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POST

1 Peace Officers Standards and Training Board

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3 Adopted Rules Relating to Licensing

4

5 Rules as Adopted

6 6700.0100 DEFINITIONS.

7 Subpart 1. to 20. [Unchanged.]

8 Subp. 21. Conviction of a felony. "Conviction of a felony"

9 means that a person has been charged with a crime punishable by
10 more than one year and that the person was convicted of that
11 crime regardless of a stay of imposition or stay of execution.

12 6700.0500 ACADEMIC AND SKILLS LICENSING EXAMINATIONS.

13 Subpart 1. to 3. [Unchanged.]

14 Subp. 4. [See Repealer.]

15 Subp. 5. Reinstatement of eligibility. Upon successful
16 completion of the required academic and skills licensing
17 examinations, a person is eligible for licensure as a peace
18 officer for three years. If the person is not licensed after
19 three years, the person may reinstate his eligibility by passing
20 the appropriate licensing examination. The executive director
21 shall determine what examination is appropriate based on the
22 substantive changes in law and police practices.

23 6700.0501 RECIPROCITY LICENSING EXAMINATION.

24 Subpart 1. Scope. For the purposes of this part, the
25 terms defined have the meanings given to them.

26 Subp. 2. Basic police education. "Basic police education"
27 means:

28 A. a basic course recognized by a state council,
29 state commission, state board, or state agency which leads to
30 licensing or basic certification as a law enforcement officer
31 where the appointing authority is located; or

32 B. a basic course sponsored by the federal government
33 for its law enforcement officers, including but not limited to,
34 the basic Drug Enforcement Administration's agent school, the

1 Federal Bureau of Investigation's basic agent school, or the
2 Federal Law Enforcement Training Center's uniformed patrol
3 course or basic investigators course.

4 Subp. 3. Law enforcement officer. "Law enforcement
5 officer" means a person appointed or employed as a peace officer
6 in another state, or a federal law enforcement employee, who has
7 full powers of arrest, authority to carry a firearm, and is
8 classified in a law enforcement position by the office of
9 personnel management, not including any time served in the
10 United States armed services.

11 Subp. 4. Comparable preemployment education. "Comparable
12 preemployment education" means a total of ten points or more.

13 A. Years of experience:

14 (1) one to five years, five points;

15 (2) five years and one day to ten years, six
16 points;

17 (3) ten years and one day to 15 years, seven
18 points;

19 (4) 15 years and one day to 20 years, eight
20 points;

21 (5) 20 years and one day or more, nine points.

22 B. Basic police education:

23 (1) 350 or more hours, five points;

24 (2) 280 to 349 hours, four points;

25 (3) 210 to 279 hours, three points;

26 (4) 140 to 209 hours, two points;

27 (5) 100 to 139 hours, one point;

28 (6) less than 99 hours, zero points.

29 C. Postsecondary degree, one point.

30 Subp. 5. Postsecondary degree. "Postsecondary degree"
31 means an academic title awarded by a postsecondary institution
32 which is accredited by a member of the Council on Postsecondary
33 Accreditation and authorized to award such titles including, but
34 not limited to, Associate of Arts (A.A.) degrees, Associate of
35 Science (A.S.) degrees, Bachelor of Arts (B.A.) degrees,
36 Bachelor of Science (B.S.) degrees.

1 Subp. 6. **Years of experience.** "Years of experience" means
2 the total number of years the applicant has been employed as a
3 law enforcement officer since completing the basic police
4 education course.

5 Subd. 7. **Qualifications.** A person who has comparable
6 preemployment education, who has had one continuous year of
7 employment as a law enforcement officer after completing basic
8 police education, who has served as a law enforcement officer
9 during the past six years, and who has not had a peace officer
10 license, certificate, or the federal equivalent suspended or
11 revoked shall qualify for the reciprocity examination.

12 Subp. 8. **Eligibility.** The eligibility for a person to
13 take the reciprocity examination shall be void one year after
14 qualifying for the examination. In order to reestablish
15 eligibility, the person shall comply with subpart 7 and part
16 6700.0600.

17 Subp. 9. **License eligibility.** Upon successful completion
18 of the reciprocity examination, a person is eligible for a peace
19 officer license. If the person is not licensed after three
20 years, the person may reinstate eligibility by passing the
21 appropriate licensing examination. The executive director shall
22 determine which examination is appropriate based on the
23 substantive changes in law and police practice.

24 Subp. 10. **Applicability.** This part shall not apply to a
25 person who holds a lapsed, revoked, or suspended peace officer
26 license.

27 **6700.0601 EXAMINATION STANDARDS.**

28 Subpart 1. **Grounds for denial.** Violations of the
29 following standards shall be grounds to deny an applicant to
30 take an examination or to deny eligibility for a license.

31 A. making any false material statement to the board;

32 B. communicating with any other person in any way
33 during an examination, except with the express permission of the
34 monitor;

35 C. referring to books or any study material during

1 the examination, except with the express permission of the
2 monitor;

3 D. obstructing a board investigation;

4 E. without board authorization, possessing a copy of
5 any of the board's examinations;

6 F. aiding another person to violate items A to E;

7 G. having been convicted of a felony in any state or
8 federal jurisdiction; or

9 H. having been convicted of any offense in any other
10 state or federal jurisdiction which would have been a felony if
11 committed in Minnesota.

12 Subp. 2. Disciplinary proceedings. Disciplinary hearings
13 under this rule shall be conducted pursuant to Minnesota
14 Statutes, section 214.10, subdivisions 2 to 5; parts 1400.5100
15 to 1400.8400; part 6700.1700; the Administrative Procedure Act,
16 Minnesota Statutes, sections 14.01 to 14.69; and the rules of
17 the Office of Administrative Hearings, chapter 1400. The
18 requirement to notify the chief law enforcement officer shall be
19 waived if the person does not currently possess a license.

20 Subp. 3. Suspension or revocation of license. If the
21 board receives a complaint which alleges a violation of subpart
22 1 after the person receives a license, the board shall begin
23 proceedings to suspend or revoke the license.

24 6700.0700 MINIMUM SELECTION STANDARDS.

25 Subpart 1. Selection standards. A person eligible to be
26 licensed shall meet the following minimum selection standards
27 prior to being appointed to the position of peace officer. The
28 appointing authority may certify that the applicant has already
29 completed certain of these standards, but certification must be
30 documented pursuant to subpart 2.

31 A. to G. [Unchanged.]

32 H. An evaluation, including an oral interview, shall
33 be made by a licensed psychologist to determine that the
34 applicant is free from any emotional or mental condition which
35 might adversely affect the performance of peace officer duties.

1 I. and J. [Unchanged.]

2 Subp. 2. **Documentation.** The chief law enforcement officer
3 shall maintain documentation necessary to show completion of
4 subpart 1, items A to J. The chief law enforcement officer is
5 not required to obtain documentation for subpart 1, item I, if
6 the applicant completed part 6700.0500, subparts 1 and 2, or
7 subpart 3. The documentation is subject to periodic review by
8 the board, and shall be made available to the board at its
9 request.

10 Subp. 3. and 4. [Unchanged.]

11 6700.0701 NOTIFICATION OF CONVICTION.

12 If any background search required by parts 6700.0100 to
13 6700.1900 reveals a conviction of a felony, the conviction of a
14 crime listed in Minnesota Statutes, section 214.10, subdivision
15 2a, or the conviction of a crime which was charged under an
16 ordinance but would be a conviction under Minnesota Statutes,
17 section 609.52, if it was charged under state law, the chief law
18 enforcement officer shall immediately notify the board.

19 6700.0901 DEFINITIONS.

20 For the purpose of this part, the following words and
21 phrases in this part have the meanings given.

22 Subpart 1. **Accreditation.** "Accreditation" means authority
23 granted by the board to a school, agency, or association of
24 agencies to approve courses for continuing education credit.

25 Subp. 2. **Continuing education coordinator.** "Continuing
26 education coordinator" means a full-time employee appointed by
27 the continuing education sponsor to manage the day-to-day
28 activities of the accreditation program. The person shall have
29 professionally recognized training and experience in adult
30 education activities.

31 Subp. 3. **Continuing education sponsor.** "Continuing
32 education sponsor" means a school, agency, or association of
33 agencies which has received accreditation.

34 Subp. 4. **Disciplinary action.** "Disciplinary action" means
35 one or more of the following: letter of censure to the course

1 sponsor, probation of the course sponsor, or suspension or
2 revocation of the accreditation.

3 6700.0902 ACCREDITATION.

4 Subpart 1. Application form. A school, agency, or
5 association of agencies which seeks to become a continuing
6 education sponsor shall submit a completed application on a form
7 provided by the board. The application must include proof that
8 the applicant has:

9 (1) conducted a formal training needs assessment;

10 (2) access to the necessary training facilities
11 and equipment to carry out training activities;

12 (3) a continuing education coordinator with
13 adequate support staff; and

14 (4) policies for the evaluation of each course
15 conducted.

16 Subp. 2. Provisional accreditation. Upon review of the
17 application, and having determined that the applicant has met
18 the requirements listed in subpart 1, the board shall grant
19 provisional accreditation.

20 Subp. 3. Accreditation. After the continuing education
21 sponsor has completed a workshop on accreditation procedures and
22 the board has completed an on-site evaluation of the continuing
23 education sponsor, the board shall grant or deny accreditation.
24 Final accreditation must be granted or denied within one year of
25 the date on which provisional accreditation was granted.

26 Subp. 4. Continuing education coordinator duties. The
27 continuing education coordinator shall have the following duties:

28 A. approve in the continuing education sponsor's
29 courses pursuant to part 6700.0900, subpart 3, items E, F, and G;

30 B. calculating the number of continuing education
31 hours for each course the continuing education sponsor approves
32 pursuant to part 6700.0900, subpart 3, item H; and

33 C. maintaining lesson plans and instructor
34 credentials for each course it sponsors including handout
35 materials, attendance policy, and evaluations.

1 Subp. 5. **Change of continuing education coordinator.** The
2 continuing education sponsor shall notify the board within ten
3 days after the continuing education coordinator has left the
4 position. If the position is not filled within 30 days of the
5 position being vacated, the course sponsor shall not use the
6 process prescribed by this part until the new continuing
7 education coordinator is hired. If the continuing education
8 sponsor applies for credit for a course when there is no
9 continuing education coordinator, the continuing education
10 sponsor shall submit the course for approval pursuant to part
11 6700.0900, subpart 3, item G. The continuing education sponsor
12 shall provide the board the name of the new coordinator before
13 the coordinator's first day of employment.

14 Subp. 6. **Rosters.** On a form supplied by the board, the
15 continuing education coordinator shall submit a list of the
16 names of the peace officers or constables who complete each
17 course, each peace officer or constable license number, and the
18 number of continuing education hours which are to be credited to
19 each peace officer or constable. This form must be submitted no
20 later than ten days after the class is completed.

21 Subp. 7. **Course notices.** The continuing education
22 coordinator shall publish the following statement in all written
23 notices which advertise a continuing education sponsor's course:

24 "Peace officers or constables who successfully
25 complete this course will receive (maximum number of
26 continuing education hours) hours of peace officer
27 continuing education credit."

28 Subp. 8. **Documentation.** The continuing education
29 coordinator shall maintain copies of the documents received in
30 part 6700.0900, subpart 3, item C for five years. Copies of
31 this documentation shall be made available to the board within
32 five working days of the board's request for it. If compliance
33 is not possible within that time, the continuing education
34 coordinator shall inform the board within five working days of
35 the board's initial request and shall have an additional five
36 working days to comply with the request.

1 Subp. 9. Course statements. The continuing education
2 coordinator or a designee of the coordinator shall read the
3 following statement at the commencement of each class:

4 "The (name of the continuing education sponsor) is a
5 continuing education sponsor as approved by the Board
6 of Peace Officer Standards and Training. Peace
7 officers and constables who successfully complete this
8 course (name of the course) will receive (total number
9 of hours) hours of continuing education. A course
10 roster will be mailed to the POST Board no later than
11 ten days after this course is completed. The roster
12 will list the names, license numbers, and continuing
13 education hours for those who successfully complete
14 the course. Any questions about this course can be
15 directed to (the name of the continuing education
16 coordinator)."

17 Subp. 10. Violations. The board may take disciplinary
18 action against a continuing education sponsor for any violation
19 of this part by the sponsor or the continuing education
20 coordinator. Also, disciplinary action may be taken when the
21 continuing education sponsor, continuing education coordinator,
22 or faculty does not cooperate with the board in the
23 investigation of a violation of this part.

24 Subp. 11. Disciplinary proceedings. Disciplinary
25 proceedings under this part shall be conducted pursuant to the
26 Administrative Procedure Act, Minnesota Statutes, sections 14.01
27 to 14.69, and the rules of the Office of Administrative Hearings.

28 6700.1101 PART-TIME PEACE OFFICERS.

29 Subpart 1. to 6. [Unchanged.]

30 Subp. 7. Inactive status of part-time peace officer
31 license. The chief law enforcement officer shall notify the
32 board within ten days of all voluntary or involuntary
33 terminations of part-time peace officers. The notification
34 shall include the name of licensee, licensee's forwarding
35 address, unless the licensee requests that this information not

1 be divulged, and date of termination.

2 An individual possessing a part-time peace officer license
3 may maintain the license in inactive status provided that he or
4 she meets the requirements of part 6700.1000, subpart 3.

5 An individual who is appointed to the position of a
6 part-time peace officer within three years of the date when the
7 individual's license was placed on inactive status is not
8 required to comply with selection standards outlined in subpart
9 2, items A to C.

10 An individual who is appointed as a part-time peace officer
11 more than three years after the date the individual's license
12 was placed on an inactive status is required to complete the
13 selection standards outlined in subpart 2, items A to C, prior
14 to his or her first day of employment. For compliance with this
15 subpart, previously completed standards are not acceptable. The
16 chief law enforcement officer shall maintain the documentation
17 necessary to show compliance with this subpart. The
18 documentation is subject to periodic review by the board and
19 shall be made available upon request by the board.

20 Subp. 8. [Unchanged.]

21 6700.1201 CONSTABLES.

22 Subpart 1. to 6. [Unchanged.]

23 Subp. 7. Inactive status of constable license. The chief
24 law enforcement officer shall notify the board within ten days
25 of all voluntary or involuntary terminations of constables. The
26 notification shall include the name of licensee, licensee's
27 forwarding address, unless the licensee requests that this
28 information not be divulged, and date of termination.

29 An individual possessing a constable license may maintain
30 the license in inactive status provided that he or she meets the
31 requirements of part 6700.1000, subpart 3.

32 An individual who is appointed to the position of a
33 constable within three years of the date when the individual's
34 license was placed on inactive status is not required to comply
35 with selection standards outlined in subpart 2, items A to C.

1 An individual who is appointed as a constable more than
2 three years after the date the individual's license was placed
3 on an inactive status is required to complete the selection
4 standards outlined in subpart 2, items A to C, prior to his or
5 her first day of employment. For compliance with this subpart,
6 previously completed standards are not acceptable. The chief
7 law enforcement officer shall maintain the necessary
8 documentation to show compliance with this subpart. The
9 documentation is subject to periodic review by the board and
10 shall be made available upon request by the board.

11 Subp. 8. [Unchanged.]

12 6700.1400 INACTIVE STATUS OF PEACE OFFICER LICENSES.

13 Subpart 1. and 2. [Unchanged.]

14 Subp. 3. Selection standards. An individual who is
15 appointed to a law enforcement position within three years of
16 the date the individual's license was placed on inactive status
17 shall not be required to comply with selection standards
18 outlined in part 6700.0700, subpart 1. An individual who is
19 appointed to a law enforcement position more than three years
20 after the date that individual's license was placed on inactive
21 status shall be required to comply with selection standards as
22 outlined in part 6700.0700, subpart 1 prior to his first day of
23 employment. For compliance with this subpart, previously
24 completed standards are not acceptable. The chief law
25 enforcement officer shall maintain necessary documentation to
26 show compliance with this subpart. The documentation is subject
27 to periodic review by the board and shall be made available upon
28 request by the board.

29 6700.1600 VIOLATION OF STANDARDS OF CONDUCT.

30 Violations of the following standards of conduct by a
31 licensee shall be grounds for revocation, suspension, or
32 nonrenewal of license:

33 A. to D. [Unchanged.]

34 E. any violation of a board rule set forth in parts
35 6700.0100 to 6700.1900;

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1 F. any obstruction, hindrance, interference, or
2 prevention of the execution of part 6700.1700; or

3 G. the conviction of a crime which was charged under
4 an ordinance but which would be a conviction under Minnesota
5 Statutes, section 609.52 if it was charged under state law.

6

7 REPEALER. Minnesota Rules, part 6700.0500, subpart 4, is
8 repealed.