

PEACE OFFICER STANDARDS AND TRAINING POLICY AND PROCEDURE MANUAL

IN-SERVICE TRAINING

3010 IN-SERVICE TRAINING REQUIREMENTS

POLICY

The purpose of In-Service training is to provide Utah peace officers and certified dispatchers with the opportunity to obtain the knowledge and skills necessary to perform their duties in a professional and skillful manner. To this end, and to assist Utah peace officers and dispatchers in satisfying the requirements of Utah Code Ann. § 53-6-202, 53-13-103 (4)(b), 53-13-104 (4)(b), 53-13-105 (4)(b) and 53-6-306 (3)(a), Utah Peace Officer Standards and Training may facilitate an In-Service training program that addresses the needs of the Utah public safety community.

PROCEDURE

1. STATUTORY 40 HOUR TRAINING REQUIREMENT FOR PEACE OFFICERS

All law enforcement agencies seeking to have In-Service credit granted should adhere to the standards and procedures established by POST and the POST Council.

2. STATUTORY 20 HOUR TRAINING REQUIREMENT FOR DISPATCHERS

All dispatch agencies seeking to have In-Service credit granted should adhere to the standards and procedures established by POST and the POST Council.

3. AGENCY TO MAINTAIN TRAINING RECORDS

The chief administrative officer of an agency employing peace officers or dispatchers is responsible for the recording of all training obtained by their peace officers or dispatchers. The record should be accurate and available in the event of an audit or subpoena of training records. This record should contain the following:

- a. The subject or topic instructed
- b. The number of classroom or field hours

- c. The location and date of the training
- d. The name of the instructor

4. REPORTING TRAINING: AGENCY RESPONSIBILITY

At the conclusion of each training year (July 1-June 30), agencies employing peace officers or dispatchers are required to report to POST the number of training hours received by each officer or dispatcher employed by that agency at any time during the training year regardless of current employment status. This report is due to POST by June 30, and must be submitted electronically via the POST Portal. No other form of electronic submission will be accepted.

5. VIOLATION OF STATUTORY TRAINING REQUIREMENT BY A PEACE OFFICER: ORDER OF SUSPENSION

On July 31, The Division of Peace Officer Standards and Training will suspend the peace officer powers of any active peace officer who fails to receive and report 40-hours of approved training during the previous training year in accordance with Utah Code Ann. § 53-6-202(4). The officer, and the officer's employing agency, will be notified by letter of this action. This sanction will remain in effect until the deficient training is completed and reported to POST. POST will notify the officer and employing agency when the officer's peace officer powers have been reinstated.

Suspended officers who continue to perform the duties and functions of a peace officer will be in violation of Utah Code Ann. § 53-6-202(4) and will be subject to the penalties set forth in Utah Administrative Code, Rule 728-411.

The peace officer certification of any officer who remains on suspension for 18 consecutive months or more will be designated as inactive in accordance with Utah Code Ann. § 53-6-208. An officer whose certification is classified as inactive must complete the reactivation process outlined in Utah Administrative Code, Rule 728-403-7 and POST policy 3310-3350 in order to have their peace officer certification reinstated.

If the officer fails to make up the deficient training by October 1, the officer's name will be reported to Utah Retirement Systems (URS) for determination by URS how the deficient hours will affect peace officer retirement credit. Deficient hours reported to POST after October 1 will only be used to reinstate peace officer status and will not be reported to URS.

Note: Utah Administrative Code, Rule 728-410-8 requires POST to report deficient training hours to URS; however, POST is not a party to the decision URS renders regarding that deficiency. An officer who wishes to challenge any action taken by URS would need to contact URS directly.

Training received by a suspended officer in a new training year will be credited to the previous (deficient) training year until the deficiency is made up. Training used to clear up an old deficiency cannot be credited to the new training year. (The same training cannot be counted twice.)

6. VIOLATION OF STATUTORY TRAINING REQUIREMENT BY A DISPATCHER: ORDER OF SUSPENSION

On July 31, The Division of Peace Officer Standards and Training will suspend the certification of any active dispatcher who fails to receive and report 20-hours of approved training during the previous training year in accordance with Utah Code Ann. § 53-6-306 (3). The dispatcher, and the dispatcher's employing agency, will be notified by letter of this action. This sanction will remain in effect until the deficient training is completed and reported to POST. POST will notify the dispatcher and employing agency when the dispatcher's certification has been reinstated.

The certification of any dispatcher who remains on suspension for 18 consecutive months or more will be designated as inactive in accordance with Utah Code Ann. § 53-6-306. A dispatcher whose certification is classified as inactive must complete the reactivation process outlined in Utah Administrative Code, Rule 728-403-7 and POST policy 3310-3360 in order to have their dispatcher certification reinstated.

Training received by a suspended dispatcher in a new training year will be credited to the previous (deficient) training year until the deficiency is made up. Training used to clear up an old deficiency cannot be credited to the new training year. (The same training cannot be counted twice.)

7. AUTHORIZED TRAINING FOR POST IN-SERVICE CREDIT

All training offered by POST is authorized for POST In-Service credit. The authority and responsibility for accepting other forms of training belongs to the chief administrative officer of each public safety agency. If the chief administrative officer approves the training, POST will accept that training for credit to satisfy the annual statutory training requirement. However, the chief administrative officer accepts the responsibility and liability for course content and instructor qualification.

Note: The following are examples of training possible for In-Service credit. The Chief Administrative Officer of the agency is responsible for determining if the training is acceptable to meet the statutory requirements set forth in Utah Code Ann. § 53-6-202 or 53-6-306.

a. BASIC TRAINING

Training received during the completion of a Basic Training Session can be credited towards the In-Service training requirement.

b. CREDIT FOR COLLEGE COURSES

One hour credit for each class hour attended at an accredited college or university will be granted for attendance in any college course that is required to earn a degree. The individual should include a copy of the college transcript in their agency training file as proof of successful completion of the course.

c. CORRESPONDENCE COURSES

Correspondence courses may be approved for In-Service credit. Prior approval should be received from the individual's chief administrative officer who will determine the number of credit hours the course is worth.

d. COMPUTER AND WEB-BASED COURSES

Computer and web-based courses may be approved for In-Service credit. Prior approval should be received from the certified individual's chief administrative officer who will determine the number of credit hours the course is worth. Computer and web-based courses should be accompanied by written course outlines and lesson plans and should include a testing component. No program shall be advertised as "POST-approved or accredited" without specific written authorization from POST.

e. AUDIOVISUAL PRESENTATIONS

In-Service credit may be granted for viewing law enforcement or position related audiovisual presentations (i.e., videos, satellite programming, etc.), as long as the training includes a structured lecture or classroom discussion regarding the viewed materials.

f. IN-SERVICE CREDIT FOR INSTRUCTORS

Training credit may be granted to POST certified instructors on an hour-for-hour basis; an equivalent amount of credit may be claimed for preparation time.

Example: A two-hour class is worth four hours of In-Service credit: two hours of instruction plus two hours of preparation.

In-Service credit for instructor time can be claimed by the instructor once each year for each course instructed. No more than eight hours of preparation time may be claimed per year.

g. CREDIT FOR STUDY FOR PROMOTIONAL EXAMS

An agency's chief administrative officer may grant up to five hours of In-Service training credit to individuals who have studied for, and passed, a promotional examination. Before awarding credit, the agency administrator

should ensure that:

- i. The study material was not limited to the department's policy and procedure manual.
 - ii. Study aids consist of textbooks, journal articles or other professional publications that deal with subjects such as Managerial Techniques, Supervisory Skills, Criminal Investigation, and other law enforcement skills.
 - iii. The officer PASSED the examination.
 - iv. The officer need not be promoted to receive training credit.
- h. CREDIT FOR REGULARLY SCHEDULED MEETINGS AND CONFERENCES
Monthly, quarterly, or other regularly scheduled meetings or conferences will not be granted In-Service credit unless it can be specifically demonstrated the session is devoted to training and not for the purpose of exchanging information (i.e. detective meetings, intelligence briefings, etc.).
- i. CREDIT FOR PHYSICAL FITNESS TRAINING
An individual may claim up to five hours of In-Service training credit per year for participation in an agency physical training program.

8. MILITARY WAIVER

Individuals who are actively deployed in military service may receive a waiver of the annual training hours or may report military training hours as in-service training credit. The individual's chief administrative officer or designee may authorize the waiver of in-service training for an actively deployed employee by submitting the military waiver form.

- a. Upon receipt of a signed military waiver form, POST shall change the individual's employment status to Active (Military).
- b. If the individual's military deployment occurs the entire training year, the individual does not need to complete training hours for that training year and may become active upon return.
- c. If the individual's military deployment only occurs during part of the training year, the individual's annual training hours shall be pro-rated by quarter.
 - i. For each quarter the individual was deployed, the individual may have ten (10) hours credited towards the annual requirement, and four (4) hours toward the 16-hour specific hour requirement.

- ii. Notwithstanding the credited hours, the individual must obtain training hours in Arrest Control, De-Escalation, Mental Health/Crisis Intervention, and Autism Spectrum Disorder to maintain active certification status.
 - iii. The individual must complete any deficiency in annual training hours before they may resume active certification status.
- d. Upon returning from active military duty, the individual's primary employing agency must contact POST to request the individual's certification status be changed from Active (Military) to Active.
 - i. POST shall determine whether the training hour requirement has been satisfied and notify the employing agency of any deficiency in hours.
 - ii. If the individual's status is designated as Active (Military) and is deficient in training hours, POST may not take action against the individual's certification.
 - iii. The individual must complete any deficiency in training hours before the individual's employment status may be changed from Active (Military) to Active.

9. MEDICAL WAIVER

Individuals who are placed on medical leave during the training year may receive a waiver of the annual training hours. The individual's primary agency chief administrative officer or designee may authorize the waiver of training hours by submitting a completed medical waiver form with an attending physician's note stating that participation in any type of training, including watching video or computer-based courses, would be detrimental to the individual's health.

- a. Upon receipt of the medical waiver form, POST shall change the individual's employment status to Active (Medical).
- b. If the individual's medical leave occurs the entire training year, the individual does not need to complete training hours for that training year and may become active upon return to active employment.
- c. If the individual's medical leave only occurs during part of the training year, the individual's annual training hours shall be pro-rated by quarter.
 - i. For each quarter the individual was on medical leave, the individual may have ten (10) hours credited towards the annual requirement, and four (4) hours toward the 16-hour specific hour requirement.
 - ii. Notwithstanding the credited hours, the individual must obtain training hours in Arrest Control, De-Escalation, Mental Health/Crisis Intervention, and Autism Spectrum Disorder to maintain active certification status.
 - iii. The individual must complete any deficiency in annual training hours before they may resume active certification status.

- d. Upon being cleared to return from medical leave, the individual's primary employing agency must contact POST to request the individual's certification status be changed from Active (Medical) to Active.
 - i. POST shall determine whether the training hour requirement has been satisfied and notify the employing agency of any deficiency in hours.
 - ii. If the individual's status is designated as Active (Medical) and is deficient in training hours, POST may not take action against the individual's certification.
 - iii. The individual must complete any deficiency in training hours before the individual's employment status may be changed from Active (Medical) to Active.

10. BREAK IN ACTIVE EMPLOYMENT

An individual who works one day in the training year (July 1-June 30) must satisfy all annual training hours to maintain active status. If the individual does not work during the training year, the individual does not need to complete training for that year to become active.