

# PEACE OFFICER STANDARDS AND TRAINING POLICY AND PROCEDURE MANUAL

## WAIVER AND REACTIVATION

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### 3210 WAIVER AND REACTIVATION POLICY

#### POLICY

Utah law provides that the Director of POST may waive the required basic peace officer training course and certify an applicant who:

- provides proof they meet the requirements under section 53-6-203,
- provides proof that they have completed a basic peace officer training program that in the director's judgment is equivalent to the POST course
- passes the certification examination; and
- passes a physical fitness test.(Utah Code Ann. §§53-6-206).

Waiver applicants will be required to furnish POST with a copy of the training curriculum from the institution where they received basic peace officer training and proof of successful completion of the program.

#### PROCEDURE

##### 1. WAIVER

Waiver applies to a person who has completed a peace officer or dispatcher training program other than one already certified by the director of Utah POST and requests Utah POST to recognize their training and waive the normal basic training requirement. All or any part, of the training program may be waived.

##### 2. REACTIVATION

Reactivation refers to a person who has previously been certified as a peace officer in Utah, who has not been actively engaged in performing the duties of a peace officer for 18 consecutive months or more, but less than four years as described in Utah Code Ann. §53-6-208, or a person who has previously been certified as a dispatcher in Utah, who has not been actively engaged in performing the duties of a dispatcher for 18 consecutive months or more, but less than four years as described in Utah Code Ann. §53-6-306.

##### 3. LAPSED CERTIFICATE

A peace officer or dispatcher whose certification has lapsed is not eligible for Waiver or Reactivation. In the case of a lapsed certificate the officer or dispatcher must re-attend and complete all requirements of the basic training program **including the certification examination and physical fitness test.**

*Note: The certificate of a peace officer or dispatcher becomes “inactive” if they have not been actively engaged in performing the duties of a peace officer or dispatcher for **18 consecutive months or more.** The certificate of a peace officer or dispatcher “lapses” if they have not been actively engaged in performing the duties of a peace officer or dispatcher for four continuous years or more.*

### **3220 WAIVER ELIGIBILITY**

#### **POLICY**

The In-Service Bureau Chief, or designee, will evaluate peace officer and dispatcher training programs for waiver eligibility. Generally, the following rules will apply:

1. Applicants who, within the last four years have completed a basic peace officer training program in another state that, in the judgment of the director of POST, is equivalent to the program required for certification in Utah; or, have been certified and actively engaged as a city, county, state, federal, or military law enforcement officer within the last four years, and have left in good standing, may be eligible for waiver.
2. All out-of-state waiver applicants are required to complete the POST waiver process. The waiver process includes a background check, a written waiver test and physical fitness assessment.

### **3230 REACTIVATION ELIGIBILITY**

#### **POLICY**

Reactivation eligibility is determined in the following manner:

1. Subject to Utah Code Ann. § 53-6-208(2), a person who has not been actively engaged in performing the duties of a Utah peace officer for four continuous years or more is ineligible for reactivation and must successfully pass a basic training course **at a certified academy, the certification examination and a**

physical fitness test before they will be certifiable.

2. A certified Utah Peace Officer who becomes unemployed for 18 consecutive months or more, but less than four years must successfully complete the reactivation process in order to have their certification reissued or reinstated.
3. A person who has completed a certified basic training academy in Utah, and has not become employed in a peace officer position within 18 consecutive months or more from the date they complete the original certification examination, must successfully complete the reactivation process before they will be certifiable.
4. All reactivation applicants are required to complete the POST waiver process which includes a background check, a written examination and a physical fitness assessment.

## 3240 WAIVER AND REACTIVATION APPLICATION PROCEDURE

### POLICY

1. Applicants for waiver or reactivation will complete the application electronically, via the POST web site, and submit assessed fees directly to POST.
2. When the application is approved by POST, the applicant may receive a copy of the performance objectives taught in basic training, information on accessing the Utah traffic and criminal code on-line, information on the required physical fitness standards and other study materials to help them prepare for the Waiver/Reactivation written exam and physical fitness assessment. The written exam will be based on the basic training performance objectives. The physical fitness assessment will be based on the physical fitness standards for certification as approved by the POST Council.
3. All Waiver and Reactivation applicants must complete and submit the following forms to POST:
  - a. Application and Background Clearance for POST Approved Basic Training Programs. This form must be signed by the applicant. A recent photograph, a copy of the applicant's high school diploma, applicants driving record, DD 214 form (if veteran,) and a birth certificate, must be provided.
  - b. Medical Release. This form must be signed by a physician before taking the physical assessment test.

- c. Fingerprint Cards (2). A criminal record search must be completed prior to certification. Cards must be completely filled out.
  - d. Waiver of Liability. Must be signed by the applicant and notarized.
  - e. Application for Peace Officer Certification. The chief administrative officer of a law enforcement agency must complete this form. This form is to be submitted to POST only after the applicant is hired by a Utah law enforcement agency.
  - f. Waiver and Authorization to Release Information. This form must be signed by applicant and notarized.
4. Fees
- a. A \$75.00 fee will be assessed for the written exam and physical fitness assessment
  - b. The fee is payable at the time of testing. The fee is not applicable if an individual is currently employed by a Utah law enforcement agency.

## **3250 WAIVER AND REACTIVATION TESTING PROCEDURE**

### **POLICY**

1. Waiver and Reactivation applicants must pass a written examination. This examination will include questions concerning many of the performance objectives taught in basic training. The written examination is composed of true/false, multiple choice and matching questions. The applicant will be allowed three hours to complete the examination and must achieve a score of 80% to pass.
2. If the applicant does not pass this examination, they will have one opportunity to re-take the examination. An applicant must pass the examination within 90 days from the date their application is approved by POST.
3. Reactivation applicants must complete this process before the four year time limit has expired.
4. **Subject to Utah Code Ann. § 53-6-206(3) If an applicant fails the written examination [after two attempts] the director may not waive the required basic training course and the applicant shall complete the basic training requirement including the certification examination and physical fitness test before they may be certified.**

5. If the applicant fails the written exam, POST staff may tell the applicant how many questions were missed in each area, but will not review individual questions or concepts.
6. All waiver and reactivation applicants **for peace officer certification** must also pass a physical fitness assessment at the established basic training exit standard in each fitness category (see POST policy 2390 for physical fitness standards).
7. Waiver and reactivation applicants who fail the physical fitness assessment will have four years from their last date of employment as a peace officer to meet the approved standard. Re-testing during the four year period will be at the convenience of POST.

## **3260 WAIVER AND REACTIVATION OFFICE PROCEDURES**

### **POLICY**

1. The Waiver/Reactivation test will be given at POST on the second Thursday of each month, except state holidays. The testing process will begin at 0900 hours unless otherwise directed.
2. Waiver/Reactivation applicants must bring the POST letter of approval to be admitted for testing. No one will be allowed to test who has not been previously scheduled.
3. Applicants will have three hours to complete the written examination.
4. Waiver or Reactivation testing will not be scheduled at any other time without the approval of the In-Service Bureau Chief.
5. The physical fitness assessment will be administered by a POST Training Supervisor.
6. The written test will be administered by an approved POST staff member.
7. Applications for Waiver or Reactivation must be filled out in their entirety. Applications must be completed and submitted electronically via the POST website at least two weeks prior to testing.