Rules of Department of Public Safety Division 75—Peace Officer Standards and Training Program Chapter 14—Basic Training Centers

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Title 11—DEPARTMENT OF PUBLIC SAFETY Division 75—Peace Officer Standards and Training Program Chapter 14—Basic Training Centers

11 CSR 75-14.010 Procedure to Obtain a Basic Training Center License

PURPOSE: This rule identifies the procedure to obtain a basic training center license.

(1) An applicant for a basic training center license shall submit to the Director a completed basic training center license application. The Director may investigate or request additional information from an applicant pursuant to section 590.110.1, RSMo.

(2) The Peace Officer Standards and Training (POST) Commission shall make a preliminary determination of the applicant's qualifications and the state's need for an additional licensed basic training center. The POST Commission may consider any relevant factor, including the applicant's history, facilities and equipment, academic qualifications, financial qualifications, the geographical area to be served, the agencies to be served, the estimated number of annual graduates, letters of support, and the projected impact on existing licensed basic training centers.

(3) If the applicant receives preliminary approval from the POST Commission, the Director shall:

(A) Conduct a site visit;

(B) Review the applicant's policies and procedures, including attendance and instructor evaluation policies;

(C) Review the applicant's proposed courses, including training objectives, lesson plans, source documents, and instructor qualifications;

(D) Review the applicant's advisory board; and

(E) Report the findings to the POST Commission.

(4) Upon receipt of the Director's report, the POST Commission may invite the applicant to appear before the Commission.

(5) The POST Commission shall make a final recommendation to the Director whether to license the applicant.

(6) The Director shall consider the recommendation of the POST Commission and shall grant the basic training center license or deny the applicant's request. An applicant aggrieved by the decision of the Director may appeal pursuant to section 590.060.2, RSMo.

(7) All new basic training center licenses shall be issued for an initial period of one (1) year. During this initial period, the Director shall conduct a programmatic audit of the training center. The Director may:

(A) Renew the license for an additional period of one (1) year subject to further audit;

(B) Grant a three (3)-year license to the applicant; or

(C) Refuse to renew the license, in which case the applicant may appeal pursuant to section 590.060.2, RSMo.

(8) The procedure to renew a three (3)-year license shall be as follows:

(A) One hundred twenty (120) days before expiration of the license the applicant shall submit to the Director a basic training center license renewal application.

(B) The Director may conduct a programmatic audit of the training center.

(C) The Director shall grant renewal of the applicant's license or deny the applicant's request, which shall cause the license to expire.

(9) An applicant aggrieved by a decision of the Director pursuant to this rule may appeal pursuant to section 590.060.2, RSMo.

AUTHORITY: section 590.060.2, RSMo Supp. 2001.* Original rule filed May 1, 2002, effective Oct. 30, 2002.

*Original authority: 590.060, RSMo 2001.

11 CSR 75-14.020 Minimum Requirements for Basic Training Centers

PURPOSE: This rule identifies minimum requirements for a basic training center.

(1) A basic training center shall:

(A) Be under the management and operational control of a full-time, salaried training center director and shall designate to the Director the name, mailing address, and telephone number of the training center director;

(B) During its initial one (1) and three (3)year licensing periods pursuant to 11 CSR 75-14.010(7), shall have an advisory board consisting of at least five (5) individuals with a law enforcement background;

(C) Operate pursuant to written polices and procedures;

(D) Deliver basic training courses on a regular basis; (E) Notify the Director within thirty (30) days upon the dismissal, suspension, or other discipline of the training center director or any instructor;

(F) Maintain facilities and equipment adequate to deliver safe and effective basic training; and

(G) Deliver all training in a manner that is safe, effective, and in strict compliance with these rules; and

(H) Retain complete records on each basic training course for a period of seventy-five (75) years following completion of the course, including:

1. The designation of the course pursuant to 11 CSR 75-14.040(2)(A);

2. The lesson plans used to teach the course;

3. The class schedule, including the date, time, and instructor for all training, both mandatory and supplemental;

4. With respect to each objective designated pursuant to 11 CSR 75-14.050(3)(B)2. to be taught only by a specialist instructor with a valid, current third-party or secondary license, a copy of the appropriate third-party or secondary license;

5. With respect to each trainee: name, Social Security number, date of birth, attendance record, all grades, and final course score.

(2) The Director may on a regular or irregular basis require all basic training center directors to attend meetings called by the Director. With prior approval of the Director, a training center director may appoint a designated representative to attend any such meeting.

(3) Each basic training center shall submit to a programmatic audit by the Director at least once every three (3) years.

(4) All records of a basic training center that are relevant to a determination of compliance with Chapter 590, RSMo, or these rules shall be open to inspection by the Director without a subpoena.

(5) A training center director shall cooperate with the Director in all audits and investigations conducted pursuant to Chapter 590, RSMo, or these rules.

AUTHORITY: section 590.060.1, RSMo Supp. 2001.* Original rule filed May 1, 2002, effective Oct. 30, 2002.

*Original authority: 590.060, RSMo 2001.

11 CSR 75-14.030 Standard Basic Training Curricula and Objectives

PURPOSE: This rule establishes a training curriculum and training objectives for each class of peace officer license.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. Therefore, the material which is so incorporated is on file with the agency who filed this rule, and with the Office of the Secretary of State. Any interested person may view this material at either agency's headquarters or the same will be made available at the Office of the Secretary of State at a cost not to exceed actual cost of copy reproduction. The entire text of the rule is printed here. This note refers only to the incorporated by reference material.

(1) The Peace Officer Standards and Training (POST) Commission shall develop a mandatory basic training curriculum for each class of peace officer license. The minimum number of training hours for each class of peace officer license shall be as follows:

(A) Class A. Six hundred (600) hours;

(B) Class A-HP. One thousand (1,000) hours;

(C) Class A-WP. One thousand (1,000) hours;

(D) Class A-CC. One thousand (1,000) hours;

(E) Class B. Four hundred seventy (470) hours;

(F) Class C. One hundred twenty (120) hours;

(G) Class R. Two hundred eighty-one (281) hours;

(H) Class S. Four hundred seventy (470) hours.

(2) The mandatory basic training curriculum for each license class shall:

(A) Describe the training objectives that a trainee must complete in order to qualify for that class of license;

(B) Designate any training objective that must be taught by a particular type of specialist instructor;

(C) Assign each training objective to a specific subject area (rules of evidence, civil process, cardiopulmonary resuscitation (CPR), shotgun qualification, fingerprint evidence, etc.); and

(D) Specify the minimum number of hours of instruction required to complete each sub-

ject area, with each hour equal to fifty (50) minutes of classroom instruction.

(3) The director shall retain at the headquarters of the Department of Public Safety a document entitled "Mandatory Basic Training Curricula," which shall set forth all basic training curricula developed pursuant to this rule, and which is hereby incorporated by reference into this rule. A copy of the Mandatory Basic Training Curricula shall be made available to any interested person at a cost not to exceed the actual cost of the reproduction of a copy.

AUTHORITY: section 590.030.1, RSMo Supp. 2001.* Original rule filed May 1, 2002, effective Oct. 30, 2002.

*Original authority: 590.030, RSMo 2001.

11 CSR 75-14.040 Certification of Basic Training Courses

PURPOSE: This rule identifies the procedure for certifying a basic training course.

(1) Application for certification of a basic training course may be made only by a licensed basic training center.

(2) An applicant shall:

(A) Designate whether the course is a recruit course or an upgrade course pursuant to 11 CSR 75-14.050(1) and what class of license the course is intended to qualify a trainee to receive; and

(B) Submit to the Director lesson plans for delivering the mandatory basic training objectives established pursuant to 11 CSR 75-14.030.

(3) The Director shall review the proposed basic training course and shall certify or refuse to certify the course. Certification of a course shall include certification of the lesson plans submitted pursuant to subsection (2)(B) of this rule.

(4) Any change to a certified course, including a change in lesson plan, shall require prior approval of the Director.

(5) A basic training center aggrieved by a decision of the Director pursuant to this rule may petition the POST Commission for a final determination, in which case the determination of the POST Commission shall be subject to review only pursuant to section 536.150, RSMo.

AUTHORITY: section 590.060.2, RSMo Supp. 2001.* Original rule filed May 1, 2002, effective Oct. 30, 2002.

*Original authority: 590.060, RSMo 2001.

11 CSR 75-14.050 Minimum Standards for a Certified Basic Training Course

PURPOSE: This rule identifies the minimum standards for a certified basic training course.

(1) There shall be two (2) types of basic training courses:

(A) Recruit courses, which shall deliver an entire mandatory basic training curriculum, and which shall be designed to qualify a previously untrained person for a new peace officer license pursuant to 11 CSR 75-13.020; and

(B) Upgrade courses, which shall deliver a portion of a mandatory basic training curriculum, and which shall be designed, either singly or in combination with other upgrade courses, to qualify a licensed peace officer for a license upgrade pursuant to 11 CSR 75-13.030.

(2) The procedure for delivering a basic training course shall be as follows:

(A) The training center director shall verify that each trainee is qualified pursuant to 11 CSR 75-14.060.

(B) At least fifteen (15) days before the start of the course, the training center director shall:

1. Cause each trainee to complete a Missouri peace officer license legal questionnaire, which the training center director shall review.

2. Cause each trainee to submit to the Director two (2) fingerprint cards and a bank draft or money order in an amount equivalent to the cost of conducting a state and a federal criminal history background check.

3. Report to the Director the existence of any known fact or circumstance that might constitute cause for the Director to disqualify any trainee from receiving a peace officer license, in which case the training center director shall obtain a waiver from Director before admitting the trainee into the course.

(C) The training center director shall deny entry into the course or shall expel from the course any trainee that the Director determines to be unqualified pursuant to 11 CSR 75-14.060.

(D) At least ten (10) days before the start of the course, the training center director shall notify the Director of the course start date, end date, class schedule including the instructor of each class, location, and the date on which graduates will be administered the Missouri Peace Officer License Exam.

(E) On or before first day of the training course, the training center director shall provide to each trainee a copy of all training center polices and procedures relating to trainees, including grading and class makeup policies.

(F) The training center director may dismiss for cause any trainee before graduation, in which case the training center director shall immediately notify the Director. The training center director shall provide the reason for the dismissal to the Director. Dismissal by the training center director shall not be subject to appeal pursuant to these rules or Chapter 590, RSMo.

(G) No later than thirty-five (35) days before graduation, the training center director shall cause each trainee to submit to the Director a peace officer license application.

(H) The training center director shall determine whether each trainee shall graduate from the course pursuant to 11 CSR 75-14.050(7) and training center policies. A graduation determination by the training center director shall not be subject to appeal pursuant to these rules or Chapter 590, RSMo.

(I) No later than ten (10) days after graduation, the training center director shall forward to the Director a list of graduates containing the final score for each trainee.

(J) Upon request of a training center director, the Director may waive or modify any time period specified in this rule.

(3) The instruction of every objective of a mandatory basic training curriculum shall be performed:

(B) By a licensed instructor, as follows:

1. An objective designated to be taught only by a particular type of specialist instructor shall be taught only by such specialist;

2. An objective designated to be taught only by a particular type of specialist instructor with a valid, current third-party or secondary license shall be taught only by such specialist; and

3. All other objectives may be taught either by a generalist instructor or by a specialist instructor licensed for that objective.

(4) No single instructor shall deliver more than thirty percent (30%) of the total contact hours of a mandatory basic training curriculum.

(5) A basic training course may include supplemental training that is not part of the mandatory basic training curriculum. A basic training center director may elect to add supplemental training to any basic training course. Supplemental training shall be consistent with generally accepted law enforcement practices, shall not be contrary to public safety, and shall not be unreasonably dangerous to the safety of trainees. Supplemental training may be taught by a licensed or unlicensed instructor. Supplemental training shall not be certified by the Director, but the Director may monitor supplemental training for compliance with this rule.

(6) Trainees shall be graded as follows:

(A) A trainee shall be tested for mastery of each subject area in the appropriate mandatory curriculum. A written or practical examination may test more than one (1) subject area simultaneously.

1. Mastery of firearms shall be tested by practical examination and scored on a numerical scale from zero (0) to one hundred (100). Supplemental written examinations are permitted, but the overall firearms score required for graduation pursuant to paragraph (7)(C)4. of this rule shall be based solely upon the practical examinations. The final grade of the firearms practical examination may, at the discetion of the training center director, be recorded as a pass or fail.

2. Mastery of defensive tactics, physical fitness, and driver training shall be tested by practical examination and may be graded on a numerical scale from zero (0) to one hundred (100) or on a pass/fail basis. Supplemental written examinations are permitted.

3. Mastery of all other subject areas shall be tested by written or practical examination and shall be graded on a numerical scale from zero (0) to one hundred (100). Pass/fail grading is not permitted.

(B) A trainee who achieves less than seventy percent (70%) on any written examination may, at the discretion of the training center director, retake the examination one (1) time. The highest score that may be awarded on a retake examination is seventy percent (70%).

(C) A trainee who achieves a failing score on an objective graded pass/fail basis may, at the discretion of the training center director, reattempt the objective one (1) time.

(D) A trainee who achieves less than seventy percent (70%) on the firearms practical examination may, at the discretion of the training center director, retake the practical examination one (1) time. The highest score that may be awarded on a retake examination is seventy percent (70%). (E) The weighing of each exam in calculating a trainee's overall score shall be determined by the training center policy before the start of the training course.

(F) The determination to grade an objective pass/fail shall be made before the start of the training course.

(7) To be eligible for graduation from a basic training course, a trainee shall, at a minimum:

(A) Attend at least ninety-five percent (95%) of the total contact hours of the mandatory basic training curriculum and make up any missed hours in a manner that ensures that the trainee develops a thorough understanding of the mandatory training objectives.

(B) Complete all graduation requirements, including any makeup work, within twelve (12) months after the originally scheduled graduation date for the course. There shall be no partial or transferable credit for an incomplete course without prior approval of the Director.

(C) Achieve:

1. A score of no less than seventy percent (70%) on each written exam;

2. A final, overall score of no less than seventy percent (70%) for all written exams;

3. A passing score on each objective graded pass or fail; and

4. An overall firearms score of no less than seventy percent (70%).

(D) Successfully complete any supplemental training included in the course pursuant to section (5) of this rule.

AUTHORITY: sections 590.030.1 and 590.040.1, RSMo Supp. 2001.* Original rule filed May 1, 2002, effective Oct. 30, 2002. Amended: Filed Nov. 15, 2002, effective April 30, 2003.

*Original authority: 590.030, RSMo 2001 and 590.040, RSMo 2001.

11 CSR 75-14.060 Eligibility for Entrance into a Basic Training Course

PURPOSE: This rule identifies the qualifications for entrance into a basic training course.

(1) No person shall be admitted into a certified basic training course unless such person:

- (A) Is eighteen (18) years of age or older;
- (B) Is a United States citizen;

(C) Is the holder of a valid high school diploma or its equivalent; and

(D) Has submitted a Missouri Peace Officer License Legal Questionnaire to the basic training center director.

AUTHORITY: section 590.060.1, RSMo Supp. 2001.* Original rule filed May 1, 2002, effective Oct. 30, 2002.

*Original authority: 590.060, RSMo 2001.

11 CSR 75-14.070 Basic Training Instructor Licenses

PURPOSE: This rule identifies the procedure in obtaining a basic training instructor license.

(1) The procedure to obtain a basic training instructor license shall be as follows:

(A) The applicant shall submit to the Director a basic training instructor license application.

(B) The Director shall determine the applicant's qualifications pursuant to 11 CSR 75-14.080.

(C) The Director shall grant the applicant the appropriate license or deny the applicant's request.

(2) Upon the request of a basic training center director, the Director may waive or modify the instructor development course requirement of 11 CSR 75-14.080 as follows:

(A) The Director may grant a probationary license to an instructor who has not graduated from an instructor development course upon the condition that the instructor shall graduate from an instructor development course within one (1) year;

(B) The Director may waive the instructor development course requirement for a specialist instructor after review of an instructor quality rating form completed by the basic training center director and submitted to the Director.

(3) Cause to discipline an instructor license pursuant to section 590.060.2, RSMo, shall include, but not be limited to:

(A) Any cause to discipline a peace officer license pursuant to section 590.080, RSMo, or 11 CSR 75-13.110;

(B) Any act unreasonably jeopardizing the safety of any trainee;

(C) Failure to deliver mandatory basic training curriculum according to a certified lesson plan;

(D) Teaching an objective for which the instructor is not licensed; or

(E) Teaching an objective requiring a thirdparty or secondary license without a valid, current third-party or secondary license. (4) Any person aggrieved by the decision of the Director pursuant to this rule may appeal pursuant to section 590.060.2, RSMo.

AUTHORITY: section 590.060.2, RSMo Supp. 2001. Original rule filed May 1, 2002, effective Oct. 30. 2002.

*Original authority: 590.060, RSMo 2001.

11 CSR 75-14.080 Minimum Requirements for a Basic Training Instructor

PURPOSE: This rule identifies the minimum requirements for a basic training instructor.

(1) There shall be two (2) types of basic training instructor licenses: generalist licenses and specialist licenses.

(2) To qualify for a generalist license, an instructor shall possess the following qualifications:

(A) Sponsorship by a licensed basic training center;

(B) Graduation from a Peace Officer Standards and Training (POST)-approved instructor development course; and

(C) Either:

1. A four (4) year baccalaureate degree and five (5) or more years active commission as a full-time peace officer, federal law enforcement officer, or military law enforcement officer;

2. A two (2) year associate degree and eight (8) or more years active commission as a full-time peace officer, federal law enforcement officer, or military law enforcement officer; or

3. A high school diploma or its equivalent and ten (10) or more years active commission as a full-time peace officer, federal law enforcement officer, or military law enforcement officer.

(3) To qualify for a specialist license, an instructor shall possess the following qualifications:

(A) Sponsorship by a licensed basic training center;

(B) Graduation from a POST-approved instructor development course; and

(C) The instructor shall be a subject matter expert as to one (1) or more of the mandatory basic training objectives established pursuant to 11 CSR 75-14.030. Subject matter expertise shall be determined by the Director after consideration of the instructor's academic education; previous teaching experience; practical experience; membership in professional associations; publications; letters of reference; recognition as an expert by courts of law; independent certifications of expertise, and other evidence of the instructor's qualifications.

(D) A valid, current third-party or secondary license shall be required to qualify as a specialist instructor for any objective related to the following:

1. Tactical Communications if utilizing Verbal Judo, graduate of a Verbal Judo Trainer Course.

2. Hazardous Materials, graduate of a POST recognized Hazardous Materials Training Course.

3. Accident Investigation, graduate of a Basic Accident Investigation School or Accident Reconstruction School.

4. First Aid (First Responder), Certified First Responder, or a licensed Emergency Medical Technician (EMT), Emergency Medical Technician Paramedic (EMTP), Registered Nurse (RN), Medical Doctor (MD), or Doctor of Osteopathy (DO).

5. The core curricula areas under Defensive Tactics, graduate of a POST recognized Law Enforcement Defensive Tactics Instructor Course.

6. The core curricula areas under Firearms, graduate of a POST recognized Firearms Instructor School of at least forty (40) hours.

7. The core curricula areas under Driver Training, graduate of a POST recognized Drivers Training Instructor Course.

8. Memoranda, Introduction to Report Writing, and Report Writing Exercises, if an individual does not have at least a four (4) year college degree, they must be a graduate of a POST recognized Report Writing Instructor Course.

AUTHORITY: section 590.060.1, RSMo Supp. 2001.* Original rule filed May 1, 2002, effective Oct. 30, 2002. Amended: Filed Oct. 31, 2002, effective April 30, 2003.

*Original authority: 590.060, RSMo 2001.