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To All Law Enforcement Agency Administrators and
Training Officers:

The POST Board has been experiencing an on-going problem with law enforcement agencies, agency training officers, and peace officers not complying with POST Board administrative rules governing training course requirements.

NDAC § 109-02-0215(1) specifies that in order for a peace officer to remain licensed, the officer is required to receive a minimum of sixty hours of board-certified or board-approved training every three years ... ”

1. NDAC § 109-02-02-15(5) applies to training courses for which no prior POST board approval has been obtained. In that case, the peace officer or the peace officer's agency is required to request approval of the training at least thirty days prior to the commencement of the training. This requirement applies to in-state training and out-of-state training that has not been approved by the POST Board.

NDAC § 109-02-02-15(5)

If a training course or seminar does not have board preapproval, the peace officer or the peace officer's employing agency shall request approval of the training course or seminar at least thirty days prior to the commencement of the training course or seminar. A course or seminar that has not been approved by the board may not qualify toward the sixty-hour training requirement.

2. NDAC § 109-02-04-09 applies to training course sponsors, coordinators, and instructors.

NDAC § 109-02-04-09

Application for course certification. The following procedures apply to all training courses for which certification is requested:

1. The person who plans or coordinates a training program shall submit an application for program certification to the board no later than thirty days in advance of the date the training program is to commence.
2. The application must include:
 - a. A course curriculum showing the date and location of the course, title of course, name of person or agency preparing the training program, student, course objective, terminal performance objectives, testing methods if applicable, method of instruction, course content, schedule of presentation, references and supporting materials; and

- b. Information concerning the instructors' education and experience if the instructors have not been certified by the board.
 3. Within fifteen days after the completion of a training program, the training coordinator shall submit to the board a completed student roster on a form approved by the board. The form must include each peace officer's name and employing agency, hours attended, course name and subject matter, the training location, and the dates and times of training.
3. In addition to the above requirements, NDAC § 109-02-01-05 requires law enforcement agencies to provide or obtain necessary training for their officers and to maintain records of training provided to their officers.

Effective for training attended after the date of this letter, the POST Board will require the following to satisfy current administrative rule training requirements. Failure to comply with these requirements will result in disallowance of training hours and potentially have an adverse effect on license renewal.

1. NDAC § 109-02-04-09 applies to instructors or program coordinators who will be conducting training for peace officers. In order for the POST Board to approve the training for peace officers as part of the sixty required hours of training every three years, the instructors or program coordinators shall submit the application for course approval and the information required under Section 109-02-04-09 to the POST Board's Executive Secretary not less than 30 days prior to the date the training will be conducted. The instructors or program coordinators shall submit the completed training roster within fifteen days after completion of the approved training program or seminar in accordance with NDAC § 109-02-04-09(3).
2. If a peace officer will be attending training, the peace officer or the officer's employing agency must first determine whether the training course has POST Board approval. If the training course does not have POST Board approval, the officer or the officer's employing agency must notify the POST Board's Executive Secretary prior to attending the training that the officer will be attending the training, and also provide the course name and subject matter, the training location, the dates and times of training, and a training or seminar agenda, if available. Upon completion of the training, the officer or the officer's employing agency must submit verification of attendance at the training or seminar, and if the training or seminar agenda was not previously submitted, the training or seminar agenda. Verification of attendance may include a certificate of attendance, a statement signed by the conference sponsor or coordinator stating the training name, subject matter covered, dates, location, and number of training hours, or a letter on agency letterhead from the officer's employing agency signed by the agency administrator stating the ND POST course number, training name, subject matter covered, dates, location, and number of training hours.

Thank you for your cooperation.

Sincerely,



Les Witkowski
Chairman
ND POST