

# 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 law enforcement officers 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 law enforcement officers in satisfying the requirements of Utah Code Ann. § 53-6-202, 53-13-103 (4) (b), 53-13-104 (4) (b) and 53-13-105 (4) (b), Utah Peace Officer Standards and Training will facilitate an In-Service training program that addresses the needs of the Utah law enforcement community.

#### PROCEDURE

##### 1. STATUTORY 40 HOUR TRAINING REQUIREMENT

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 law enforcement 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 July 31st and must be submitted electronically.

#### 5. VIOLATION OF STATUTORY TRAINING REQUIREMENT: ORDER OF SUSPENSION

On July 31st, 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. 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 728-407 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.

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. 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 law enforcement agency. If the chief administrative officer approves the training, POST will accept that training for credit to satisfy the 40-hour 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.*

### 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 officer 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 officer'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 officer'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. VIDEO TAPES/AUDIOVISUAL PRESENTATIONS

In-Service credit may be granted for viewing law enforcement or position related audiovisual presentations (i.e., films, videotapes, 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 officers 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 should consist of textbooks 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 officer can claim up to five hours of In-Service training credit **per year** for participation in an

agency physical training program.

## 7. WAIVER OF TRAINING REQUIREMENTS

All peace officers must obtain 40 hours of training annually, however, under the circumstance listed below a peace officer may request a waiver for a portion of the annual in-service training requirement. Any waiver of the annual in-service training request must be made in writing to the POST Director prior to the end of the training year (July 1). If an officer does not submit a waiver of annual in-service training request, they must receive and report 40 hours of training or be subject to suspension in accordance with policy 3010(5) above.

### a. PARTIAL YEAR EMPLOYMENT WAIVER

A full 40 hours of In-Service training is required only if an officer is employed for the entire training year. Officers, who are employed after the start of the reporting period, (July 1), need only to obtain a prorated number of training hours. Therefore, an officer should obtain 3.5 hours for each month employed during the reporting year. (Example: An officer hired in January should obtain 21 hours of In-Service training for that training year.)

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

A full 40 hours of In-Service training is required regardless of duty status. To obtain a waiver of the training requirement, the officer and certifying agency must provide a letter from a physician stating that participation in any type of training including watching videotapes or computer based courses would be detrimental to the officer's health. Those that are granted a waiver will be on a prorated basis for the time defined in the physician's letter of inactivity.

## 8. MILITARY LEAVE

Officers who are actively deployed in military service need only to obtain a prorated number of training hours. Therefore, an officer should obtain 3.5 hours for each month not deployed during the reporting year. (Example: An officer deployed July to 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 **officer's orders for active duty** must be submitted to POST.

Note:

- *An officer who is not employed in law enforcement 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 officer who is not actively engaged in law enforcement for 18 consecutive months or more must complete the reactivation process in order to become certifiable (see POST policy 3210-3260).*
- *An officer who is not actively engaged in law enforcement 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.*