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## **Original Certification, Lateral Certification and Comparative Certification to the Position of Police Officer**

### **Sec. 7-294e-1. Original appointment and reappointment to the position of police officer**

(a) **Definitions.** As used in sections 7-294e-1 to 7-294e-24, inclusive:

(1) “Original certification” means the first certification of the individual to a position as a police officer in any law enforcement unit within the state;

(2) “Probationary candidate” means a police officer who, having satisfied pre-employment requirements, has commenced employment with a law enforcement unit, but has not satisfactorily completed the training requirements provided for in section 7-294d of the Connecticut General Statutes;

(3) “Comparative certification” means the certification of a candidate for a police officer position, who has served as a police officer in another state or in a law enforcement unit within the state that is not subject to the statutes and regulations of the Police Officer Standards and Training Council;

(4) “Lateral certification” means the certification of a currently certified Connecticut police officer to a new position as a police officer with a different law enforcement unit within the state;

(5) “Chief of police” means a police officer who holds a position as the head of a law enforcement unit; and

(6) “Council” means the Police Officer Standards and Training Council.

(Effective November 29, 1995; amended September 17, 2001, March 24, 2005, December 4, 2012)

### **Sec. 7-294e-2. Eligibility for lateral certification or comparative certification; lapsed certification**

(a) A candidate for lateral certification to a position as a police officer in any law enforcement unit within the state shall meet all Council entry level requirements, except the standard in subsection (n) of section 7-294e-16 of the Regulations of Connecticut State Agencies.

(b) In those circumstances where certification has lapsed as provided in section 7-294d(b) of the Connecticut General Statutes, the Council may grant a full or partial waiver of the police basic training requirement, specifying the elements of the program, if any, the candidate will be required to satisfactorily complete. A request for waiver of the requirement of police basic training shall be forwarded to the Council in writing by the chief of police of the law enforcement unit seeking to employ such police officer, giving all pertinent information. If the request for a waiver originates from a municipality or agency for which there is no chief of police, or concerns the position of chief of police, the request shall be made by the candidate’s appointing authority.

(c) A candidate for comparative certification to a position as a police officer in any law enforcement unit within the state shall satisfactorily meet all Council-approved entry level requirements. The candidate shall also complete a Council-approved police basic training program.

The Council may grant a full or partial waiver of the police basic training requirement, specifying the elements of the program, if any, the candidate will be required to satisfactorily complete. A request for waiver of the requirement of police basic training shall be forwarded to the Council in writing by the chief of police of the law enforcement unit seeking to employ such police officer, giving all pertinent information. If the request for a waiver originates from a municipality or agency

for which there is no chief of police, or concerns the position of chief of police, the request shall be made by the candidate's appointing authority.

(d) In determining whether to waive all or a portion of the required police basic training program, the Council shall evaluate in comparison to current standards the quality and extent of the candidate's (1) previous basic training and certification as a police officer; (2) formal, professional and in-service training and education in law enforcement and criminal justice; (3) length of service and field experience as a police officer; and (4) length of absence from employment with a law enforcement unit.

The council may waive those portions of the police basic training program for which a candidate demonstrates the satisfactory completion of a substantially equivalent training or educational program in another state or jurisdiction, or a length of service with field experience sufficient to establish a practical mastery of the required skills, or a satisfactory combination of both.

(e) A candidate for comparative certification or lateral certification to any position other than that of an entry level police officer position shall not be required by the Council to meet entry level standards in subsections (e) and (n) of section 7-294e-16 of the Regulations of Connecticut State Agencies.

(Effective August 18, 1995; amended September 17, 2001, March 24, 2005, December 12, 2012)

### **Sec. 7-294e-3. Training of probationary candidates to position of police officer**

The Police Basic Training Program shall consist, at a minimum, of the curriculum, skill training and hours deemed necessary by the Council, and of the supervised departmental training program adopted by the Council.

(Effective November 29, 1995)

## **Description of Organization, Course and Method of Operations and Procedures**

### **Sec. 7-294e-4. Organization**

The members of the Council shall be appointed in accordance with the provisions of Section 7-294b of the Connecticut General Statutes.

(a) **Official Address.** All communications should be addressed to the Police Officer Standards and Training Council, 285 Preston Avenue, Meriden, Connecticut 06450-4891.

(b) **Public Access.** Members of the public shall obtain information in accordance with the provisions of the Freedom of Information Act, as provided in Chapter 14 of the Connecticut General Statutes. Requests to review records or written requests for copies of records may be made directly to the Council at its regular meetings, in person at its offices or by mail to the Police Officer Standards and Training Council, 285 Preston Avenue, Meriden, Connecticut 06450-4891. With the exception of those records exempt under the Freedom of Information Act or otherwise protected by state or federal law, all information received by the Council shall be considered public information and made available upon request. Council meetings shall be open to the public in accordance with the Freedom of Information Act.

#### **(c) Rules of Procedure**

(1) **Chairman.** The duties of the Chairman are: To open the session by calling the members to order; to announce the business before the Council; to recognize members entitled to the floor; to state and put to vote all questions which are properly moved; to announce the results of votes; and to appoint subcommittees as authorized by vote of the Council.

(2) Vice Chairman. In the absence of the Chairman, the Vice-Chairman shall perform the duties of the Chairman. The Vice-Chairman shall be elected and may not serve more than two consecutive terms.

(3) Secretary. The Secretary is the recording officer of the Council. The Secretary shall be elected and may not serve more than two consecutive terms.

(4) Meetings.

(A) Meetings of the Council shall be noticed and conducted and agendas and minutes shall be prepared and posted in accordance with the Freedom of Information Act.

(B) The Chairman, with the concurrence of the Council, shall set the date, time and location of all meetings of the Council and notify all interested parties at least 24 hours prior to such meetings. Special meetings may be called by the Chairman at his or her own initiative or at the request of four members with 48-hour notice to all members.

(C) A meeting of the Council shall be ended by a motion to adjourn.

(5) Quorum.

(A) A quorum of the Council must be present in order to conduct business. Ten members of the Council shall constitute a quorum.

(6) Order of Business.

(A) The Council shall conduct its meetings in the following general manner:

- (i) Read and approve the minutes of the previous meeting;
- (ii) Present and discuss reports of any standing or special committee(s);
- (iii) Present and discuss any special reports;
- (iv) Report by the Executive Director;
- (v) Unfinished business and general information;
- (vi) New business.

(B) Every meeting of the Council shall have an agenda, a copy of which shall be sent to all members prior to the meeting. During meetings, as each agenda item is disposed of, the Chairman shall announce the next order of business. A two-thirds vote of the Council shall be necessary to approve the transaction of business out of its normal order.

(7) Motions Before the Council. The procedures for conduct of Council meetings regarding motions are those generally recognized by, and defined in, "Roberts Rules of Order."

(d) **Duties of the Council.** The Council shall have the duties and responsibilities outlined in Section 7-294d of the Connecticut General Statutes.

(e) **Description of Organization.** The Police Officer Standards and Training Council is composed of the following divisions: Office of the Executive Director; Management Services; Basic Training Division; Field Services Training Division; and Certification, Assessment and Audit Division.

(1) Management Services: The Management Services Division provides assistance to operating divisions in the areas of administrative and fiscal services, personnel, communications, procurement and other support activities.

(2) Basic Training Division: The Basic Training Division is responsible for the training of probationary candidates and other trainees in the basic police officer program, as prescribed by the Council.

(3) Field Services Training Division: The Field Services Training Division is responsible for the development and delivery of in-service training, advance training, and professional development courses to certified officers. This unit assigns review training credits for all post-basic courses.

(4) **Certification, Assessment and Audit Division:** The Certification, Assessment and Audit Division is responsible for the evaluation and recommendation of police officer certification, police academy accreditation, law enforcement instructor certification. This unit audits officer compliance with statutes and regulations regarding basic, review and recertification training. This unit assesses law enforcement unit compliance with all standards adopted by the Council.

(Effective April 12, 1996; amended December 4, 2012)

**Sec. 7-294e-5. Petition for declaratory ruling**

The Council will accept a petition in the following form for a declaratory ruling as to the applicability of any statute or regulation administered by the Council:

(a) The petition shall state the factual background of the issue.

(b) The petition shall be signed by the petitioner and shall include his/her address for purposes of reply.

(c) The petition shall clearly identify the portion of the statute or regulation for which it seeks a ruling.

(d) The petition shall state the position of the petitioner with respect to the question of applicability.

(e) The petition may include an argument in support of the position of the petitioner with such legal citation as may be appropriate.

(Effective April 1, 1986)

**Sec. 7-294e-6. Petition for requesting the promulgation, amendment or repeal of regulation**

The Council will accept petitions requesting the promulgation, amendment or repeal of a Council regulation in the following form:

(a) The petition shall be in writing to the Council at its official address and must include the date on which it is being filed.

(b) The petition shall be signed by the petitioner and shall include his/her address for purposes of reply.

(c) The petition shall clearly state the language to be promulgated, amended and/or repealed.

(d) The petition may include a statement of facts and arguments in support thereof.

(Effective April 1, 1986)

**Sec. 7-294e-7. Requirements for law enforcement instructor certification**

(a) **Persons Required to Hold Certificates.** Any person providing basic law enforcement instruction or review training instruction to police personnel in Connecticut shall hold a valid certificate as a law enforcement instructor with endorsements for each defined subject area in which certifiable instruction is authorized.

(b) **Application Procedures.** Application for instructor certificates shall be executed on forms furnished by, and filed with, the Certification, Assessment and Audit Division's Law Enforcement Instructor Certification Unit of the Police Officer Standards and Training Council, 285 Preston Avenue, Meriden, Connecticut 06450-4891. Forms and information concerning application requirements may be obtained directly from the Instructor Certification Unit.

(c) **Documents Required of Applicants.** To apply for certification, an applicant shall submit the following documents to the Instructor Certification Unit at the above address:

(1) Completed application form (obtained from the Instructor Certification Unit).

(2) Written statement from the applicant's department of record that the applicant has the necessary qualities of personal fitness for teaching and that the applicant is competent to fill the instructor position for which the applicant is seeking certification.

(3) Written statement from the applicant's chief executive officer, or other employing agent for whom the applicant has worked, describing the amount of time and nature of the applicant's experience in each field of expertise for which certification is being sought.

(Effective November 29, 1995)

### **Sec. 7-294e-8. Types of certificates**

Three types of instructor certificates are issued by the Council: (1) General, (2) Provisional, and (3) Standard. An applicant who has met the general requirements (and, where applicable, the specific requirements as hereinafter stated) shall be entitled to receive one of the following certificates:

(1) **General Certificate.** The General Certificate shall be issued by the Instructor Certification Unit to any applicant, other than a police officer, who meets the requirements for such certification as required in section 7-294e-12 of the Regulations of Connecticut State Agencies. The General Certificate shall be valid for one year only.

(2) **Provisional Certificate.** A Provisional Certificate shall be issued by the Instructor Certification Unit to any police officer applicant who meets the requirements for such certification. The Provisional Certificate shall be valid for three years unless extended by the Council. A holder of a Provisional Certificate shall meet the conditions for obtaining a Standard Certificate by the end of his or her Provisional Certification period. Inability to meet the conditions for Standard Certification by the end of the three-year period shall result in the termination of the Provisional Certification.

(3) **Standard Certificate.** A Standard Certificate shall be issued to an applicant who submits the following:

(A) A signed recommendation from the chief law enforcement officer of the applicant's law enforcement unit attesting to the fact that the applicant has three years of satisfactory experience as a police officer, and

(B) Evidence that the applicant has completed additional general and professional preparation required for issuance of such certificate.

(Effective June 22, 1994; amended December 4, 2012)

### **Sec. 7-294e-9. Responsibility of chief law enforcement officer**

A chief law enforcement officer shall be responsible for the following activities with respect to the certification of instructors:

(a) Determining that an instructor holds a valid certificate covering the position to be filled before issuing or recommending a teaching assignment.

(b) Submitting to the Instructor Certification Unit notice of assignment for each new training officer in such form as the Unit may specify.

(c) Supervising (either directly or through a delegated representative) those persons holding Provisional Certificates by regularly observing, guiding and evaluating their performance of assigned duties, as well as counseling those staff members regarding the requirements for achieving Standard Certification within the three-year time limit.

(d) Submitting a signed statement to the Instructor Certification Unit attesting to the applicant's fitness for additional certification (or specifying the reasons for

denial in case of unfavorable report) for each person presently or previously under supervision who applies for certification beyond the Standard Certificate.

(Effective June 22, 1994)

#### **Sec. 7-294e-10. Denial of certification review**

Applicants for instructor certification shall be denied such certification if they fail to meet the requirements of Sections 7-294e-7 through 7-294e-13, inclusive. However, in instances where the applicant presents a unique combination of education and experience which the Council or its agent deems to be the equivalent of the experience and education required for certification (and providing all other requirements for certification have been met), the certificate may be granted. Decisions of the Instructor Certification Unit shall be final in cases where denial is based on the applicant's failure to meet the requirements of Section 7-294e-7 to Section 7-294e-13, inclusive. If certification based on equivalent education and experience is denied, an applicant may request review of such denial. In such cases, the MPTC shall request its Action Committee to review the application in question and advise the Council whether it feels the applicant should be awarded certification. After receiving the recommendations of the Action Committee, the Council shall be responsible for the final decision as to the issuance or denial of the certificate.

(Effective April 1, 1986)

#### **Sec. 7-294e-11. Cancellation or revocation of instructor certification**

(a) **Causes:** Any certificate issued under Subsection (a) (4) of Section 7-294d of the Connecticut General Statutes by the Police Officer Standards and Training Council, hereinafter called "the Council," may be cancelled or revoked by the Council for any of the grounds specified in Section 7-294d (c) (2) of the General Statutes.

(b) **Request for Cancellation or Revocation:** A request for cancellation or revocation of certification may be made by a law enforcement unit through its chief law enforcement officer, hereinafter called "the requesting party." Such request shall be in writing, signed, and shall state in reasonable detail the grounds upon which cancellation or revocation is requested. Any such request shall be filed with the Executive Director of the Police Officer Standards and Training Council. Whenever the Council believes there is a reasonable basis for cancellation or revocation of a certificate, in its entirety or in part, it shall request that its Executive Director proceed with a preliminary inquiry.

(c) **Preliminary Inquiry:** Procedures to cancel or revoke a certificate may be instituted by the Council only after a preliminary inquiry has been made to determine whether probable cause exists for instituting such procedures. If the Council deems that probable cause does exist for such cancellation or revocation of certification, it shall enter into its minutes a written record of such finding. This record shall be made available, on request, to the holder and to the law enforcement unit which initiated the request for cancellation or revocation.

(d) **Notice to Holder of Certificate:** If, in its preliminary inquiry, the Council determines that probable cause does exist for such cancellation or revocation of certification, the Executive Director of the Council shall notify the holder by mail that the Council is instituting procedures to cancel or revoke his/her certificate. Such notice shall contain a statement, in reasonable detail, of the grounds for such cancellation or revocation and shall also contain the name and address of the requesting party. Further, such notice shall contain a statement in writing that the holder may, within fifteen days after receiving the notice, either:

(1) Surrender his/her certification to the Executive Director of the Council, thereby cancelling or revoking his/her right to serve as a certified instructor, and waiving his/her right to a hearing, or

(2) Request, in writing, a hearing before the Council.

(e) **Provision for Hearings.** If no request for a hearing is made by the holder within the required 15-day period, the Council may, on its own (but not later than thirty-one days following the expiration of the 15-day notice period), order a hearing to be held. If no hearing is held, the Executive Director of the Council shall undertake (or initiate) an investigation of the matters set forth in the notice and file a written report detailing his findings with the Council. Said report shall be presented to the Council within sixty days following the expiration of the aforesaid 15-day notice period. If a hearing is requested by the holder, or if the Council orders a hearing on its own motion, such hearing shall be held not later than thirty-one days following such request or such order by the Council. Not less than twenty-one days' notice of such hearing shall be given to the holder, to the requesting party, and to the chief law enforcement officer of the employing unit.

(f) **Hearing Procedure.** The hearing shall be conducted by a Committee of the Council with at least three Council members present. The meeting shall be conducted in accordance with the requirements of the Freedom of Information Act. The holder and the requesting party shall have the right to examine the record of any prior investigations and proceedings in the case, to be heard in each other's presence, to be present throughout the hearing and to be represented by counsel, who shall be given reasonable opportunity to call witnesses, to cross-examine adverse witnesses, to present oral argument and, within twenty days following the hearing, to file briefs.

(g) **Decision of the Council.** The Council, within thirty-one days after the conclusion of the hearing or after filing of the Executive Director's written report if no hearing is held, shall determine by a recorded roll-call vote whether or not the certificate of the holder shall be cancelled or revoked in its entirety or in part. An affirmative vote of two-thirds of the full membership of the Council shall be necessary for such cancellation or revocation. The Council shall state in a written opinion the reasons for its action and shall base its determination upon the evidence produced at the hearing or, if no hearing is held, upon the Executive Director's written report. Notice of the action of the Council, together with its written opinion supporting such action, shall be promptly furnished by the Council's Executive Director to all parties involved.

(h) **Restoration of Certification.** Any law enforcement instructor whose certification is cancelled or revoked in its entirety or in part pursuant to Sections (a) through (g) above may reapply for certification two years after the date on which the cancellation or revocation order becomes final.

(Effective November 29, 1995)

## **Sec. 7-294e-12. Law enforcement instructor experience and training; minimum requirements**

(a) **General Certificate.** To obtain a General Certificate to teach law enforcement subjects, the applicant shall present evidence of meeting the following requirements, in addition to meeting the general conditions for certification:

(1) A baccalaureate degree, with a major or concentration of courses in the discipline or area to be taught, or a waiver of such requirement by the Council, based on equivalent education and experience;

(2) A minimum of three years' approved, successful work experience in the field to be taught, which embraces those aspects of training included in the curriculum.

Letters of recommendation from employers verifying employment and expertise, including dates of employment and description of duties; and

(3) Recommendation of the director or commanding officer of the applicant's law enforcement unit's training division.

(b) **Provisional Certificate.** To receive a Provisional Certificate to teach law enforcement subjects, the applicant shall present evidence of meeting the following requirements, in addition to meeting the general conditions for certification:

(1) A high school diploma or its equivalent;

(2) A minimum of three years' approved, successful work experience in the field to be taught, which embraces those aspects of training included in the curriculum. Letters from employers verifying employment, including dates of employment and description of duties;

(3) Documentation of expertise or specialization in the respective field to be taught. Such expertise may include the completion of specialized or advanced training; acceptance as an "expert" by a court of law, association or society (or other recognizing body); or experience in the subject area; and

(4) Evidence that he or she will actively pursue participation in an "Instructor Development" or "Methods of Instruction" course during the period of provisional certification.

(c) **Standard Certificate.** To qualify for a Standard Certificate, an applicant shall present evidence of meeting the following requirements:

(1) Completion of three years' satisfactory service in a position covered by the certificate;

(2) Successful completion of an "Instructor Development" or "Methods of Instruction" program, which shall consist of 35 hours of credit related to the preparation of instructors of law enforcement subjects. Alternatives for formal course work may be presented to show proficiency in the following competencies:

(A) Occupational Analysis and Materials Preparation;

(B) Teaching Technical Education;

(C) Tests and Measurement;

(D) Principles of Adult Education;

(E) Curriculum Construction;

(F) Organization and Management;

(G) Communications;

(H) Psychology of Learning;

(I) Use of Instructional and Audio Visual Aids;

(J) Techniques of Instruction;

(K) Preparing and Using Lesson Plans;

(L) Learner Motivation;

(M) Practical Exercises in the Application of Instructional Principles; and

(N) Other areas approved for developing competencies for law enforcement instructors.

(Effective November 29, 1995; amended December 4, 2012)

### **Sec. 7-294e-13. Renewal of certificate**

(a) The holder of a certificate shall make application for renewal of said certificate sixty days prior to its expiration date. Certificates will remain in effect for a period not to exceed three years.

(b) The application processes for renewal of the certificate shall be the same as for the holders' original application for certification except that applicants shall be required to verify that they have:

(1) Taught at least one class per year in each area in which they have held law enforcement instructor certification since obtaining certification unless the subject area, for which recertification is being sought, is approved by the council for recertification on a triennial basis.

(2) Updated their training materials to reflect advances in each area of specialization, and

(3) Maintained good standing as law enforcement instructors and, if applicable, as police officers in the state of Connecticut.

(c) Provisional Certificates shall not be renewed but may be extended by the council. Holders of Provisional Certificates shall meet the general and specific conditions established under Subsection (c) of Section 7-294e-12, Standard Certificate, during the three years of their provisional certification.

(d) Standard Certificates shall not be renewed if:

(1) The instructor has terminated employment with a law enforcement unit;

(2) The instructor has omitted information or falsified any document in order to obtain or renew any certificate;

(3) (A) The instructor has not followed the prescribed curriculum for the course taught; (B) The quality or method of instruction violates generally accepted principles of instruction or training; (C) The instructor fails to take proper steps to assure the safety of trainees. "Generally Accepted Principles of Instruction," as used in this section, includes attitude toward trainees, command and knowledge of the subject, organization of the material prescribed, use of training aids, and overall preparation.

(Effective June 22, 1994)

#### **Sec. 7-294e-14. Certification and review training**

(b) **Establishment of an original date of certification.** All persons appointed to probationary candidate positions who have completed both basic training and supervised field and departmental training will be considered certified on the day when the final requirement is completed.

(1) Certification of police officers is contingent upon active employment in a law enforcement unit. The certification of a police officer shall expire as provided in section 7-294d of the Connecticut General Statutes.

(2) Certification of police officers, while employed, shall be valid for three years from date of issuance. Certification is renewable contingent upon continued employment by a law enforcement unit and satisfactory completion of the requirements of certified review training.

(c) **Persons required to complete certified review training.**

Any person holding the position of certified police officer in Connecticut shall complete such certified review training as the Council may require, but not less than the 40-hour minimum requirement set forth in section 7-294d(a)(8) of the Connecticut General Statutes during a three-year period, unless extended as provided in such statute, beginning on the effective date of certification.

(1) Standardization of the review training period. A review training period shall expire on June 30 of the third year following the date of a police officer's original certification and June 30 of the third year of each three-year period thereafter.

(2) Administrative procedures and penalty. The Council shall not recertify any person who fails to complete the prescribed certified review training. The Council shall provide written notification to any person who has not completed the prescribed certified review training prior to commencement of the administrative steps necessary to cause the forfeiture of such person's appointment and position.

(Effective November 29, 1995; amended December 4, 2012)

**Sec. 7-294e-15. Basic training programs**

(a) **Attendance in basic training programs.** Probationary candidates shall not be absent from any basic training program for more than five training days, or the equivalent. Probationary candidates who are absent for more than five training days shall be dismissed.

(b) **Testing in basic training programs.** Probationary candidates are limited to a maximum of one re-test of any course examination which said candidate fails during any basic training program.

(1) The availability of any re-test shall be at the discretion of the certified law enforcement instructor who conducted the training course and administered the examination.

(2) All re-tests shall require an examination which differs from the examination which the probationary candidate originally failed.

(3) In those instances where a re-test is not available, or is failed, probationary candidates shall be required to fully repeat and pass the entire training course or be dismissed.

(Effective June 22, 1994)

**Sec. 7-294e-16. Entry-level requirements**

(a) **Educational requirement.** The Police Officer Standards and Training Council requires, as a condition of appointment to a position of probationary candidate, that such person have:

(1) graduated from an accredited high school, or

(2) obtained a proper document evidencing that they have obtained, from a state-approved program, a formal certificate of equivalency to high school graduation. Evidence of compliance with this requirement shall be submitted to the Council at the time of registration for police officer training within ten days of the candidate's appointment.

(b) **Minimum age requirement.** The Police Officer Standards and Training Council requires, as a condition of appointment to a position of probationary candidate, that such person have reached the age of 21 years. Evidence of compliance with this requirement shall be submitted to the Council at the time of registration for police officer training within ten days of the candidate's appointment.

(c) **Citizenship Requirement.** The Police Officer Standards and Training Council requires, as a condition of appointment to a position of probationary candidate in a law enforcement unit in the State of Connecticut, that the candidate be a citizen of the United States of America.

(d) **Motor Vehicle Operator License Requirement.** The Police Officer Standards and Training Council requires, as a condition of appointment to a position of probationary candidate in a law enforcement unit in the State of Connecticut, that the candidate either has a motor vehicle operator's license issued by the State of Connecticut or has a motor vehicle operator's license issued by another state and that the candidate's right to operate a motor vehicle in this state is not under suspension.

(e) **Validated Written Examination.** The Police Officer Standards and Training Council requires, as a condition of appointment to a position of probationary candidate in a law enforcement unit in the State of Connecticut, on or after January 1, 1995, that the candidate has been tested, by passing a validated written test, designed to evaluate predictors of job-related skills and behaviors.

(f) **Personal Interview Panel Examination.** The Police Officer Standards and Training Council requires, as a condition of appointment to a position of probationary

candidate in a law enforcement unit in the State of Connecticut, on or after January 1, 1995, that the candidate has been tested, by an oral interview panel which includes one or more Connecticut post council certified law enforcement officers, or by any other appropriate assessment process approved by the council, which is designed to evaluate predictors of job related skills and behaviors, including interpersonal and communication skills.

(g) **Fingerprint Examination.** The Police Officer Standards and Training Council requires, as a condition of appointment to a position of probationary candidate in a law enforcement unit in the State of Connecticut, on or after January 1, 1995, that the candidate has been fingerprinted, notwithstanding that the candidate may already be employed by another law enforcement unit. The candidate's fingerprints shall be submitted to the Federal Bureau of Investigation for the purpose of determining the existence of any criminal history record.

The candidate, on or after January 1, 1995, shall also be the subject of a search by fingerprints, name, and date of birth, for the purpose of locating the existence of a criminal history record, if available, in Connecticut and in any other state in which the applicant has resided.

(h) **Criminal Convictions.** The Police Officer Standards and Training Council requires, as a condition of appointment to a position of probationary candidates in a law enforcement unit in the State of Connecticut, on or after January 1, 1995, that the candidate has no criminal record revealing any conviction, under federal or state law, of any felony, or whose criminal record has any conviction of any Class A or Class B misdemeanor, or of any crime in any other jurisdiction that would, if committed in this state, constitute a Class A or Class B misdemeanor, or who has committed any act which would constitute perjury or false statement.

(i) **Background Investigation.** The Police Officer Standards and Training Council requires, as a condition of appointment to a position of probationary candidate in a law enforcement unit in the State of Connecticut, that the candidate has been the subject of a background investigation, notwithstanding that the candidate may already be employed by another law enforcement unit. The background investigation shall include, at a minimum:

(1) the candidate's completion of a personal history for the law enforcement unit on a form supplied, or approved, by the Council;

(2) a check to ascertain whether the candidate has a record of motor vehicle law conviction(s) for operating a motor vehicle under the influence of intoxicating beverages or narcotics or controlled substances or of evasion of responsibility; and

(3) the completion of a polygraph examination, administered after a conditional offer of employment, which is conducted in accordance with Council policy by a trained polygraph examiner who is acceptable to the Council.

(j) **Psychological Examination.** The Police Officer Standards and Training Council requires, as a condition of appointment to a position of probationary candidate in a law enforcement unit in the State of Connecticut, that the candidate has been the subject of a psychological examination during the selection process and that a written report of that examination is on file with the appropriate officials at the law enforcement unit, notwithstanding that the candidate may already be employed by another law enforcement unit. The Police Officer Standards and Training Council requires that the examination be conducted by a clinical psychologist licensed by the state of Connecticut or who holds an equivalent license in another state, or a medical doctor licensed by the state of Connecticut or who holds an equivalent license in another state who has a specialty in psychiatry, or a clinical

social worker licensed by the state of Connecticut, or who holds an equivalent license in another state, who is a BCD (board certified diplomate) in clinical social work from the American board of social work examiners or who holds a DCSW (diplomate in clinical social work) from the national association of social workers, who provides the law enforcement unit with documentation of the examination and who provides a written opinion of the candidate's overall psychological stability to fill a position as a police officer.

(k) **Controlled Substance Screen.** The Police Officer Standards and Training Council requires, as a condition of appointment to a position of probationary candidate in a law enforcement unit in the State of Connecticut, on or after January 1, 1995, that the candidate has submitted to a controlled substance screen and the result of such screen indicated no presence of any controlled substance not prescribed for the candidate.

(l) **Applicant Certification.** The Police Officer Standards and Training Council requires, as a condition of appointment to a position of probationary candidate in a law enforcement unit in the State of Connecticut, on or after January 1, 1995, that the candidate has signed, as part of the initial application process, a statement that the candidate knows, and acknowledges knowing, that if the candidate falsifies any part of the information required of the candidate during the application process, that act, in and of itself, constitutes grounds for termination whether discovered prior to or subsequent to the appointment of the candidate.

(m) **Medical Certification Forms.** The Police Officer Standards and Training Council requires, as a condition of appointment to a position of probationary candidate in a law enforcement unit in the State of Connecticut, and as a condition for entry into any Council approved police officer basic training program, that such person submit the medical certification forms permitting physical agility testing for entry-level probationary candidates.

(n) **Entry Physical Fitness Testing Standard.** The Police Officer Standards and Training Council requires, as a condition of appointment to a position of probationary candidate in a law enforcement unit in the State of Connecticut, and as a condition for entry into a Council accredited basic training program, that the candidate has been tested for physical fitness and achieved a score, in each individual test, at least as high as the minimum acceptable percentile for each individual test, using the minimum acceptable score for each individual test, as set by the Council.

(o) **Continuing Physical Fitness Testing Standard.** The Police Officer Standards and Training Council requires, as a condition for continuing participation in a Council accredited basic training program that the candidate be tested for physical fitness at two further separate times during the police officer basic training program and achieve a score, in each individual test, at least as high as the minimum acceptable percentile for each individual test, using the minimum acceptable score for each test, as set by the Council.

(Effective November 29, 1995; amended September 17, 2001, February 4, 2004)

## Procedures for Hearings

### Sec. 7-294e-17. Applicability, definitions

(a) These hearing procedures shall apply to all compliance meetings and contested cases held by the Police Officer Standards and Training Council.

(b) As used in Sections 7-294e-17 to Section 7-294e-24, inclusive:

(1) "Council" means the Police Officer Standards and Training Council;

(2) “action committee” means a committee of the Police Officer Standards and Training Council appointed by the chairperson of the Council and acting on behalf of the full council for the purpose of reviewing the record of all hearings.

(3) “executive director” means the executive director of the Police Officer Standards and Training Council.

(4) “compliance officer” means the director of the certification division of the Police Officer Standards and Training Council.

(5) “certificate” includes the whole or part of any Police Officer Standards and Training Council certificate which the Council issues under authority of the General Statutes and which (A) authorizes the holder to perform police functions, (B) prohibits a person from falsely representing that he/she is certified to perform police functions unless the person holds a certificate issued by the Council and (C) requires as a condition of certification that a person submit specified credentials to the Council which attest to qualifications to perform police functions.

(6) “certification” includes the whole or part of any Police Officer Standards and Training Council certificate, approval, or similar form of permission which the Council issues under authority of the General Statutes and which requires: (A) the performance of police functions by certified persons only, (B) demonstration of competence to perform police functions by examination or other means and meeting of certain minimum standards and (C) enforcement of standards by the Council.

(7) “registration” refers to “probationary candidates” as defined in Secs. 7-294a and 7-294d of the General Statutes and which requires appointing authorities to place the names of persons so appointed on a list maintained by the Council to schedule training before they can perform police functions.

(8) “practitioner” includes any person registered or possessing a certificate which the Council issues under authority of the General Statutes.

(Effective November 29, 1995)

### **Sec. 7-294e-18. Opportunity to show compliance**

(a) No revocation of any certificate shall be effective unless prior to the institution of council proceedings, the council gave notice by certified mail to the officer of facts or conduct which warrant the intended action, and the officer was given the opportunity to show compliance with all lawful requirements for the retention of the certificate.

(b) Notification of such compliance conference shall contain:

(1) A statement of the time, date, place and nature of the compliance conference;

(2) a statement of the legal authority and jurisdiction under which the compliance conference is to be held;

(3) a reference to the particular sections of the statutes or regulations allegedly violated or not complied with;

(4) a short and plain statement of the matters asserted; and

(5) a statement that the respondent may be represented by counsel.

(c) Compliance conferences shall be recorded but need not be transcribed and the strict rules of evidence are not applicable.

(d) The executive director shall designate the compliance officer to preside at such compliance conference. After said compliance conference the compliance officer shall report in writing his/her recommendations to the executive director.

(Effective June 22, 1994)

### **Sec. 7-294e-19. Contested cases**

(a) A contested case means a proceeding, including but not restricted to certification, in which the legal rights, duties or privileges of a party are required by statute

to be determined by the Police Officer Standards and Training Council after an opportunity for hearing or in which a hearing is in fact held.

(b) When the Council has reason to believe there has been a violation of the statute(s) or regulation(s) administered by the Council, the executive director shall issue a complaint by certified mail or personal service to the respondent.

(c) The notice in contested cases shall contain:

(1) A statement of the time, date, place and nature of the compliance conference;

(2) a statement of the legal authority and jurisdiction under which the compliance conference is to be held;

(3) a reference to the particular sections of the statutes or regulations allegedly violated or not complied with;

(4) a short and plain statement of the matters asserted; and

(5) a statement that the respondent may be represented by counsel.

(d) Correspondence subsequent to notice may be sent by regular mail to the respondent, or if represented by counsel, to such counsel;

(e) If the respondent needs additional time the respondent may file a motion for additional time with the executive director. The executive director may grant such motion and modify the hearing schedule.

(f) If the respondent desires to obtain a more complete or particular statement as to the nature of the act or omission alleged to be in violation of the law, the respondent may file with the executive director no later than 15 days prior to the scheduled hearing in written motion for a more detailed statement of the nature of the charge(s). The granting or denial of such a motion is within the complete discretion of the executive director.

(g) Appearances, admissions and denials, answers, motions and any other pleading which a respondent wishes considered by the executive director prior to the convening of a contested case proceeding may be filed up to seven days prior to the hearing date. Failure to file any pleadings by any party will not prevent the executive director from proceeding with the matter.

(Effective November 29, 1995)

### **Sec. 7-294e-20. Pre-hearing procedure in contested cases**

(a) Any time after the issuance of a complaint and before the scheduled hearing date, the executive director may order or a respondent may request an informal pre-hearing conference. The granting or denial, of a request for a pre-hearing conference is within the complete discretion of the executive director.

(b) A pre-hearing conference may be held for any of the following purposes:

(1) to narrow the scope of the issues in dispute;

(2) to obtain stipulations as to matters of fact;

(3) to stipulate as to the authenticity of documents which are to be offered in evidence;

(4) to stipulate as to the qualification of any expert witnesses who are to testify at the hearing; and

(5) to discuss the possibility of an informal disposition of the complaint.

(c) A pre-hearing conference need not be recorded, but a written record will be made of any stipulations as to matters of fact, as to the authenticity of documents, or as to the qualification of expert witnesses. Any such written record will be signed by each of the individual respondents or counsel and by the executive director.

(Effective June 22, 1994)

**Sec. 7-294e-21. Conduct of adjudicative hearings in contested cases**

- (a) Hearings in contested cases shall be presided over by the executive director.
- (b) Said executive director shall have the power to:
  - (1) Regulate the course of the hearing and the conduct of the parties and their counsel;
  - (2) Insure that all testimony is given under oath;
  - (3) Rule upon offers of proof and receive evidence;
  - (4) Consider and rule upon all motions; and
  - (5) Require any additional written and/or oral argument.
- (c) Each party in an adjudicative hearing shall have the right to present evidence, cross-examine witnesses, enter motions and objections and assert all other rights essential to a fair hearing.
- (d) Intervention by interested parties shall be permitted in any contested case, as provided by applicable statute or otherwise within the discretion of the executive director.
- (e) All adjudicative hearings in contested cases shall be recorded and shall be conducted in accordance with the provisions of Chapter 54 of the General Statutes.  
(Effective June 22, 1994)

**Sec. 7-294e-22. Transcript of the proceedings**

Any party may request a transcript of the proceedings at their own expense.  
(Effective June 22, 1994)

**Sec. 7-294e-23. Proposed final decision**

When in a contested case all members of the action committee of the council who are to render the final decision have not heard the case or read the record, the decision, if adverse to a party, shall not be made until a proposed final decision is served upon the parties and an opportunity is afforded to each party adversely affected to file exceptions and present briefs and oral argument to the members of the action committee who are to render the decision. The proposed final decision shall be in writing and contain a statement of reasons for the decision and findings of fact and conclusions of law on each issue of fact or law necessary to the decision, prepared by the person who conducted the hearing or one who has read the record. The parties may waive compliance with this section.  
(Effective June 22, 1994)

**Sec. 7-294e-24. Final decision in a contested case**

- (a) The final decision or order in a contested case shall be rendered by the action committee after due consideration of the entire record.
- (b) A final decision or order adverse to a party in a contested case shall be in writing.
- (c) Parties shall be notified by certified mail of the final decision or order.
- (d) The action committee shall proceed with reasonable dispatch to conclude any matter pending before it and shall render a final decision in all contested cases within ninety days following the close of evidence or filing of briefs in such proceedings.  
(Effective June 22, 1994)