

2011 CLEET RULE CHANGES

Chapter 10

390:10-1-2. Minimum certification and employment standards

(a) For the purposes of the rules of this Chapter and 70 O.S. Section 3311, a peace officer is defined as a duly appointed or elected law enforcement officer who is paid for working more than twenty-five (25) hours per week and whose duties minimally include all of the following on a full-time basis:

- (1) Preserving the public peace;
- (2) Preventing crime;
- (3) Protecting life and property;
- (4) Enforcing laws and ordinances of this state and its political subdivisions; and
- (5) Executing arrest warrants and search warrants.

(b) All persons hired or elected as peace officers shall meet the employment and training standards set forth in this chapter as set forth in Section 3311 of Title 70 of the Oklahoma Statutes. Calculation of said employment shall be based on cumulative periods of employment.

(c) The Council, or its designee, may grant an extension of the time frame specified in Section 3311 of Title 70 of the Oklahoma Statutes, upon written application by the employing agency, and when good cause is shown, as determined by the Council or its designee. Peace officers granted an extension of time to attend and complete a training academy are not permitted to work in the capacity of a peace officer during the extension period.

(d) In the event any officer so appointed or elected fails to comply with the employment and training standards and an extension of time is not granted, the employing agency shall comply with 70 O.S., Section 3311(E)(3) at the first opportunity made available by CLEET. Individuals who fail to comply with employment and/or training standards may reapply for certification two (2) years from the date of final ineligibility. Individuals who reapply will be required to start the academy over again without regard to previous classwork completed.

(e) Students are expected to complete the first basic academy in which they are enrolled. In the event a student cannot complete their initial academy, the student can complete the course work in another the academy if such work can be completed in the next subsequent academy and within a one year period from the date of hiring or appointment as a peace officer. If reentry exceeds one year, students will be required to start the academy over again without regard to previous classwork completed unless reentry was delayed by a documented medical condition or military orders prohibiting participation. Exceptions may be made by the Director, or Director designee, for students who have been granted extensions of time as authorized by 70 O.S., Section 3311 (E)(3).

(f) The Council may provide options for remedial or make-up training for students attending approved academy or CLEET basic academy programs pursuant to academy rules.

390:10-1-3. Employment status reporting

All state, county, and local law enforcement agencies affected by the rules of this chapter and 70 O.S. Section 3311, shall report to CLEET the employment and termination of any appointed or elected peace officer within ten (10) days of the date of employment or termination of

employment of said officer. Such notification shall be in a format accepted by CLEET. Termination reports shall include resignations, discharges or dismissals, retirements, and deaths of officers covered under the rules of this chapter and laws. Failure to do so may disqualify a law enforcement agency from participating in training programs sponsored by the Council.

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's 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 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) 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.
- (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.

Chapter 15

Subchapter 1. Basic Academy Programs

390:15-1-2. Curriculum and courses of study

- a) The Council shall formulate and promulgate a program of instruction for peace officer certification, comprised of fundamental law enforcement skills and knowledge, which shall be designated as the Basic Peace Officer Certification Academy, known herein as the Basic Academy.
- (b) The curriculum of the Basic Academy is established by the Curriculum Review Board. The curriculum shall include functional areas as prescribed by the Council through the Curriculum Review Board. Functional areas may include, but shall not be limited to the following:
 - (1) Orientation/Legal Matters
 - (2) First Aid
 - (3) Firearms
 - (4) Criminal Investigation
 - (5) Custody Control and ~~Arrest~~ Defensive Tactics
 - (6) Traffic
 - (7) Patrol
 - (8) Community Relations
 - (9) Law Enforcement Driver Training
 - (10) DWI Detection and Standardized Field Sobriety Testing (SFST)
 - (11) Radar
 - (12) Ethics
- (c) The Basic Academy shall meet the hourly requirements as provided by O.S. 70 Section 3311 et seq.
- (d) Additional hours of study and/or CLEET approved activity may be required to fulfill Basic Academy requirements.
- (e) Approved academy entities must meet instructional objectives established by CLEET but they may establish an hourly schedule that meets their needs.

390:15-1-9. Council instructors

- (a) Instructors who teach in the Basic Academy shall possess CLEET recognized instructor training, or shall possess professionally recognized training and experience in the assigned subject area.
- (b) Basic Academy instructors shall adhere to the performance objectives and lesson plans in all cases, except when changes in the law, or other circumstances dictate that more current instructional material be substituted. In such cases, proper revisions shall be made to the lesson plan in question as soon as possible. Such changes shall be forwarded to the appropriate instructors and to all Council-approved Basic Peace Officer Certification Academy coordinators in a timely manner.
- (c) CLEET shall establish written guidelines for CLEET, contract, adjunct and volunteer instructors regarding classroom demeanor and attire. All instructors who are scheduled to teach for the Council in a Basic Academy program shall be provided with and comply with the written guidelines. Rules shall include but shall not be limited to the following:
 - (1) Instructors who are lodging or visiting facilities owned, operated, or rented by CLEET may not use or bring any alcoholic beverages, intoxicants, or any controlled dangerous substances, onto the property, grounds, or into the facilities.
 - (2) It shall be prohibited for any instructor to attend any training session while under the influence of any of the above named substances.
 - (3) Instructors who arrive at lodging, eating, classroom, or training facilities, who appear impaired, may be subject to standard field sobriety testing, or other tests, and to disciplinary action.

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 ~~courses~~ 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, 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.

(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, ~~and options for the student to make up the missed time.~~ 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.

Subchapter 13 Collegiate Officer Program

390:15-3-1. Purpose

The Collegiate Officer Program provides an alternative route to full time and reserve peace officer certification via degree granting institutions of higher education as approved by CLEET. It supplements the two other routes available, i.e., through the completion of a Council on Law Enforcement Education and Training Basic Peace Officer Certification Academy, or through the completion of a CLEET approved academy city/agency basic academy.

390:15-3-6. Curriculum mandates

- (a) COP courses shall include, but are not limited to, instruction in the following topical areas:
- ___(1) Orientation/Legal Matters
 - (2) First Aid/CPR
 - (3) Firearms
 - (4) Criminal Investigation

- (5) Traffic
- (6) Custody Control
- (7) Patrol
- (8) Community Relations
- (9) Law Enforcement Drivers Training
- 10) DWI Detection and ~~Standardized~~ Standardized Field Sobriety Testing (SFST)
- (11) ~~Radar~~ RADAR

(b) CLEET shall make functional area instructional objectives, as well as current Basic Academy lesson plans, available to all COP institutions. COP institutions may utilize a collegiate accredited First Aid course and a collegiate accredited CPR course as a substitute for CLEET's First Aid course.

390:15-3-8. Qualification examination

- (a) The CLEET qualification 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 ~~certification verifications shall be withheld~~ 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.
- (f) Students who fail their initial qualification examination may be given only two re-tests.

390:15-3-10. Student responsibilities

- (a) All students admitted to a COP must meet the admission requirements of the sponsoring college or university.
- (b) COP students, when commissioned, must meet the requirements set forth in 70 O.S., Section 3311 and the requirements set forth in 390:10-1-4.
- (c) COP student class absences shall be recorded in accordance with individual university/college policies.
- (d) COP tract students shall be accountable for 100 percent attendance in skills level courses.
- (e) Prior to enrolling in a COP Firearms Training course, students shall request a current local records check from their county of residence and the Oklahoma State Bureau of Investigation, and shall submit the returns to the COP school Director prior to the first day of firearms training.
- (f) COP students are responsible for submitting documentation to CLEET of COP course completion, and any other documents required by CLEET, prior to taking the qualification examination.
- (g) COP students must present a picture identification when taking the qualification examination.
- (h) COP students must successfully complete all COP course work and receive an associate or

bachelor degree, and make a score of 70 percent or better on the qualification examination to be eligible for peace officer certification.

Chapter 20

390:20-1-2. Reserve officer defined; employment standards

(a) For the purposes of this Chapter, and pursuant to 70 O.S., Section 3311, a reserve peace officer shall mean a law enforcement officer who:

- (1) May be appointed by a municipality [11 O.S. 34-101], a duly elected sheriff [19 O.S. 547], or any other agency authorized by statute to appoint such reserve peace officers.
- (2) May not work as a reserve peace officer more than ~~twenty-five (25) hours~~ one hundred forty (140) hours per week month unless authorized by 11 O.S. 34-101 or 19 O.S. 547.
- (3) May be paid a wage or salary, or may serve as a volunteer for the appointing agency.
- (4) May be appointed by any political subdivision of this state to serve as an auxiliary police or peace officer pursuant to the Oklahoma Civil Defense Act [63 O.S. 683.1 et. seq].
- (5) May have the same powers, duties, and functions as regular full-time peace officers, or as prescribed by state laws, or the ordinances of the appointing municipality.

(b) Employment standards for reserve peace officer certification shall be the same as the employment standards for full-time peace officers, as set forth in 70 O.S. Section 3311, and in 390:10-1-4.

390:20-1-3. Reserve peace officer certification training

(a) The Council shall formulate a program of instruction for reserve peace officer certification, which shall be based on the Basic Peace Officer Academy, and which shall be known herein as the Reserve Academy.

(b) The lesson plans of each Reserve Academy shall be based upon the functional areas of the CLEET Reserve Academy curriculum. The total number of hours for all functional areas combined shall meet or exceed the number of hours required by 70 O.S., Section 3311 (E)(2) for Reserve certification.

(c) Trainee attendance is critical. One-hundred percent (100%) attendance is required in all blocks of instruction.

(d) Remedial training may be accomplished under the following conditions:

~~(1) The trainee attends remedial training taught by the same instructor who taught the original academy class.~~

~~(2) (1) The training is conducted in an academy setting and monitored by the academy coordinator as approved by CLEET.~~

~~(3) (2) Trainees failing to successfully complete remedial training in the original academy shall be required to successfully complete remedial training within one (1) year from the date of hire, in another academy in a time frame established by CLEET.~~

(e) Trainees must successfully complete required classroom and/or skills proficiency testing prior to being administered the required progress or certification examinations.

(f) Trainees who fail to successfully complete any skills proficiency portion(s) of the academy ~~may be administered progress and certification examinations, however, will not be allowed to take the certification exam.~~ Certification ~~certification~~ will be withheld until all requirements have been fulfilled.

(g) Any officer seeking Oklahoma Reserve Peace Officer Certification, who has been certified by a state peace officer standards and training agency as a **full-time** peace officer in another state, or any officer who has been certified as a federal peace officer by a Council recognized federal law enforcement agency, may obtain reserve certification by reciprocity, under the following conditions:

- (1) The officer must meet the minimum peace officer employment standards set forth by law.
- (2) The officer must have been employed as a full time peace officer for at least three (3) months within the two (2) year period immediately preceding the request for Oklahoma Reserve Peace Officer Certification.
- (3) The officer must attend the ~~Legal Matters~~ First Progress block of instruction and successfully pass all Progress and Certification examinations at a standard prescribed by the Council. Skills training functional areas shall not be tested. Officers may have one retest for each functional examination which they fail.
- (4) If an officer fails both a test and a retest for any given functional area, then that officer must successfully complete the corresponding functional area in a CLEET Basic Reserve Academy, to include successfully passing the functional area examination(s).

390:20-1-3.1. Reserve Coordinator Qualifications

(a) All reserve academy coordinators must:

- ~~(1) Be~~ Be a certified full-time, salaried peace officer as set forth in 70 O. S. 3311.
 - ~~(b) All reserve academy coordinators must have~~ (2) Have a minimum of two years of law enforcement experience after certification as a peace officer.
 - ~~(c) All reserve academy coordinators must be~~ (3) Be employed by a municipal, county, state or tribal law enforcement agency.
 - ~~(d) All reserve academy coordinators must be~~ (4) Be CLEET certified basic instructors.
 - ~~(e) All reserve academy coordinators must successfully~~ (5) Successfully complete a CLEET Reserve Academy Coordinators' school prior to being given approval to conduct a reserve academy.
- (b) The director may grant reserve academy coordinator status to an individual who has completed comparable training, education or experience that equal or exceed the qualifications for reserve academy coordinator.

Chapter 25

390:25-1-3. Enrollment and tuition

- (a) **Who may attend.** Full-time, certified peace officers shall have enrollment priority in CLEET Continuing Education Schools and Seminars. If classroom space is available, reserve peace officers, retired certified peace officers, who are instructors and are maintaining their instructor certifications, non-sworn law enforcement employees, and others who work directly with law enforcement may enroll in such schools and seminars. CLEET shall reserve the right to restrict certain schools and seminars to full-time, certified peace officers only, based on the subject of the school.
- (b) **Tuition and expenses.** Generally, there shall be no tuition or other enrollment fees charged by CLEET for attending Continuing Education Schools or Seminars. Generally, CLEET shall

not provide food or lodging to officers or employees attending such schools or seminars. Specific course offerings may require payment of tuition, fees or other expenses.

~~(e) **Enrollment approval.** Attendance at Continuing Education Schools and Seminars must be approved, in writing, by each attendee's agency head or his designee, using forms and procedures to be prescribed by CLEET.~~

~~(d)~~ **(c) Notification of schools; course catalog.** CLEET shall publish a schedule of Continuing Education Schools on the website. This published schedule shall include the dates, locations, course descriptions, instructors, enrollment procedures, and other information related to the Continuing Education Program. This shall not preclude the scheduling of schools in addition to schools so scheduled.

390:25-1-4. Instructor qualifications

Instructors who teach in CLEET conducted or sponsored Continuing Education Schools and Seminars shall possess CLEET-recognized Instructor Development Training, or shall possess professionally recognized education, training or experience in the assigned subject. This shall not preclude the use of guest lecturers, provided that guest lecturers may have their lesson planning and classroom activities monitored by CLEET staff.

390:25-1-9. Law enforcement Instructor Certification Program

(a) **Purpose and intent.** The purpose of CLEET's Instructor Certification Program is to ensure that law enforcement training in Oklahoma remains consistent with minimum professional standards, and to enable CLEET to attest, to any interested party, that instructors so certified have successfully completed a course or courses of education or training that qualifies them to develop and teach law enforcement training courses in a responsible and professional manner. There is no intent, expressed or implied, to discourage or render invalid any training conducted by any law enforcement agency in this state, by mere reason of failure to obtain CLEET instructor certification.

(b) **Instructor Development.** To support and encourage professional law enforcement training in Oklahoma, instructor certification shall be offered in two (2) categories, "basic" and "specialized".

- (1) Basic Instructor Development shall involve training in the skills necessary to
 - (A) research particular subject areas;
 - (B) develop instructional and/or performance objectives, lesson plans, and valid testing methods; and
 - (C) develop instructional techniques and classroom presentation skills, for the teaching of subjects that primarily require only cognitive knowledge.
- (2) Specialized Instructor Development shall involve training in the skills necessary to successfully train others in physical or highly technical skills, through coaching and repetition. Specialized instructor development certification shall include subject areas such as:
 - (A) Firearms Instructor
 - (B) ~~Self-Defense Instructor~~ Defensive-Tactics Instructor
 - (C) ~~Police Radar Instructor~~ Standardized Field Sobriety
 - (D) Law Enforcement Driver Training
 - (E) ~~Police Motorcycle Instructor~~ Drug Recognition

~~(F) CPR/First Aid Instructor~~

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~~(e)~~ (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.

390:25-1-19 Grounds for revocation

(a) The Council may deny or revoke intermediate or advanced certification of an officer who obtains, or attempts to obtain, certification by supplying the Council with false, forged, altered, or otherwise erroneous information.

(b) The Council may deny or revoke the basic or specialized instructor certification of an officer who obtains, or attempts to obtain, certification by supplying the Council with false, forged, altered or otherwise erroneous information, or who submits any fraudulent records to CLEET.

~~(b)~~ (c) Intermediate and advanced certification are revoked if an officer's basic certification is revoked in accordance with 70 O.S. § 3311, Section (K).

Chapter 27

390:27-1-2. Minimum requalification standards

(a) Requalification shall consist of successful completion of a course of fire approved by the Council and attaining a qualifying score of not less than seventy percent (70%).

(b) Requalification shall be accomplished with a handgun (revolver or semi-automatic) carried by the law enforcement officer as the primary duty weapon. Nothing shall preclude employing agencies from requiring requalification with additional handguns carried by the officer for special purposes.

(c) Requalification shall be conducted using a paper target of the same design currently used for firearms qualification in the CLEET basic academy, or of comparable design.

(d) Requalification must be successfully completed in the presence of a CLEET certified firearms instructor or a certified firearms instructor approved by the employing agency.

(e) The Council will not be responsible for expenses incurred by officers to complete firearms requalification.

Chapter 30

390:30-1-5. Standards for certification

~~(a) Based on demand and the availability of staff, CLEET or OBNDD will conduct certification trials at designated sites across the state.~~

~~(b)~~ (a) Testing for certification of CDS detector canine teams shall be conducted by qualified persons ~~agents~~ of the Oklahoma Bureau of Narcotics and Dangerous Drugs (OBNDD), and/or their designees, who have successfully completed an appropriate course of instruction, or who are currently certified in the training and handling of CDS Detector Dogs by the United State Custom Service.

~~(c)~~ (b) CLEET shall publish specific standards and guidelines governing the training and certification of canine teams. The standards and guidelines shall have the same effect as the rules published herein. Certification trials and testing criteria shall be consistent with the CLEET standards currently utilized developed for the certification of CDS detector dogs.

~~(d)~~ (c) CDS detector canine teams shall be certified only in the detection of controlled dangerous substances for which the dog passes the certification test.

~~(e)~~ (d) CLEET relies on the test reports of OBNDD or their designee conducting the test for the purpose of determining whether the canine team passed the certification test.

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, ~~not less than fifteen (15) days prior to testing.~~

(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) 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 ~~fifteen (15)~~ 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.

Chapter 35

Subchapter 5. License Requirements

390:35-5-2. Security guard, armed security guard, and private investigator licenses

- (a) Applicants for security guard, private investigator, or armed security guard licenses must meet and satisfy the requirements set forth in 59 O.S., Section 1750.1 et seq., The Oklahoma Security Guard and Private Investigator Act.
- (b) Applicants for Armed Security Guard or firearms authorized licenses must further:
 - (1) Successfully pass a psychological evaluation by a licensed psychologist; provided that the applicant shall bear the cost of such evaluation.
 - (2) Successfully complete the firearms phase of private security training;
 - (3) Be twenty-one (21) years of age, and
 - (4) Applicants for an armed security guard license must submit an affidavit that they are gainfully employed as an armed security guard and that a firearm is required within the scope of their employment.
- (c) An Armed Security Guard License grants no authority to carry a firearm when not acting directly in the course and scope of employment.

(d) No licensee shall brandish, point, exhibit, or otherwise display a firearm at any time, except as authorized by law, and the rules of this Chapter.

(e) Continuing education training is required for renewal of an individual license.

(1) Private Investigators must complete a minimum of sixteen (16) hours of continuing education training from an approved source, during the licensing period to maintain their license.

(2) Security Guards must complete a minimum of eight (8) hours of continuing education training from an approved source, during the licensing period to maintain their license.

(3) A person holding both a security guard license and private investigator license or a combination license must complete a total of sixteen (16) hours of continuing education training during the licensing period to maintain their license.

(4) Any expenses incurred for continuing education courses by any licensee shall be the responsibility of the licensee.

~~(5) For purposes of continuing education requirements, "licensing period" shall mean (730) calendar days from the date the license was issued.~~

~~(6)~~ (5) Firearms requalification courses will not count towards mandate training. Approved sources for mandated training are:

(A) College credit hours. Fifteen hours of mandate training will be granted for each successfully completed college hour. Proof of attendance needed is a certified copy of the grade report. Requests for credit must be submitted within one (1) calendar year from the date the college credit is obtained;

(B) Established Entities (Recognized county, state, and federal associations, professional associations, vocational-technical schools). One hour of training will be granted for each hour attended in a topic which directly relates to the performance of duties under the respective license. Proof of attendance needed is a copy of a certificate, sign-in roster, electronic notification or other proof from the sponsor accepted by CLEET; or

(C) CLEET Accredited Schools, Seminars, and Conferences. One hour of mandate training credit will be granted for each hour of instruction. For approval to conduct mandate training, sponsors must:

(i) Submit a written request for program accreditation to CLEET;

(ii) Provide course outline, and course objectives;

(iii) Provide Resume for Instructors; and

(iv) After training, submit a roster of attendees completing the training to CLEET.

(D) Completion of training courses required for initial licensing will satisfy the continuing education requirements for the first licensing period of an initial license.

~~(7)~~ (6) Continuing education training may be reported to CLEET as it is completed or at the time of license renewal. Verification of the minimum hours of continuing education training will be made by CLEET when the licensee requests renewal. A licensee will be subject to the following disciplinary sanctions for failure to comply with the mandate training requirements:

(A) Written Reprimand

(B) Denial

(C) Suspension

(D) Revocation and/or

(E) Disciplinary penalty or fine

~~(8)~~ (7) A renewal license will be issued only after CLEET receives a request for renewal, the renewal fee, current photographs, verification of current insurance or bond coverage, verification of the minimum hours of continuing education training for the license period.

~~(9)~~ (8) A licensee who has timely submitted a request for renewal with payment and has failed to meet the minimum training requirements will be issued official notification of CLEET's intent to impose a disciplinary action for failure to meet the mandated training requirements in compliance with Chapter 2 of this Title.

~~(10) This official notification shall provide that the licensee may temporarily continue to work for forty-five (45) days during which time the licensee must complete the training requirements and submit proof of such training to CLEET. The temporary work provisions of the Notice may be extended or cancelled by CLEET, as necessary to complete the administrative hearing process.~~ (9) A licensee who has failed to meet the minimum training requirements and continues to work will be subject to disciplinary action under Chapter 2 of this Title.

(f) Any person seeking an Oklahoma Security Guard or Private Investigators license, who has been licensed by a state whose training and standards have been deemed comparable to and approved by the Oklahoma Council on Law Enforcement Education and Training may obtain a license by reciprocity, under the following conditions:

(1) The applicant must meet the minimum license requirement standards set forth by Oklahoma Law including fingerprint requirements. Such fingerprints requirement may be waived by CLEET where a verified records check has been made within a reasonable period of time in the context of existing law requiring fingerprint checks.

(2) The applicant must have an active license in the original licensing state, and not be subject to any administrative action regarding the active status in the licensing state.

(3) The applicant receiving a license by reciprocity in Oklahoma shall at all times while working as a security guard or private investigator in Oklahoma be subject to all laws regarding security guards and private investigators including all applicable fees for such license.

(4) Reciprocity may be granted only from the state in which the applicant was originally licensed and not from any intervening state by reciprocity to the original licensing state.

(5) The applicant must sign a statement of irrevocable consent that service of process, in any complaint or disciplinary action filed against the applicant, arising out of the applicant's private investigative activities in the reciprocating state, may be made by the delivery of such process on the administrator of the private investigation regulatory agency in his/her/its state of residence.

(6) An armored car employee who is primarily employed by an armored car company in another state, and is properly licensed by that state to carry a weapon while acting in the services of that company in the home state, and meets the minimum home state requirements, would be exempt from other requirements of 59 O. S. Section 1750.1 et seq. during such time as the armored vehicle from that state is actively engaged in interstate commerce within Oklahoma pursuant to 15 U.S.C. Section 5901, the "Armored Car Industry Reciprocity Act of 1993."

390:35-5-3. Conditional licenses

(a) Conditional licenses may be issued only to employees of security or investigative agencies.

(b) Conditional licenses may be issued to such employees when the following requirements have been met:

- (1) Receipt of an applicant's completed license application form. An application form shall be considered complete when all applicable spaces have been filled in properly, and it has been signed and notarized;
- (2) Receipt of two (2) properly completed, CLEET-issued "applicant" fingerprint cards or fingerprints submitted electronically through a fingerprint system approved by CLEET;
- (3) Receipt of correct license fees;
- (4) Receipt of three (3) personal photographs, in color and of the prescribed size or submission of a photograph electronically such as a digital photograph or scanned photograph;
- ~~(5) Receipt of proof of bond or liability insurance coverage, in the prescribed amount.~~

390:35-5-11. Temporary licenses; out-of-state practitioners

Any private investigator, or security guard who is duly licensed in another state as a security guard or private investigator may obtain a temporary license to conduct business in this state subject to the following provisions:

- (1) Said private investigator or security guard must immediately, or as soon as possible, register with CLEET;
- (2) Provide proof of a valid license granted by another state;
- (3) Provide proof of adequate financial responsibility in the form of insurance or surety bond as set forth in the rules of this Chapter; and
- (4) Provide a general description of business to be conducted.
- (5) No temporary license shall be granted to authorize the possession or use of firearms.
- (6) A person obtaining temporary authorization shall not violate any federal, state or municipal laws, or the provisions of the rules of this Chapter.
- (7) Any security guard or private investigator who is licensed in another state and conducts business pursuant to this Act for a period of longer than thirty (30) ~~fifteen (15)~~ days, shall be required to obtain a regular license.

Subchapter 7. Application Procedure

390:35-7-6. Conditional license fees

- (a) All conditional license and fingerprint fees shall be non-refundable, and must accompany the license application.
- (b) Conditional licenses shall be issued for a period of 180 days. The fee for a conditional license is the same as the regular license.
- (c) The holder of a conditional license shall be issued a regular license when the following conditions have been satisfied:
 - (1) All required training and tests have been successfully completed; and
 - (2) The applicant's background investigation is satisfactorily completed.
- (d) Regular licenses so issued shall expire ~~two (2)~~ three (3) years from the effective date of the conditional license.

390:35-7-7. Changing from security guard license to armed security guard license

An existing security guard license may be changed to an armed security guard license, under the following conditions:

- (1) The applicant must request the change;
- (2) The applicant must meet all the additional requirements for an armed security guard license;
- (3) A criminal history update may be conducted by CLEET, but no additional fingerprint cards, nor additional fingerprint fees shall be needed;
- (4) If an applicant wants to retain the expiration date and the number of his original license, he must pay only an additional fee of ~~twenty-five~~ thirty dollars (~~\$25.00~~) (\$30.00);
- (5) If an applicant wants his armed security guard license to be effective for a full ~~two~~ three-year term, he must accept a new license number and pay the full ~~fifty~~ one-hundred dollar (~~\$50.00~~) (\$100.00) license fee;
- (6) If a change is requested under this sub-section while his license is still in a conditional status, the balance payable for issuance of the armed security guard license shall be the fee difference between the unarmed and armed license.

Subchapter 13. Use of Firearms

390:35-13-1. Authorized firearms

- (a) 59 O.S., Section 1750.1 et seq. is not intended to be used as a means to obtain authority to carry a weapon except in the course and scope of gainful employment as an armed security guard.
- (b) All armed security guards not in uniform apparel must carry their firearm concealed from view.
- (c) Under no condition shall an armed security guard licensee carry an inoperative, unsafe, or replica model firearm while on duty or any firearm in violation of a federal or state law, while in the course and scope of his employment.
- (d) No armed security guard or private investigator shall carry a type of firearm with which he has not been formally trained to handle and operate. Formal training must be conducted by an accredited and recognized firearms instructor and training program. Compliance with this requirement is incumbent upon the licensee and notification to CLEET shall be required by submitting a certificate of training or a copy thereof upon completion of said training. Said notification shall include:
 - (1) Type of firearms
 - (2) Entity and instructor providing training
 - (3) Number of training hours
 - (4) Qualification scores
 - (5) Date(s) of training
- (e) The only weapons authorized by CLEET for use by armed security guards or armed private investigators are revolvers, semi-automatic weapons, and shotguns. The prescribed revolver or semi-automatic weapon ammunition shall be "factory-loaded". Ammunition commonly referred to as "re-loads" is strictly prohibited for use as service ammunition.
- (f) The pump (slide action) 12 gauge shotgun shall be the only authorized shotgun weapon. Pump shotguns which have a hammer safety are prohibited. The pump shotgun nomenclature shall be similar to the type indicated in Appendix B of this Chapter.

- (g) The authorized shotgun service ammunition shall be the standard 12-gauge shell which is 2 3/4 inches in length and ordinarily carries from 1 to 1 5/8 ounces of shot with pellets ranging from light bird shot to heavy buckshot.
- (h) The prescribed shotgun ammunition shall be "factory loaded". Ammunition commonly referred to as "re-loads" is strictly prohibited for use as service ammunition.
- (i) No licensee shall brandish, point, exhibit, or otherwise display a firearm at anytime, except as authorized by law, and the rules of this subchapter.

Subchapter 15. Training and Standards Requirements

390:35-15-7. Attendance and administrative requirements

- (a) School coordinators shall provide the following information to CLEET, thirty (30) days in advance of each training course conducted, on forms to be provided by CLEET:
 - (1) Training facility location;
 - (2) Chief Administrative Officer of the school;
 - (3) School coordinator and resume;
 - (4) Course schedule, to include dates, hours and instructors for each unit of instruction; and
 - (5) Resumes on all Instructors.
- (b) Any changes in an approved school curriculum, instructors, or training schedules, shall be reported to CLEET in advance of the changes.
- (c) Private security personnel enrolled in an approved training school are required to attend all prescribed units of instruction. Tardiness and absenteeism will not be permitted. Students will be required to make up any training missed.
- (d) It shall be incumbent upon students enrolled at an approved school to comply with the rules and policies promulgated by the school and any rules established by, and within the authority of the school coordinator. If a school coordinator considers violations of such rules to be detrimental to the welfare of the school, the school coordinator may expel offending individuals from the school. Notification of such actions shall be reported immediately to the employing agency and to CLEET. School coordinators shall be responsible for ensuring compliance with the provisions of these rules and regulations.
- (e) At the end of each training course, each student shall be given the opportunity to evaluate the performance of the school coordinator and each instructor on a form provided by CLEET. CLEET staff may conduct these evaluations, at their discretion.
- (f) School coordinators shall submit a roster of graduating students, certifying that each student has met the requirements of the course conducted. This certification shall be submitted to CLEET within seven (7) days after the completion of the course, on a form provided by CLEET.
- (g) Each training school coordinator will be required to maintain class files for a period of five (5) years from the completion date of each course conducted. Class files shall contain the following:
 - (1) Roster of students who attended and/or successfully complete the course;
 - (2) Accurate attendance records;
 - (3) Examination scores (including firearms familiarization scores), and
 - (4) Unit instructors.
- (h) Applicants must successfully complete a licensing examination administered by CLEET, based on the official private security curricula, prior to issuance of a license.

- (1) Applicants will be given five opportunities to successfully complete the state licensing examination.
- (2) If the applicant is unable to successfully pass the examination after ~~five~~ three (3) attempts, he/she must retake the course.
- (3) After repeating the course, applicants will be given two opportunities to successfully pass the examination.
- (4) Training costs will be paid by the applicant.

Adopted: May 19, 2011