

# PEACE OFFICER STANDARDS AND TRAINING POLICY AND PROCEDURE MANUAL

## IN-SERVICE TRAINING

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### 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**

Utah Code Ann. § 53-6-202 (4)(a) requires all peace officers to complete “annual certified training of not less than 40 hours as the [POST] director, with the advice and consent of the [POST] Council, directs”; 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**

Utah Code Ann. § 53-6-306 (3) (a) requires “A certified dispatcher shall complete annual training approved by the director of 20 hours or more.” 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 3210-3260 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 3210-3260 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. WAIVER OF TRAINING REQUIREMENTS

All actively engaged peace officers must obtain 40 hours of training annually and all actively engaged certified dispatchers must obtain 20 hours of training annually, however, under the circumstance listed below a certified individual may request a waiver for a portion of the annual in-service training requirement. Any request for waiver of the annual in-service training must be made in writing by completing a waiver of training requirement form and submitting it to the POST Director prior to the end of the training year (June 30). If an individual does not submit a request for waiver of annual in-service training, they must receive and report the statutorily required hours of training or be subject to suspension in accordance with policy 3010(5 or 6) above.

a. PARTIAL YEAR EMPLOYMENT WAIVER

A full number of In-Service training hours are required only if an individual is employed for the entire training year. Individuals, who are employed for only part of the reporting period, need only obtain a prorated number of training hours. Therefore, a peace officer should obtain 3.5 hours and a dispatcher should obtain 1.75 hours for each month employed during the reporting year. (Example: An officer hired in January who remains actively engaged through June 30, should obtain 21 hours of In-Service training for that training year.)

b. LONG TERM DISABILITY, MEDICAL LEAVE, OR RESTRICTED DUTY

The full number of hours of In-Service training is required regardless of duty status. To obtain a waiver of the training requirement, the individual and certifying agency must provide a letter from a physician stating that participation in any type of training including watching video or computer based courses would be detrimental to the individual's health. Waivers that are granted will be on a prorated basis for the time defined in the physician's letter of inactivity.

## 9. MILITARY LEAVE

Individuals who are actively deployed in military service need only obtain a prorated number of training hours. Therefore, a peace officer should obtain 3.5 hours and a dispatcher should obtain 1.75 hours for each month not deployed during the reporting year. (Example: An officer deployed July through December should obtain 21 hours of In-Service training for that training year.) To obtain a waiver of training hours for military leave, a copy of the individual's orders for active duty must be submitted to the chief administrative officer of the employing agency. The chief administrative officer must authorize the in-service training waiver by completing a waiver of training requirement form as outlined above.

### Note:

- *An individual who is not employed as a peace officer or certified dispatcher at the end of the training year, and who does not intend to maintain a certifiable status, need not report training hours for the year in which their employment ended.*
- *An individual who is not actively engaged in performing the duties of a peace officer or certified dispatcher for 18 consecutive months or more must complete the reactivation process in order to become certifiable (see POST policy 3210-3260).*
- *An individual who is not actively engaged in performing the duties of a peace officer or certified dispatcher for a period of time less than 18 consecutive months will be required to make up any annual training deficiency for the period of time they were employed during the previous year.*

## 3020 REPORTING OF IN-SERVICE TRAINING

### POLICY

As per POST policy 3010 (4), "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.”

The purpose of this policy is to provide instruction to the agency on how to report the hours to POST.

## **PROCEDURE**

### **1. HOURS REQUIRED TO REPORT**

In order to eliminate duplication of effort and avoid double reporting of In-Service hours, each agency must report only those hours which were not part of a POST sponsored course. POST in-service courses, conferences, online training and basic academy training are automatically entered into an officer's individual training record.

### **3. REPORTING HOURS ELECTRONICALLY**

Submission of hours to meet the statutory annual training requirement shall be made electronically via the POST portal. Each agency has the opportunity to enter hours via the POST portal either on an annual basis at the end of the training year, or hours may be entered periodically throughout the year. Other electronic submission methods may be available for exigent circumstances. The POST website at [post.utah.gov](http://post.utah.gov) will have instructions for obtaining agency access to the system and on how to properly report training hours.

## **3030 IN-SERVICE TRAINING SCHEDULE**

### **POLICY**

The In-Service Training schedule shall be published on the POST website.

### **PROCEDURE**

1. POST In-Service training schedule shall be regularly updated and posted on the POST website
2. The training schedule shall include In-Service training, EVO courses, dog training courses, and other specialized training courses offered throughout the state.

## **3040 POST IN-SERVICE TRAINING COURSES**

### **POLICY**

The **POST Training Bureau Chief** shall oversee all In-Service training courses sponsored by POST