

TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
CHAPTER 1. AGENCY AUTHORITY AND OBJECTIVES

390:1-1-4. Objectives of the Council

The objectives of the Council are:

- (1) To raise the level of professional competence and integrity of law enforcement by:
 - (A) Establishing and administering minimum standards for the training and certification of law enforcement officers, to include physical, mental, and moral standards.
 - (B) Establishing and administering minimum curriculum and instructional standards for law enforcement training at a variety of levels.
 - (C) Providing these and other services to law enforcement officers as directed by law.
 - (D) Recommending legislation necessary to upgrade Oklahoma law enforcement to professional status.
 - (E) Appointing a larger Advisory Council.
 - (i) The Advisory Council shall be composed of seventeen (17) members who are certified full-time peace officers employed by a campus, city, county, state or federal law enforcement agency. At least one member shall be appointed from each of the ten (10) geographic CLEET training regions.
 - (ii) Advisory Council members shall serve for a term of three years and may be reappointed for additional terms, unless removed by the Council.
 - (iii) An Advisory Council member may be removed and that position declared vacant by the Council for any reason.
 - (iv) When a vacancy occurs on the Advisory Council, the Advisory Council shall recommend an individual to the Council for the vacant position.
 - (F) Appointing a Drug Dog Advisory Council.
 - (i) The Drug Dog Advisory Council shall be composed of members as provided in 70 O.S. §3311(L)(2).
 - (ii) Drug Dog Advisory Council members shall serve for a term of three years and may be reappointed for additional terms, unless removed by the Council.
 - (iii) The Drug Dog Advisory Council shall meet as the business of the Drug Dog Advisory Council demands.
 - (iv) A Drug Dog Advisory Council member may be removed and that position declared vacant by the Council for any reason.
 - (v) The Drug Dog Advisory Council shall report research, recommendations and other matters related to minimum standards, educational needs, and other matters imperative to the certification of canines and canine teams trained to detect controlled dangerous substances to the larger Advisory Council for review prior to submission to the Council for final action.
 - (vi) When a vacancy occurs on the Drug Dog Advisory Council, the Drug Dog Advisory Council shall recommend an individual to the Council for the vacant position.
 - (G) Appointing a Bomb Dog Advisory Council
 - (i) The Bomb Dog Advisory Council shall be composed of members as provided in 70 O.S. §3311(M)(2).
 - (ii) Bomb Dog Advisory Council members shall serve for a term of three years and may be reappointed for additional terms, unless removed by the Council.
 - (iii) The Bomb Dog Advisory Council shall meet as the business of the Bomb Dog Advisory Council demands.
 - (iv) A Bomb Dog Advisory Council member may be removed and that position declared vacant by the Council for any reason.
 - (v) The Bomb Dog Advisory Council shall report research, recommendations and other matters related to minimum standards, educational needs, and other matters imperative to the

certification of canines and canine teams trained to detect explosives, explosive materials, explosive devices, and materials which could be used to construct an explosive device to the larger Advisory Council for review prior to submission to the Council for final action.

(vi) When a vacancy occurs on the Bomb Dog Advisory Council, the Bomb Dog Advisory Council shall recommend an individual to the Council for the vacant position.

(H) Appointing a Curriculum Review Board as provided in 70 O.S., Section 3311(B)(16).

(I) Approve New Law Enforcement Agencies and Police Departments as provided in 70 O.S., Section 3311(B)(20).

(a) Entities must submit the following information 60 days prior to the creation of a law enforcement agency:

(i) the need for the agency in the community,

(ii) the funding sources and proof that no more than fifty percent (50%) of the funding of the entity will be derived from ticket revenue and/or fines,

(iii) the physical resources available to officers,

(iv) the physical facilities that the law enforcement agency or police department will operate, including descriptions of the evidence room, dispatch area, restroom facilities, and public area,

(v) law enforcement policies of the law enforcement agency or police department, including published policies on the use of force, vehicle pursuit, mental health, professional conduct of officers, domestic abuse, response to missing persons, supervision of part-time officers, and impartial policing,

(vi) the administrative structure of the law enforcement agency or police department,

(vii) liability insurance, and

(viii) any other information CLEET requires by rule.

(b) CLEET will respond within sixty (60) days of receiving the request and will forward to the entity by certified mail, return receipt requested, a letter of authorization or denial.

(c) If denied, the entity may appeal the decision of the director to the full CLEET Council.

(2) To raise the level of professional competence and integrity of the private security industry by:

(A) Establishing and administering minimum standards for the employment of security guards and private investigators, and the establishment of private security and investigative agencies, through a licensing program based on physical, mental, and moral standards.

(B) Establishing and supervising a validated training program for security guards and private investigators.

(C) Enforcing the provisions for the Oklahoma Security Guard and Private Investigator Act (Title 59, Sections 1750.1 -~~1750.13~~*et seq.*).

(D) Appointing an Advisory Committee comprised of representatives from security guard and investigative agencies.

(i) The Committee shall be comprised of seven (7) representatives from licensed security guard and private investigative agencies as follows: One (1) from each quadrant of the state, one (1) at large, one (1) selected by the American Society for Industrial Security (ASIS) and one (1) selected by the Oklahoma Private Investigators Association (OPIA).

(ii) Committee representatives shall serve for a term of three years and may be reappointed for additional terms unless removed by the Council.

(iii) A Committee representative may be removed and that position declared vacant by the Council for any reason including but not limited to the following:

(I) Failure to be in good standing with their license;

(II) Use of their appointment on the Committee for threats or perceived personal gain; or

(III) Repeated absences.

(iv) When a vacancy occurs on the Advisory Committee, the Advisory Committee shall recommend an individual to the Council for the vacant position.

(v) Committee representatives shall meet at least quarterly or more often as the business of the

Committee demands.

(vi) The Committee shall report research, recommendations and other matters related to licensure of security guards, security agencies, private investigators and private investigative agencies to the Advisory Council for review prior to submission to the Council for final action.

390:1-1-6. Public records

(a) Except as specifically exempted as a confidential record, official records of the Council on Law Enforcement Education and Training are subject to the Oklahoma Open Records Act, ~~Sections 24A.1 through 24A.20 of Title 51 of the Oklahoma Statutes~~ Title 51, Section 24A.1 et seq.

(b) Copies of public information may be obtained from the Council office during regular business hours upon receipt of a written request and payment of a fee to cover the cost of providing copies of the requested.

(c) There may be a charge of Twenty-Five Cents (\$.25) per page for copies of public records of the Council.

(d) In the event a request for copies is for a commercial purpose or would cause disruption of the performance of the regular duties of the Council or Council staff, there may be an additional charge computed and assessed for locating and copying the requested materials based upon the cost of the lowest paid employee necessary to accomplish the copying request.

**TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
CHAPTER 2. ADMINISTRATIVE PROCEDURES**

390:2-1-2. Denials, reprimands, suspensions, revocations, disciplinary penalties, fines

(a) **Persons affected by individual actions.** Under the authority of 70 O.S., Section 3311 et seq.; 59 O.S., Section 1750.1 et seq.; 59 O.S., Sections 1451-1476; 20 O.S., Section 1313.2, 21 O.S., Section 1289.9 and 21 O.S. Section 1290.1 et seq., CLEET may take Administrative Actions against the following parties for violations of said statutes and the Rules and Regulations of CLEET:

- (1) Certified peace officers and applicants;
- (2) Basic Peace Officer Academy students and applicants;
- (3) Private security training schools and applicants;
- (4) Armed and unarmed security guards, private investigators, security agencies, investigative agencies and applicants;
- (5) Certified drug detector dogs, handlers and applicants;
- (6) CLEET certified instructors for Law Enforcement;
- (7) Counties, cities and towns involved in the penalty assessment program;
- (8) Private security training instructors and applicants;
- (9) Approved SDA Firearms Instructors;
- (10) Retired municipal, county, state and federal peace officers;
- (11) Certified Reserve Peace Officers and applicants; and
- (12) any other parties for which CLEET has statutory responsibility.

(b) **Type of sanctions.** CLEET may take the following actions against the parties mentioned in (a) of this section:

- (1) Oral Reprimand
- (2) Written Reprimand
- (3) Denial
- (4) Suspensions
- (5) Revocation and/or
- (6) Disciplinary penalty or fine.

(c) **Disciplinary procedures.** In the event CLEET, or its designated agent, has determined that an action will be taken, the following procedures shall apply in accordance with the Administrative Procedures Act, Section 301, et. seq. Title 75 of the Oklahoma Statutes.

- (1) The issuance or denial of a new license or new certification is not an individual proceeding, and is not subject to review by the administrative hearing process set forth below.
- (2) CLEET or its designated agent shall serve by certified mail, return receipt requested, or by personal delivery by an individual authorized by CLEET, a "Notice of Council Action" containing information required by 75 O.S. Section 309 et. seq., to the party at his last known residential address as reflected by the records of CLEET or current employing department or agency address if the personal address is unknown. If said letter is returned and notation of U.S. Postal Service indicates "unclaimed", "moved", "refused" or any non-delivery markings and the Council's records indicate no change of address as required by rule 390:35-5-13, the notice and any subsequent order shall be deemed served. Any order issued shall be deemed valid as if said individual or agency had been served.
- (3) The notice shall provide that CLEET action shall commence and become effective fifteen (15) days after receipt of said notice by the party, unless the party timely files a written request for a hearing with CLEET except as follows:
 - (A) When CLEET determines that an allegation warrants immediate action, the commencement and effective date of fifteen (15) days will be waived and the action will be effective upon receipt of said notice.
 - (B) A request for hearing will be timely filed if said request is in writing and received by

CLEET, its Director, or designated agent within ten (10) days of the date the party received notice.

(C) If a timely written request for a hearing is not received by CLEET, the allegations shall be deemed confessed by the party and the action will become final.

(D) If the written request for hearings is timely received by CLEET, such hearings shall be scheduled within sixty (60) days from the date said request is received.

(4) The timely filing of a written request for a hearing will stay CLEET's action pending disposition of the hearing, unless the notice and allegations fall within ~~the purview of (2)(3)(A)~~ of this subsection.

(5) The hearings will be held at a location designated by the Council.

(6) The hearing officer will be designated by CLEET or the Director thereof, and each party shall be afforded an opportunity to be heard and present evidence.

(7) The hearing will be electronically recorded and the tapes of said hearing will be preserved until all avenues of appeal have expired or been exhausted. If a party desires a court reporter, or certified stenographer, it shall be the party's burden to provide and bear the cost of said services and subsequent transcription.

(8) If a party fails to appear at the scheduled hearings without prior notification or good cause, the hearing officer shall default the party, and enter an order sustaining the allegations set forth in the notice and imposing the sanctions set forth therein; or if the State sustains its burden, the hearing examiner shall rule accordingly.

(9) If the complaining party fails to show or the state otherwise fails to prove the allegations by clear and convincing evidence, the action against the party shall be dismissed without sanctions.

(10) The designated hearing officer shall render a decision based upon the law and the evidence presented at the hearing.

(11) Each party shall be notified, in written order form, of the findings of fact and conclusions of law relating to the action.

(12) A party may appeal the hearing officer's decision as set forth in 75 O.S. Section 301 et. seq. of the Administrative Procedures Act.

390:2-1-4. Discovery

(a) **Purpose.** Discovery is designed to enable a party to obtain relevant information needed for presentation of the party's case. These Rules are intended to provide a simple method of discovery.

(b) **Explanation.** Discovery is a process apart from the hearing whereby a party may obtain relevant information from another person which has not otherwise been provided. Relevant information means evidence having any tendency to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would be without the information. This information is obtained for the purpose of assisting the parties in developing, preparing and presenting their cases.

(c) **Methods.** Discovery may be obtained by written interrogatories or oral interrogatories reduced in writing, depositions, production of documents for inspection or copying.

(1) Depositions.

(A) Deposition of a witness for use at a hearing may be taken only when ordered upon motion by CLEET or on application of a party. The order may direct that the deposition of a witness be taken inside or outside the State of Oklahoma.

(B) The order shall state the time and place the deposition shall be taken, and the party taking the deposition shall serve a copy of the order by regular mail on each party of record at least five days prior to the date scheduled for taking the deposition. (C) The manner of taking depositions and the attendance of witnesses shall be governed by the laws relating to taking the depositions for use in the District Courts, except that the attendance of a witness for deposition shall be required only in the county of his residence.

(D) A deposition may be offered in evidence at the hearing by any party.

(2) **Production of documents.**

(A) Upon application of a party, or upon motion of CLEET, with or without notice, CLEET may make an order requiring a party to produce designated documents or tangible objects for inspection by parties to the proceeding, or for copying at the expense of the applicant, or to be offered into evidence. The order shall direct production thereof at the hearing, and production shall be at the principal office of CLEET, unless some other place is stated in the order.

(B) The party applying therefore shall serve a copy of the order by regular mail on each party of record at least five days prior to the date upon which production is required.

(C) An order pursuant to this section may require production of any document not privileged which constitutes or contains evidence relevant to the subject matter of the proceeding, or may reasonably lead to such evidence. Business records shall not be deemed privileged as such; but confidential business records and information will be protected from disclosure except where directly relevant to the issues in the proceeding. (D) The order shall identify the documents or object to be produced individually or by categories, with sufficient particularity to permit easy identification thereof by the party ordered to make production.

(E) An exact photographic copy of a document may be substituted for the original, at the expense of the person producing the instrument.

(3) **Admission of facts and genuineness of documents.** CLEET may order any party to respond to requests for the admission of the genuineness of any relevant documents identified within the request or the truth of any relevant matters of fact or application of law to the facts as set forth in the request.

(4) **Stipulations.** The parties may stipulate as to any matter of fact. Such a stipulation will satisfy a party's burden of proving the fact alleged.

(d) **Witnesses.**

(1) **Lists.** All parties to a proceeding shall file a list of witnesses expected to be called during the proceeding. Such list shall include a brief statement describing the testimony to be offered. Witness lists will be made available for inspection and copying to all parties of record. The witness list shall be made available at least five days prior to the hearing.

(2) **Exclusion.** The Hearing Examiner may exclude the testimony of any witness when said testimony is deemed irrelevant, unduly repetitious or cumulative.

(3) **Testimony.** A witness present at a hearing pursuant to subpoena may be called to testify by the Hearing Examiner or by any party.

(4) **Protective orders.** CLEET may make any orders with respect to subpoenas and attendance of a witness with or without application or notice, as may be appropriate for the protection of parties and witnesses, including an order excusing attendance, or limiting documents to be produced.

(e) **Subpoenas.**

(1) **Duces Tecum.** CLEET may, upon request of a party, issue a subpoena in the name of CLEET in any pending proceeding requiring attendance of a witness from any place in the state to the place of hearing. A Subpoena Duces Tecum may require a witness to produce at the hearing, books, records, accounts, papers and other instruments and tangible objects, which shall be described with reasonable particularity in the subpoena. A subpoena duces tecum directed to a party, not an individual, may direct that the records be produced by an officer or employee responsible therefore.

(2) **Request for subpoena.** A request for subpoena shall be submitted to CLEET not less than ~~five~~ten days prior to the hearing. Such requests shall be supported by a showing of general relevance and reasonable scope and a statement of the facts expected to be proven.

(f) **Interrogatories.**

(1) Upon application of a party, or upon the motion of CLEET, with or without notice, an order may be entered requiring a party to answer in writing under oath of the party or a person authorized to make an answer, certain written interrogatories attached to the order. Unless otherwise ordered, the answers shall be submitted at the hearing, or at a pre-hearing conference.

(2) The party applying for the order shall serve a copy thereof, with interrogatories attached, by regular mail, upon each party of record at least ten days prior to the date upon which answer is required.

390:2-1-11. Declaratory rulings

(a) Any person subject to the rules and regulations contained in this chapter may petition in writing to CLEET or its designated agent for interpretation of a specific rule, regulation or order as to the applicability of said rule, regulation or order and its effect on petitioner. In petitioning CLEET for a declaratory ruling the following procedures must be followed:

- (1) The petition must be in writing and submitted to CLEET or its designated agent.
- (2) The petition shall state with specificity the rule, regulation or order in question; and
- (3) The petition shall state a brief, concise statement of facts in question; and
- (4) The petition shall pose a specific question(s) to be answered by CLEET.
- (5) The petition must further allege that application or the threatened application of said rule or regulation interferes with or impairs or threatens to interfere with or impair, the legal rights or privileges of the petitioner.

(b) CLEET or its designated agent shall make a declaratory ruling based upon the rule, regulation, facts, and question(s) presented.

(c) The petitioner will be notified of the declaratory ruling in writing by the U.S. ~~Mails-Mail~~. (d) The declaratory ruling will apply only to the petitioner unless CLEET or its designated agent finds that said ruling is general in nature and not unique to the petitioner.

(e) A declaratory ruling or refusal to issue such ruling, shall be subject to judicial review in the manner provided for review of decisions in individual proceedings in the Administrative Procedures Act.

**TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
CHAPTER 10. PEACE OFFICER CERTIFICATION**

390:10-1-5. Requirements for certification

(a) No person may be certified as a peace officer under the laws and the rules of this chapter until the following requirements have been met.

(1) The agency employing an officer seeking certification, or in the case of an elected official, the elected official himself must certify to CLEET that the employment standards set forth in 70 O.S. Section 3311 (E)(F)(G)(J) have been met. This certification shall be in a format accepted by CLEET.

(2) Having met the employment standards set forth herein, an officer must certify to CLEET that he or she is physically able to fully participate in and complete all phases of the CLEET Basic Peace Officer Certification Academy. This certification shall be in writing on forms to be provided by CLEET. CLEET shall reserve the right to refuse training to persons found to be physically unable to complete all phases of basic certification training.

(3) The head of the agency employing an officer enrolling in a CLEET Basic Certification Academy, shall first certify to CLEET that the officers' employing agency will fully assume all medical expenses incurred by said officers as a result of any injury or illness incurred during basic certification training.

(4) Any officer seeking peace officer certification must successfully complete all phases of a CLEET Basic Certification Academy, or a CLEET - approved basic certification academy.

(5) Every full-time peace officer, certified by the Council, who has ~~been inactive~~ not been employed as a full-time officer in Oklahoma for five or more years, upon re-entry to full-time status, must complete refresher training as prescribed by CLEET and successfully pass a written examination as prescribed by the Council, within one (1) year of employment.

(A) Trainees must achieve a passing score as determined by CLEET on the examination.

(B) Any trainee that fails the examination will be permitted to retake that examination within ~~five (5)~~ ten (10) business days of the first examination.

(C) If the trainee fails the retake examination, the trainee's agency head must petition the Director in writing, to receive additional training and examination opportunities.

(b) The Council on Law Enforcement Education and Training, pursuant to relevant provisions of the Americans With Disabilities Act, will not discriminate against persons capable of performing essential functions required in peace officer training programs with or without reasonable accommodation.

390:10-1-7. Withdrawal, suspension and reinstatement of certification

(a) "**Withdrawal**" defined. A withdrawal of certification is the voluntary surrender of peace officer certification by an officer that has been certified pursuant to the provisions of 70 O.S. 3311 et seq.

(1) An officer requesting a withdrawal of certification must notify CLEET of his intent in writing to voluntarily surrender peace officer certification and have his name withdrawn from the list of Oklahoma certified peace officers.

(2) If an officer is requesting withdrawal by voluntary surrender of peace officer certification based upon completed, pending or contemplated criminal proceedings, the officer must include in the notice to withdraw certification, a certified copy of the charges, sentencing agreement or other information to support the action. This would include any deferred sentencing agreement.

(3) When a request for withdrawal of certification has been received by CLEET, the supporting documents will be verified and an investigation conducted to determine the facts for the stated underlying purpose of the withdrawal of certification.

(4) CLEET will enter a Final Order of Withdrawal which must be signed by the officer requesting the voluntary surrender of peace officer certification and the Director. The Final Order of Withdrawal must include:

- (A) A statement by the officer that the withdrawal and surrender of peace officer certification is voluntary; and
- (B) Acknowledgment of the underlying facts for the withdrawal; and
- (C) Acknowledgment that the information gathered during the investigation of the request for withdrawal may be submitted as evidence at a hearing upon the request of the officer for reinstatement of certification;

(b) **Suspension.** The certification of a peace officer may be suspended pursuant to the provisions of 70 O.S. §3311 et seq.

- (1) If any action against a peace officer results in the suspension of peace officer certification, the suspended officer shall not engage in law enforcement activities of any type during the period of suspension. Any peace officer found to be engaging in law enforcement activities of any kind during the period of suspension shall be subject to revocation of peace officer certification without prior notice but otherwise subject to administrative proceedings.
- (2) When permitted by law, the officer and CLEET may enter an agreement for the suspension of peace officer certification. The Agreed Final Order of Suspension must include the length of the suspension.
- (3) Administrative actions involving actions against a peace officer in which suspension of peace officer certification is provided by law, shall be conducted in accordance 70 O.S. 3311, the Administrative Procedures Act, OAC 390:2-1 et. seq. and this chapter.
- (4) A suspension ordered after administrative hearing shall state the term of the suspension. Unless otherwise provided by law, the Hearing Examiner may establish a reasonable length of suspension.

(c) **Reinstatement.**

(1) After five years, an officer who has had peace officer certification suspended or who has voluntarily withdrawn his certification, may have peace officer certification reinstated through the following procedures:

- (A) The officer shall file a request for reinstatement in writing, under oath.
- (B) The request shall require the applicant to furnish information reasonably required to enable the Council to determine the fitness of the applicant for certification.

(2) The request for reinstatement shall be referred to the Assistant Director for processing of the request.

(3) The request will be reviewed by the Assistant Director and General Counsel to approve or deny the request. The following factors will be considered during the review:

- (A) Circumstances surrounding the suspension or voluntary withdrawal of certification;
- (B) Successful completion of the terms for suspension or voluntary withdrawal of certification;
- (C) Any pending charges or actions in this state or any other state; and
- (D) Activities of applicant during the period of suspension.

(4) If a request is denied, the Administrative Procedures found in OAC 390:2-1 et. seq. will govern the hearing.

(5) Individuals who have had their certification reinstated must meet the continuing education requirements described in 70 O.S. 3311.4.

(6) Individuals who have had their certification reinstated must pay a reinstatement fee of One Hundred Fifty Dollars (\$150.00) pursuant to 70 O.S., Section 3311(K)(10)(c).

(d) **Notification.** Upon the suspension, withdrawal or revocation of peace officer certification pursuant to 70 O.S. 3311 et seq. or these rules, CLEET shall provide written notification of such action to the head of the employing law enforcement agency and the district attorney in the jurisdiction where the officer is or was last employed, and to any other entity required by law.

**TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
CHAPTER 15. BASIC PEACE OFFICER CERTIFICATION TRAINING**

390:15-1-13. Academic requirements

- (a) In order to successfully complete the basic academy program, trainees must achieve a minimum passing score as designated by CLEET or a higher standard if so required by an approved academy entity. All training standards and academic requirements must be completed within the time frame specified in Section 3311 of Title 70 of the Oklahoma Statutes.
- (b) Any trainee who fails a specific block examination will be permitted to retake that block examination within a time frame established by CLEET.
- (c) If the trainee fails the block examination a second time, the trainee's agency head may request that the trainee repeat the block of instruction and take the examination for a third time.
- (d) If a trainee fails to complete any block of instruction the trainee will not be allowed to take the certification examination.
- (e) Trainees who fail the certification examination will be permitted to retake the examination within ten (10) business days. A second failure will necessitate reenrollment into a basic academy.
- (f) When a trainee fails a proficiency test in the Custody Control block, or the Law Enforcement Driver Training block, the trainee will not be certified, and will be scheduled for up to two remedial training sessions at a later time. If the trainee does not successfully complete remedial training, no further testing will be allowed.
- (g) If the trainee fails a proficiency test in the Firearms Block, ~~and cannot be remediated within that academy,~~ the trainee will not be certified, and shall be required to obtain additional firearms training through his/her employing agency; such training to be conducted by a CLEET certified firearms instructor within ninety (90) calendar days of the student's original academy completion date. Upon completion of such training, the student's employing agency administrator must, within ninety (90) calendar days of the student's original academy completion date, in writing, notify the Director of CLEET that the student is ready to be scheduled for firearms proficiency testing by CLEET firearms staff. Such testing shall be completed by allowing the student up to three (3) attempts to attain the CLEET required proficiency in firearms. If the trainee does not successfully complete additional training, no further testing will be allowed until the student has retaken the entire firearms block of instruction.
- (h) Trainees are expected to attend all blocks of instruction. If a trainee misses any time during the academy, the trainee must state in writing the reasons for the absence.
- (i) Absences due to unforeseen emergencies, illnesses, subpoenas, or other unusual circumstances may be approved by the Training Division Manager or Assistant Director for make-up during the current academy. Each case will be reviewed to evaluate the length of time missed and the impact upon the instructional staff and class to remediate the trainee. The trainee may be required to provide documentation for excused absences such as a copy of the subpoena, doctor's statement, etc. Absences of more than five (5) hours in any training block may require the trainee to attend the entire block in the next subsequent academy.
- (j) Each applicant is required to attend all class sessions, subject to previously state exceptions. Unexcused absences or repeated tardiness requires makeup work during a current or future academy, and may result in administrative discipline. Decisions that the Training Manager or Assistant Director make, regarding attendance and makeup requirements, may be appealed to the Director.
- (k) It is mandated by the Council that all examinations, and all proficiency tests must be successfully completed to meet the requirements for peace officer certification.
- (l) If a health condition or an injury exists, prohibiting a trainee from fully participating in any block of instruction, a signed release from the trainee's physician must be submitted before the trainee will be allowed to further participate in that block.
- (m) If the trainee cannot be so released by a physician to fully participate in that block then participation

is prohibited.

(n) Approved academy entities shall establish their own requirements for academy testing, retesting, and attendance except that no academic standards shall be less than those established by CLEET in 390:15-1-13.

390:15-1-18. Administrative discipline

(a) In the event that a trainee's personal conduct or academic performance falls below accepted standards, appropriate reports shall be submitted by the academy coordinator to the ~~T~~training ~~D~~division ~~M~~manager. Reports shall outline the nature and scope of the trainee's substandard performance or conduct, the nature of any counseling or remedial action taken by coordinator/instructors, and recommendations for resolution of the matter. A copy of these reports shall be retained in the trainee's file.

(b) The ~~T~~training ~~D~~division ~~M~~manager shall make every effort to resolve the matter in the best interest of the trainee, the sponsoring agency, and CLEET. Should it become necessary, matters may be referred to the Assistant Director, and the trainee's agency head may be notified.

(c) Trainees who wish to register a complaint regarding some aspect of his or her treatment at the academy, shall make every effort to resolve the matter with the class coordinator. In the event this is not possible, the class coordinator shall consult with the Training Division Manager on the matter. If necessary, arrangements shall be made for the trainee to discuss the complaint with the manager. If the matter cannot be resolved, the manager shall consult with the Assistant Director. Students wishing to appeal the decision of the Assistant Director may submit a request for appeal in writing to the Director.

(d) Approved academy entities shall establish their own requirements for administrative discipline.

390:15-3-7. Course testing

(a) All academic COP course testing shall be subject to the higher education institution's testing and grading system with the exception that under no circumstances shall a course grade of less than 80 percent for First Aid, and ~~no less than 70 percent for other course offerings, be considered a passing score~~successful achievement on other cognitive examinations or performance tests shall be at a standard established by CLEET for a course offering which contains a portion of the CLEET basic Academy instructional goals and objectives.

(b) COP skills training courses shall meet the minimum grading standards set forth for the CLEET Basic Academy skills training programs.

(c) Practical application exercises may be evaluated at a standard established by the COP institution.

390:15-3-8. Qualification examination

(a) The CLEET qualification examination which is administered to COP students by an authorized CLEET representative, is a comprehensive objective examination which covers, at a minimum, those topical areas set forth in 390:15-1-2 and 390:15-3-6. Should additional topical areas be added, the qualification examination may be expanded to cover such additions.

(b) The qualification examination shall be administered on a quarterly basis at times and locations to be determined by CLEET.

(c) Students may take the qualification examination prior to their twenty-first birthday but shall not be certified until their twenty-first birthday.

(d) Students who pass the qualification examination prior to becoming commissioned shall have two-years from the date the associate's or bachelor's degree is conferred in which to obtain their certification. Certification shall be withheld until they have been commissioned and all requirements of 70 O.S., Section 3311 have been met.

(e) ~~A score of 70 percent or higher shall be required to pass the qualification examination.~~
Successful achievement of the qualification examination will be at a standard established by CLEET.

(f) Students who fail their initial qualification examination may be given only two re-tests.

**TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
CHAPTER 20. RESERVE OFFICER CERTIFICATION AND TRAINING**

390:20-1-5. Reserve Academy Coordinator's manual

CLEET shall provide the Reserve Academy Coordinator with certain materials to assist ~~him~~ in conducting the Reserve Academy. These materials shall include a Reserve Academy Coordinator's Manual, Reserve Academy Instructor Guide and Student Manual.

390:20-1-15. Reinstatement Fee

Individuals who have had their certification reinstated must pay a reinstatement fee of One Hundred Fifty Dollars (\$150.00) pursuant to 70 O.S. Section 3311(K)(10)(c).

TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
CHAPTER 25. CONTINUING LAW ENFORCEMENT EDUCATION

390:25-1-14. Mandatory Continuing Education

(a) All full-time, certified, active peace officers shall successfully complete the minimum amount of hours of mandatory continuing education as set forth in 70 O.S., Section 3311.4, per year. The Council shall grant credit only for courses conducted by the Council or for courses accredited pursuant to OAC 390:25-1-8.

(b) Failure to meet annual training requirements shall subject the officer to suspension of their certification in accordance with the procedures in Chapter 2 of the Rules Governing the Council and 70 O.S., Section 3311.4.

(1) A reasonable time as set forth in 70 O.S., Section 3311.4(D) shall mean no more than thirty (30) calendar days after the notice of intent to suspend certification has been received, except in situations of documented medical or military leave. Training rosters for mandated training should be submitted as soon as training is conducted. Intent notices will be generated based upon training rosters submitted by the first working day in January.

(2) Travel, Food and Lodging Expenses. The Council will not be responsible for travel, food and lodging expenses incurred by officers attending the mandatory training pursuant to 70 O.S., Section 3311.4. These expenses shall be the responsibility of the employing agency or the individual officer.

(c) Any full time certified active peace officer who fails to complete evidence-based sexual assault and sexual violence training by January 1, 2012, shall be subject to suspension of their certification in accordance with Chapter 2 of the rules governing the Council.

(d) Any officer, full-time or reserve, who has had their certification suspended for failure to meet annual training requirements, must pay a One Hundred Fifty Dollar, (\$150.00) reinstatement fee pursuant to 70 O.S., Section 3311(K)(10)(c).

**TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
CHAPTER 27. POLICE OFFICER ANNUAL FIREARMS REQUALIFICATION**

390:27-1-5. Proof of requalification

- (a) Proof of successful firearms requalification shall be reported to CLEET by the employing agency in a format approved by CLEET. The report shall contain the following information:
- (1) Date and location of requalification
 - (2) Full name and social security number or CLEET number of the officer requalifying
 - (3) ~~A “pass” or “fail” score~~ Verification of a passing score
 - (4) The name of the employing agency
 - (5) The full name of the CLEET Certified Firearms Instructor and CLEET Firearms Instructor number, or the full name of the approved instructor, the name of the agency or association granting firearms instructor status to the instructor providing the requalifying testing, and telephone number of the instructor.
- (b) Firearms requalification shall not be credited for purposes of meeting the annual peace officer training requirements of 70 O. S. Section 3311.4.
- (c) Proof of firearms requalification may be submitted to CLEET throughout the year as the requalification event occurs.
- (d) Reports for the ending calendar year shall be submitted to CLEET by January 25th of the new year.

390:27-1-6. Failure to meet annual requalification requirement

- (a) Failure to meet the annual requalification requirements shall subject the officer to disciplinary action in accordance with OAC 390:2.
- (b) Any officer suspended for failure to meet annual requalification requirements must pay a One Hundred Fifty Dollar, (\$150.00) reinstatement fee pursuant to 70 O.S., Section 3311(K)(10)(c).

**TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
CHAPTER 30. CDS DETECTOR DOG CERTIFICATION**

390:30-1-6. Application for certification

- (a) Any person, group, or organization, public or private, that utilized canine teams for the purposes of detecting controlled dangerous substances, as a public service or for private gain, shall be required to annually obtain CLEET certification for such canine teams. Certification as to the demonstration abilities of any such canine team shall be based on evaluation of the canine team's performance during field tests.
- (b) Persons wishing to seek CLEET CDS detector canine team certification may receive an application and instructions by calling or making a written request to CLEET administrative offices.
- (c) Applicants must submit the application and appropriate test fee to CLEET.
- (d) All applications must be completely filled out and be accompanied by two (2) full-body, color photographs of the applicant canine team and any other information required by CLEET. The photographs shall include the full side-body of the dog and the face of the handler.
- (e) Normally, no more than ten (10) applicant dogs shall be scheduled for testing on any date.
- (f) Upon completion of CDS detector canine team testing, the owner/handler of each dog shall be informed as to the examiner's evaluation of the canine team's performance.
- (g) Canine teams that fail to successfully complete the CDS detector tests in accordance with the required standards of performance may not be retested until ~~sixty (60)~~seventy (7) days from the last attempt, and must submit the retest fee to CLEET prior to testing.
- (h) Canine teams that successfully complete CDS Detections tests in accordance with the required standards of performance shall be notified in writing by CLEET.
- (i) When CLEET has determined that all application procedures are fully complete; the applicant canine team has met all required performance standards; and the correct certification fee has been received, a CDS detector canine team certificate shall be issued by CLEET.
- (j) Any time a certified CDS detector canine team is being employed or otherwise utilized in CDS detection activities, the CLEET CDS detector canine team certificate, or a copy thereof, shall be immediately available for inspection by any interested party.
- (k) CLEET CDS detector canine team certification shall remain effective for one (1) year from the date it was issued.
- (l) CDS detector canine teams shall be recertified annually. Application for renewal and the process of testing and performance evaluation shall be conducted in the same manner as the original certification. Application for recertification should be initiated not less than thirty (30) days prior to the expiration date of the previous certificate.
- (m) All CDS detector canine team certifications that are not renewed shall be inactivated by CLEET. If a renewal of an expired certification is not initiated by the canine team within thirty (30) days from the expiration date of the certificate, the canine team shall be required to remit the full two hundred dollars (\$200.00) certification test fee to reinstate the certification status of the canine team concerned. Application and testing procedures in such cases shall be conducted in the same manner as an original certification.
- (n) When any canine team certified under these laws and rules will no longer be utilized in the performance of CDS detection activities, the owner of such dog or the handler shall notify CLEET in writing.
- (o) CDS detector canine teams owned by or used solely by a bona fide law enforcement agency for CDS detection activities in the service of the public shall be exempt from the certification fees herein, but shall be required to certify such canine teams annually in accordance with the laws and the rules of this section, unless such canine teams are certified annually by the United States Custom Service.

TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
CHAPTER 31. BOMB DETECTOR DOG CERTIFICATION

390:31-1-3. Statutory requirements and fees

- (a) Every canine team in the state trained to detect explosive substances shall be certified, by test, in the detection of such explosive substances and shall be recertified annually so long as the canine team is used for such detection purposes. The certification test and annual recertification test provisions of this section shall not be applicable to canine teams that are owned by a law enforcement agency and that are certified and annually recertified in the detection of explosives by the North American Police Work Dog Association, TSA National Explosives Detection Canine Program, National Tactical Police Dog Association, International Police Work Dog Association, National Police Canine Association, or United States Police Canine Association, Inc.
- (b) No canine team will be dual certified in controlled dangerous substances and bomb detection.
- (c) Each application shall be accompanied by the required fee established in 70 O.S. Section 3311 (L). These fees are non-refundable.
- (d) Payment must be in the form of a money order, cashiers check, or if presented in person, United States Currency. Checks and money orders should be made to CLEET.

390:31-1-5. Standards for certification

The following agency or organization certification standards are recognized as a valid test for certification and annual recertification of the Bomb detector canine team:

- (1) North American Police Work Dog Association (NAPWDA)
- (2) United States Police Canine Association, Inc. (USPCA)
- (3) TSA National Explosives Detection Canine Program (NEDCP)
- (4) National Tactical Police Dog Association (NTPDA)
- (5) International Police Work Dog Association (IPWDA)
- (6) National Police Canine Association (NPCA)
- ~~(4)~~(7) Other standards reviewed and accepted by the Bomb Dog Advisory Council

**TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
CHAPTER 55. FACILITIES MANAGEMENT**

390:55-1-11. Fees

(a) Events not conducted or co-sponsored by CLEET shall be subject to fees authorized by 70 O.S. 3311 according to the fee schedule below:

- (1) Lodging per bed - \$ 20.00 per night
- (2) Classrooms C111, C131, C112, C127, C124 - \$ 40.00 per day
- (3) Computer lab C107 - \$ 250.00 per day
- (4) CSI lab C115 - \$ 150.00 per day
- (5) Large classroom C128 - \$ 60.00 per day
- (6) Scenario classroom C114 - \$ 60.00 per day
- (7) Dining Room A104 - \$ 40.00 per day
- (8) Conference Room/Courtroom A107 - \$ 100.00 per day
- (9) Boardroom A214 - \$ 40.00 per day
- (10) Scenario House - \$ 75.00 per day
- (11) Multipurpose room E101 - \$ 400.00 per day
- (12) Emergency response course - \$ 350.00 per day (no vehicles provided)
- (13) Firearms Classroom F102 - \$ 40.00 per day
- (14) Baffled firing range - \$ 150.00 per day
- (15) Outdoor firing range - \$ 80.00 per day
- (16) Chair - \$ 2.00. For seating in the multipurpose room that exceeds CLEET's chair availability, sponsors shall provide their own seating.
- (17) Table - \$ 8.00
- (18) Locker room - \$ 25.00 per day (men's and women's)

(b) Fees for one-half day or less shall be one-half of the daily rate

(c) All individuals lodging at the complex shall be subject to a \$ 10.00 fee for a lost room key or magnetic access card to the room. Payment shall be made to CLEET and the fee shall be received before certifications of completion will be granted for the course or event attended.

(d) All individuals issued a magnetic access card for food services shall be subject to a \$ 2.00 fee for a lost access card. Payment for the food service card shall be made directly to the food service vendor.

(e) All individuals issued a PVC name tag for identification purposes shall be subject to a \$2.00 fee for a lost name tag. Payment for the name tag shall be made to CLEET and the fee shall be received before certifications of completion will be granted for the course or event attended.

~~(e)~~(f) Failure to immediately pay any assessed fees may result in denial of future participation in CLEET activities or use of the complex.

390:55-1-12. Provisions for events

The following provisions apply to all events:

- (1) Sponsors shall confine events and exhibits to the areas specified in the reservation and shall not relocate to, install, or erect additional paraphernalia in other areas of the complex unless CLEET grants prior approval.
- (2) No intoxicating beverage or low-point beer will be dispensed or consumed on state property.
- (3) Use of cooking or heating elements of any kind is prohibited except for the contracted vendor providing cafeteria services for CLEET.
- (4) Placement of materials of any kind on structures, fixtures or vehicles in a state parking lot in conjunction with an event or exhibit is prohibited unless written permission is obtained from the Director.
- (5) Unless authorized in the reservation application, affixing banners, signs, or materials in any manner on or in the complex is prohibited.

(6) CLEET prohibits commercial activity, collection of fees, solicitation of money, or fund raising events which solicit or collect money on the complex. Governmental agencies and non-profit organizations that sell goods or host fund raising events to benefit or promote the function of the agency or non-profit organization may request an exemption from the Director.

(7) CLEET may order or seek to cause cessation of an event which may pose a hazard, as determined by CLEET, to an individual, group, building, contents of the building, or building fixtures and appurtenances.

(8) A sponsor shall place electrical cords and cables used for events so that the cords and cables limit potential hazard to persons in the area. Electrical cords and cables must be placed out of walkways unless secured to the floor.

(9) Open flames (including candles) used in conjunction with events are prohibited except for the contracted vendor providing cafeteria services for CLEET.

(10) No outside catered events or food service will be allowed unless approved by the contracted vendor providing cafeteria services for CLEET. Arrangements must be made directly with the contracted vendor providing cafeteria services for CLEET if such food services are desired.

(11) Sponsors shall be responsible for providing expendable supplies or special equipment required for an event to include items such as ammunition, targets, hearing protection, eye protection, handcuffs and batons.

(12) CLEET reserves the right to inspect and approved any equipment and expendable supplies for the event for purposes of ensuring safety.