than four (4) consecutive years. (3-20-20)T

02. Duties of Chair and Vice-Chair. The chair or vice-chair schedule meetings and set agendas for advisory committee, meetings, work with the program coordinator and the program's administration, and perform other duties as necessary. (3-20-20)T

143. MAINTENANCE OF RECORDS.
A law enforcement certification program must maintain: (3-20-20)T

01. Course File. A file for each POST approved law enforcement training course it conducts, including curriculum, class schedules, attendance and discipline records, counseling records, tests with answer sheets, a course summary, and course evaluations. (3-20-20)T

02. Student Training File. A training file for each student including sufficient records to determine whether the student has completed all performance objectives. (3-20-20)T

03. Instructor File. A file for each instructor for the program including proof that the instructor is POST certified for each subject the instructor teaches, a copy of the instructor's student evaluations for the past year, and any other pertinent information related to the instructor's performance. (3-20-20)T

144. MINIMUM ATTENDANCE REQUIREMENTS.
A law enforcement certification program may have no fewer than six (6) students in a required class. Training required for certification will not be conducted for a class of less than six (6) students. The Council may consider exceptions upon a written request from the program coordinator. (3-20-20)T

145. POST-GRADUATION SELF-EVALUATION.
A law enforcement certification program must conduct post-graduation evaluations of its entry-level training from six (6) to twelve (12) months after students leave the program, and must assess the relevance of the training to current law enforcement practices. (3-20-20)T

146. INSTRUCTION.
A law enforcement certification program must: (3-20-20)T

01. Monitoring of Instruction. Conduct periodic and random monitoring of instruction to ensure that lesson plans are being used, objectives are being addressed, appropriate instructional aids are available and being used properly, the instructor is in control and engaging the students; and classroom conditions such as lighting, noise levels, and temperature are acceptable. (3-20-20)T

02. Lesson Plans. Have a lesson plan on file for every training class and must review and update

lesson plans and curricula on a regular basis to ensure compliance with POST requirements. (3-20-20)T

03. **Evaluation of Instructors**. Require students to complete written evaluations of every instructor. (3-20-20)T

04. **Student Complaints**. Investigate any student complaint regarding an instructor or the training process. (3-20-20)T

147. STANDARDS.

01. **Law Enforcement Certification Program Student**. Shall: (3-20-20)T

a. Meet the minimum standards for POST certification as set forth in these rules, with the exception of age. (3-20-20)T

b. Attest that he has read, understands, and will abide by the Law Enforcement Code of Conduct as set forth in these rules. (3-20-20)T

02. **Law Enforcement Certification Program**. Shall: (3-20-20)T

a. Have an integrity policy, which provides that dishonesty, including academic dishonesty, plagiarism and untruthfulness are grounds for disciplinary action and expulsion. All students shall review this policy on entering the program. (3-20-20)T

b. Have a policy prohibiting students from social contact, on or off campus, with staff members or instructors. Students and program staff or instructors shall maintain a professional relationship at all times. (3-20-20)T

c. Address other standards of conduct and behavior that reflect courtesy, consideration, and respect for others. Any conduct detrimental to the conduct, efficiency, or discipline of the program is prohibited. (3-20-20)T

148. PERIODIC ASSESSMENT BY POST.

01. **Assessment**. POST will perform periodic on-site assessments of each law enforcement certification program. POST will provide the program coordinator with no less than two (2) weeks notice prior to the assessment, and notify the program coordinator of the results. (3-20-20)T

02. **Failure to Comply With Standards; Reassessment**. If a law enforcement certification program does not meet all requirements for POST approval, the Council may suspend approval and direct corrective action. (3-20-20)T

a. The program must remedy all deficiencies within ninety (90) days of the initial assessment unless the Council grants an extension of time. (3-20-20)T

b. After ninety (90) days, or the applicable period if an extension of time is granted, POST will conduct a reassessment of the program. If all deficiencies are corrected, the Council will approve the program. (3-20-20)T

c. If all standards are not met, POST will notify the program administrator and, if applicable, the chairman of the program's advisory committee of the continuing deficiencies. The Council will review the reassessment report and may grant additional time to correct the deficiencies. (3-20-20)T

d. If all deficiencies are not corrected, the Council will revoke approval. (3-20-20)T

149. – 999. (RESERVED)

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