

A public hearing will be held by the Office of Attorney General Mike DeWine on Friday, May 16, 2014 at 9:00 a.m. in the large conference room at the Ohio Peace Officer Training Academy, located at 1650 State Route 56 S.W., London, Ohio 43140.

The purpose of the hearing is to solicit comment on the following proposed amended rules:

109:2-1-04 Approval of schools.

(A) Schools which meet all of the requirements set forth in rules 109:2-1-05 , 109:2-1-06 , 109:2-1-08 , and 109:2-1-16 of the Administrative Code shall be approved by the executive director. The approval shall be given in writing.

(B) Schools may, in addition to those requirements set forth in paragraph (A) of this rule, require that each person enrolled in training sanctioned by the commission be given a physical examination, a psychological examination, and a background investigation to determine fitness and eligibility for attending and completing the basic course. Any person determined to be unfit or ineligible will not be admitted to any training that is a component of the basic course.

(C) Request for school approval.

Twenty-one calendar days prior to the start of a training school, the commander shall forward to the executive director, an application package which shall include forms required by the executive director.

(D) Revocation of school approval.

(1) The executive director may revoke the approval of any school for failure to maintain the minimum state standards as set forth in this rule and rules 109:2-1-05 , 109:2-1-06 , 109:2-1-08 , and 109:2-1-16 of the Administrative Code or any other rule or policy established by the Ohio peace officer training commission for conducting the basic training program. The executive director shall notify the commander of the school in writing of this revocation and shall advise the commander that the commander may request a hearing before the commission as provided in sections 119.06 and 119.07 of the Revised Code. The commission shall conduct the hearing as required by sections 119.01 to 119.13 of the Revised Code.

(E) Enrollees, instructors and time for school.

The commander must have prior written approval from the executive director to conduct the school.
The school:

(1) Must have a minimum of ten students enrolled.

(2) Must have a minimum of ten commission-approved instructors.

(3) May not extend more than one year. ~~unless the school is part of a college or university degree program. If the school is part of a college or university degree program, the executive director and the commander will determine the completion date of training.~~

(4) For any deviation from paragraph (E)(1), (E)(2) or (E)(3) of this rule, the commander must have prior written approval from the executive director.

(F) Within three calendar days after the school has begun, the commander shall forward to the executive director, on forms supplied by the executive director, a revised student enrollment list and an enrollment package which shall include, for each enrollee, forms required by the executive director.

109:2-1-05 Approval of school commanders.

Each commander is required to have the approval of the executive director to conduct a school. Such approval will be based upon the submission of a notarized and typewritten statement of qualifications by the person seeking approval to be designated a commander on a form prescribed by the executive director. All persons seeking approval to be a school commander on or after January 1, 2000, who have not previously been designated a school commander shall conform to the minimum qualifications for certification as a commander and must be associated with an established or proposed school.

(A) Minimum qualifications for certification of commander shall be as follows:

(1) High school graduate or possession of a "General Education Development" certificate; and

(2) Seven years of experience as a full-time law enforcement officer, two of which must be as a full-time law enforcement supervisor;

(3) Completion of ninety quarter hours or sixty semester hours at an accredited college or university.;
and

(4) Professional references from three current police administrators of the rank of lieutenant or above;
and

(5) No convictions for a felony, crime of moral turpitude, offense of violence, sexually oriented or child-victim oriented offense, or any other peace officer disqualifying offense.

(B) Upon receipt and verification of a notarized application form for commander certification and completion of an Ohio peace officer training commission commander conference, the executive director may issue a certificate to the applicant. Should the executive director refuse to issue a certificate, the notice of this action shall be sent to the applicant. Unless the decision was of a ministerial nature, ~~the~~ applicant shall be advised that he or she may request a hearing before the commission as provided in sections [119.06](#) and [119.07](#) of the Revised Code. The commission shall conduct the hearing as required by sections [119.01](#) to [119.13](#) of the Revised Code.

(C) Denial or Revocation of certificate

The executive director ~~may~~shall deny or revoke the certification of any commander for the following reasons:

(1) Failure to meet the minimum qualifications for certification of a commander listed in division (A) of this rule

~~(1)~~(2) A commander's evaluation reflecting unacceptable performance; or

~~(2)~~(3) Conviction for a felony, crime of moral turpitude, offense of violence, sexually oriented or child-victim oriented offense, or any other peace officer disqualifying offense; or

~~(3)~~(4) Absence from two consecutive commander's conferences; or

~~(4)~~(5) Violation of rules promulgated under this chapter; or

~~(5)~~(6) For any other good cause shown.

The executive director shall notify the commander in writing of this ~~decision~~revocation. Unless the decision was of a ministerial nature, ~~the~~ commander shall be advised that he or she may request a hearing before the commission as provided in sections [119.06](#) and [119.07](#) of the Revised Code. The commission shall conduct the hearing as required by sections [119.01](#) to [119.13](#) of the Revised Code.

(D) Suspension of certificate

The executive director may suspend the certification of any commander that is charged with felony, crime of moral turpitude, offense of violence, sexually oriented or child-victim oriented offense, or any other peace officer disqualifying offense. The executive director shall notify the commander in writing of this decision. The commander shall be advised that he or she may request a hearing before the commission as provided in sections 119.06 and 119.07 of the Revised Code. The commission shall conduct the hearing as required by sections 119.01 to 119.13 of the Revised Code.

109:2-1-06 Approval of instructors.

All persons requesting approval or renewal as an instructor on or after January 1, 2000, shall submit a notarized statement of qualifications for each subject or unit of subjects for which the person is seeking approval on a form provided by the executive director. The course content of the peace officer basic training program shall be as outlined in rule [109:2-1-16](#) of the Administrative Code.

(A) Minimum qualifications for unit instructor certification shall be as follows:

(1) High school graduate or possession of a "General Education Development" certificate; and

(2) Five years of relevant, full-time law enforcement experience ~~as a full-time law enforcement officer~~; and

(3) Completion of an instructor training program approved by the executive director consisting of a minimum of forty clock hours which shall include instruction in the theories of learning and adult education, teaching techniques, lesson plan development and usage, behavioral objectives, student

evaluation and measurement, role playing, the use of audio-visual aids and an exercise in practice teaching.

Instructor training programs taught at the Ohio peace officer training academy; by the department of education; the state highway patrol; a college or educational institution or other programs which in the opinion of the executive director are equivalent to those set out, will be acceptable; and

(4) Completion of an instructor-level training program approved by the executive director, which will allow a person to learn specific knowledge and skills in a unit for which certification is requested; and

(5) Recommendation of a current basic training school commander.

(B) Minimum qualifications for special subject instructor certification shall be as follows:

(1) A high school graduate or possession of a "General Education Development" certificate; and

(2)

(a) Possession of a license in a particular discipline such as medical doctors, attorneys, nurses, judges, teachers of special subjects related to the basic course or

(b) Recognition for competency in law enforcement related areas such as probation, corrections, health, fire, drug enforcement, traffic or other special subject or skill areas in which the person has a minimum of five years of full-time experience and training in the subject area to be taught, three years of which must be based on full-time experience

(3) Recommendation of a current basic training school commander.

(4) Special subject instructors shall not be eligible for approval for the driving or firearms units and in no case shall a special subject instructor be approved for more than five topics in the basic course.

(C) Renewal of unit and special subject instructor certification:

(1) Instructors certified by unit shall renew their certificate every three years. At least sixty days and no more than ninety days prior to expiration of the certificate, the instructor shall file with the executive director an application for renewal on a form supplied by the executive director. The instructor shall also file:

(a) Written evidence from the educational or training facility where the instructor received the training documenting that the instructor has successfully completed, within the past three years, a minimum of twenty-four clock hours of training in topics related to the basic training curriculum.

(b) Written evidence from the school commander or administrator that the instructor has taught in two approved peace officer basic training schools for a minimum total of twenty-four teaching hours within the past three years.

(2) Persons certified as special subject instructors shall renew their certificate every three years. At least sixty days and no more than ninety days prior to expiration of the certificate, the instructor shall file with the executive director an application for renewal on a form supplied by the executive director. The instructor shall also file:

(a) Written evidence from the educational or training facility where the instructor received the training documenting that the instructor has successfully completed, within the past three years, a minimum of twelve clock hours of training in topics related to the basic training curriculum.

(b) Written evidence from the school commander or administrator that the instructor has taught in two approved peace officer basic training schools for a minimum total of twelve teaching hours within the past three years.

(D) Denial of certification, denial of renewal of certification, suspension of certification, or revocation of certification:

(1) Should the executive director refuse to issue or renew a certificate, or should the executive director suspend or revoke a certificate, notice of this action shall be sent to the applicant. Unless the decision is of a ministerial nature, the applicant shall be advised that he or she may request a hearing before the commission as provided in sections [119.06](#) and [119.07](#) of the Revised Code. The commission shall conduct the hearing as required by sections [119.01](#) to [119.13](#) of the Revised Code

(E) Grounds for denial or revocation of instructor certification

(1) Failure to meet the minimum qualifications for instructor certification listed in divisions (A) and (B) of this rule

~~(2)~~ Failure to meet renewal criteria;

~~(3)~~ Failure to meet renewal deadline;

~~(4)~~ Submission of falsified records, application, or other documentation;

~~(5)~~ Unacceptable performance evaluations;

~~(6)~~ Conviction of a felony, a crime of moral turpitude, an offense of violence, a sexually oriented or child-victim oriented offense, or any other peace officer disqualifying offense;

~~(7)~~ Any other good cause shown.

If an instructor's certification is revoked for any of the listed reasons, notice of this action shall be sent and any requested hearing shall be conducted as required in paragraph (D)(1) of this rule.

(F) The executive director may suspend the certification of any instructor that is charged with any felony, crime of moral turpitude, offense of violence, sexually oriented or child-victim oriented offense, or any other peace officer disqualifying offense.

109:2-3-04 Certification of commanders.

(A) Each commander is required to obtain certification from the executive director in order to conduct private security training courses. Such certification will be based upon the submission of a notarized, typewritten statement of qualifications, on a form prescribed by the executive director, by the person seeking certification as a commander. The commander shall conform to the minimum qualifications as set forth in this chapter and must be associated with an approved training facility. Substantiating documentation of qualifications shall accompany the application at the time of submission.

(B) Minimum qualifications for certification as a private security academic training course commander shall be as follows:

(1) High school graduate or possession of a "General Education Development" certificate; and

(2) Three years full time experience in the private security field, a security-related field or the equivalent, as determined by the executive director. Law enforcement experience does not automatically qualify as security-related experience. The determination of applicability will be based upon the functions performed as a law enforcement officer; and

(3) Two years full time experience in a management-level position or completion of ninety quarter hours or sixty semester hours at an accredited college or university; and

(4) Three professional references from individuals currently employed in the security or a security-related field in a management-level position, who have known the individual for at least three years; and

(5) No conviction for a felony, ~~or~~ crime of moral turpitude, offense of violence, or sexually oriented or child-victim oriented offenses including but not limited to theft, fraud, falsification, drug or sex offenses within twenty years of the date of application for certification. Evidence of a current criminal records check through the bureau of criminal identification and investigation must be submitted with the application.

(C) Joint vocational school private security commanders may be exempted from requirements of paragraph (B)(2) of rule 109:2-3-04 of the Administrative Code by the executive director. This certificate will be specific for those commanders conducting commission-approved courses in joint vocational schools only.

(D) Minimum qualifications for certification as a basic firearms commander or requalification commander.

(1) High school graduate or possession of a "general education development" certification; and

(2) Five years full time experience in the private security field, a security-related field or equivalent as determined by the executive director. Law enforcement experience does not automatically qualify as security-related experience. The determination of applicability will be based upon the functions performed as a law enforcement officer; and

(3) Three professional references from individuals currently employed in the security or a security-related field in a management-level position, who have known the individual for at least three years; and

(4) No convictions for a felony, ~~or crime of moral turpitude, offense of violence, or sexually oriented or child-victim oriented offense including but not limited to theft, fraud, falsification, drug or sex offenses within twenty years of the date of application for certification.~~ Evidence of a current criminal record check through the bureau of criminal identification and investigation must be submitted with the application.

(E) Once the application is approved by the executive director, a site inspection and commander orientation will be conducted by commission staff prior to a commander certificate being issued.

(F) Renewal requirements

(1) Certification shall be renewed every three years. At least sixty days and no more than ninety days prior to expiration of the certificate, the individual shall submit, on a form prescribed by the executive director, an application for renewal.

(2) Renewal requirements shall be as follows:

(a) Must conduct at least two courses within the three year period; and

(b) Attend at least one commander conference conducted by the commission;

(i) Should the commission not conduct a conference within the period of certification, this requirement will be suspended for the affected renewal.

(ii) Should the commission conduct only one conference within the period of certification but the individual fails to attend, this requirement can be met by completing another orientation program, as conducted by commission staff.

(3) Renewal shall be effective for three years.

(G) Denial of issuance or renewal of commander certification, or suspension or revocation of certification.

(1) The executive director ~~may~~shall revoke or refuse to issue or renew certification of an individual for the following reasons:

(a) Failure to meet the minimum qualifications for certification as a commander listed in divisions (B) and (D) of this rule;

~~(b)~~ Failure to meet renewal criteria;

~~(b)~~ Failure to meet renewal deadline;

~~(c)~~ Failure to maintain satisfactory ratings on commander evaluations;

~~(d)~~ Submission of falsified records or renewal documentation;

~~(e)~~ Violations of the rules of this chapter;

~~(f)~~ Conviction for a felony, ~~or~~ crime of moral turpitude, offense of violence, or sexually oriented or child-victim oriented offense including but not limited to theft, fraud, falsification, drug or sex offenses; and

~~(g)~~ Any other good cause shown.

(2) The executive director may suspend the certification of any commander that is found to be under indictment for any felony, crime of moral turpitude, offense of violence, or sexually oriented or child-victim oriented offense.

~~(3)~~ Should the executive director refuse to issue or renew a certificate, or choose to suspend or revoke an individual's certification, the executive director shall comply with rule [109:2-3-13](#) of the Administrative Code.

109:2-3-05 Certification of instructors.

(A) All instructors are required to be certified by the executive director to teach in the private security training program by the executive director. All persons requesting approval as an instructor shall submit a notarized application on a form prescribed by the executive director indicating each topic or unit of topics for which the person is seeking approval. Supporting documentation of qualifications shall accompany the application at the time of submission.

(B) Minimum qualifications for certification as a unit instructor shall be as follows:

(1) High school graduate or possession of a "General Education Development" certificate; and

(2) Five years of full time experience in the private security or a related field or the equivalent, as determined by the executive director. Law enforcement experience does not automatically qualify as security-related experience. The determination of applicability will be based upon the functions performed as a law enforcement officer; and

(3) Completion of a course of instruction approved by the executive director designed to prepare the individual to teach. Such courses shall include instruction in the theories of learning, teaching techniques, behavioral objectives, use of audio-visual aids, and an exercise in practice teaching. Credit for this requirement may be granted by the executive director for equivalent training or experience; and

(4) Completion of an instructor-level training program approved by the executive director which will allow a person to learn specific knowledge and skills in a unit for which certification is requested; and

(5) Persons seeking approval as a firearms instructor shall meet the requirements of this section and also provide documentation of three years full time experience as an armed security officer with the weapon for which certification is sought; and

(6) No conviction for a felony, ~~or~~ crime of moral turpitude, offense of violence, or sexually oriented or child-victim oriented offense including but not limited to theft, fraud, falsification, drug or sex offenses within twenty years of the date of application for certification. Evidence of a current criminal record check through the bureau of criminal identification and investigation must be submitted with the application.

(C) Topic instructors will be certified only to teach topics within a unit or units of the curriculum, not to exceed five topics. Topic instructors shall not be eligible for approval for the unarmed self-defense and firearms units. Minimum qualifications for certification as a topic instructor shall be as follows:

(1) High school diploma or "general education development" certificate; and

(2)(a) Persons licensed, degreed or professionally certified in particular disciplines such as medical doctors, attorneys, nurses, counselors, protection professionals and teachers of specialized subjects related to the private security training course may qualify. Persons licensed, degreed or certified in a particular discipline may be eligible to teach all topics within their area of expertise; or

(b) Persons formally recognized for their professional competency in the security, health, fire safety or other related areas must have a minimum of two years of experience; and

(3) No conviction for a felony, ~~or~~ crime of moral turpitude, offense of violence, or sexually oriented or child-victim oriented offense including but not limited to theft, fraud, falsification, drug or sex offenses within twenty years of the date of application for certification. Evidence of a current criminal record check through the bureau of criminal identification and investigation must be submitted with the application.

(D) Renewal of certification

(1) Unit instructors shall renew their certification every three years. At least sixty days and no more than ninety days prior to expiration of the certificate, the instructor shall file, on a form prescribed by the executive director, the following:

(a) Written evidence from the commander(s) that the instructor has taught in at least two commission-approved courses during the most recent certification period; and

(b) Must attend at least fifteen clock hours of professional development or continuing education relative to at least one of the areas for which the individual is certified, during the most recent certification period. Documentation of attendance or completion from the training agency or institution must be submitted.

(2) Topic instructors shall renew their certification every three years. At least sixty days and no more than ninety days prior to expiration of the certificate, the instructor shall file, on a form prescribed by the executive director, the following:

(a) Written evidence from the commander(s) that the instructor has taught in at least two commission-approved private security courses during the most recent certification period; and

(b) Proof that certification or license submitted as basis for original certification or most recent renewal is still valid, or has been renewed and is in good standing with the issuing body, or present documentation that they are still actively involved in the participation or practice of the topic area or areas for which certification was granted.

(E) The executive director may deny, suspend, revoke, or refuse to renew certification of an individual for the following reasons:

(1) Failure to meet the minimum qualifications for instructor certification listed in divisions (B) and (C) of this rule;

(2) Failure to meet renewal criteria;

(3) Failure to meet renewal deadline;

(4) Submission of falsified records or renewal documentation; or

(5) Unacceptable performance evaluations;

(6) Conviction for a felony, ~~or~~ crime of moral turpitude, offense of violence, or sexually oriented or child-victim oriented offense involving but not limited to theft, fraud, falsification, drug or sex offenses;

or

~~(6Z)~~ Any other good cause shown.

(F) Should the executive director refuse to issue or renew a certificate, or choose to suspend or revoke an individual's certification, the executive director will comply with rule [109:2-3-13](#) of the Administrative Code.

109:2-3-07 Attendance requirements.

~~(A) Private security academic training course~~

~~(1A)~~ Attendance is required at all sessions of the course.

~~(a) Absence of ten percent or less.~~

~~When a student is absent for ten percent or less of the non-mandatory commission required hours of the training course in which the student is enrolled, the school commander may excuse the absence if in the commander's judgment, the absences were for valid reasons, including but not limited to illness of either the student or the student's immediate family or an emergency employment situation. The student shall provide the commander with written documentation listing the reasons for the absence. The commander may require the student to make up the missed hours of training.~~

~~(b) Absence of more than ten percent of the non-mandatory commission required hours.~~

~~If a student misses more than ten percent of the non-mandatory commission required hours of the course, the student will not be eligible to take the final examination and will fail the course.~~

~~(B) One hundred percent attendance shall be required for the mandatory topics of laws of arrest, search and seizure, cultural sensitivity, unarmed self-defense, and first aid, any portion of any firearm training course which is conducted and any other topic designated by the Ohio general assembly or the commission.~~

(B) The commander shall be responsible for maintaining an accurate record of attendance for each person attending training. The commander shall forward such records to the executive director.

109:2-3-13 Adjudication hearing procedure.

If a request for certification or renewal of any certification is denied, ~~or~~ if certification is suspended or revoked, or school approval is revoked, the executive director shall notify the affected party. Unless the decision was of a ministerial nature, the executive director and shall advise the affected party that the affected party may request a hearing before the commission as provided in sections [119.06](#) and [119.07](#) of the Revised Code. The commission shall conduct the hearing as required by sections [119.01](#) to [119.13](#) of the Revised Code.

109:2-5-05 Approval of commanders.

Each commander is required to have the approval of the executive director to conduct a basic school. Such approval will be based upon the submission of a notarized statement of qualifications by the person seeking approval as a commander on a form prescribed by the executive director. All persons seeking approval to be a commander on or after the effective date of this rule, who have not previously been designated a commander, shall conform to the minimum qualifications for certification as a commander as established herein and must be associated with an established or proposed basic school.

(A) Minimum qualification for certification of commanders shall be as follows:

- (1) High school graduate or possession of a general education development certificate;
- (2) Five years of relevant law enforcement experience ~~as a law enforcement officer~~ or five years of experience as a bailiff or deputy bailiff;
- (3) Successful completion of a basic school or peace officer basic training school;
- (4) Successful completion of an 80-hour instructional skills course or equivalent as approved by the executive director;
- (5) Three professional references from individuals currently serving as any of the following: a judge, court administrator, prosecutor, magistrate, chief of police, or sheriff;
- (6) No conviction for a felony, crime of moral turpitude, offense of violence, sexually oriented offense or child-victim oriented offense, or firearms disability offense per Chapter 2923 of the Revised Code.

(B) Upon receipt and verification of a notarized application form for commander certification and completion of a commander conference, the executive director may issue a certificate to the applicant. Should the executive director refuse to issue a certificate, the notice of this action shall be sent to the applicant. Unless the decision was of a ministerial nature, ~~the~~ applicant shall be advised that he or she may request a hearing before the commission as provided in sections 119.06 and 119.07 of the Revised Code. The commission shall conduct the hearing as required by sections 119.01 to 119.13 of the Revised Code.

(C) The executive director ~~may~~ shall deny or revoke the certification of any commander for the following reasons:

- (1) Failure to meet the minimum qualifications for certification of a commander listed in division (A) of this rule
- ~~(1)~~ A commander's evaluation reflecting unacceptable performance;
- ~~(2)~~ Conviction for a felony, crime of moral turpitude, offense of violence, sexually oriented or child-victim oriented offense, or any other disqualifying offense;
- ~~(3)~~ Failure to conduct a basic school within a five year period;

(45) Falsifying information on records, application, or other documentation;

(56) Violation of rules promulgated under this chapter; or;

(67) For any other good cause shown.

(D) The executive director may suspend the certification of any commander that is charged with any felony, crime of moral turpitude, offense of violence, sexually oriented or child-victim oriented offense, or any other disqualifying offense.

(E) Should the executive director suspend or revoke the certificate, the executive director shall notify the commander in writing of this ~~revocation~~ decision. The commander shall be advised that he or she may request a hearing before the commission as provided in sections [119.06](#) and [119.07](#) of the Revised Code. The commission shall conduct the hearing as required by sections [119.01](#) to [119.13](#) of the Revised Code.

(DE) Current, approved peace officer, parole officer, or probation officer school commanders can also administer basic schools approved by the executive director.

109:2-5-06 Approval of instructors.

Each instructor is required to have the approval of the executive director. Such approval will be based upon the recommendation of a current commander and the submission on a prescribed form of a statement of qualifications for each subject or subjects for which approval is sought.

(A) Minimum qualifications for unit instructor.

(1) High school graduate or possession of a general education development certificate;

(2) Five years of relevant experience as a bailiff, deputy bailiff, and/or law enforcement officer;

(3) Successful completion of an eighty_-hour instructional skills course or equivalent as approved by the executive director;

(4) Submission of documentation of completion of instructor-level training which allows a person to acquire specific knowledge and skills in an area for which approval is sought;

(5) Recommendation of a current basic school commander.

(6) Persons approved to instruct topics in programs pursuant to Chapter 109:2-1 or 109:2-9 of the Administrative Code may instruct those same topics in a basic school.

(B) Renewal of unit certification.

(1) Instructors certified by unit shall renew their certificate every three years. At least sixty days and no more than ninety days prior to expiration of the certificate, the instructor shall file with the executive

director an application for renewal on a form supplied by the executive director. The instructor shall also file:

(a) Written evidence documenting that the instructor has successfully completed, within the past three years, a minimum of twelve clock hours of training in topics related to the basic course.

(b) Written evidence from a school commander that the instructor has taught in at least one basic school for a minimum total of twelve teaching hours within the past three years.

(C) Denial of certification, denial of renewal of certification, or revocation of certification:

Should the executive director refuse to issue or renew a certificate, or should the executive director suspend or revoke a certificate, notice of this action shall be sent to the applicant. Unless the decision is of a ministerial nature, ~~the~~ applicant shall be advised that he or she may request a hearing before the commission as provided in sections [119.06](#) and [119.07](#) of the Revised Code. The commission shall conduct the hearing as required by sections [119.01](#) to [119.13](#) of the Revised Code.

(D) Grounds for denial or revocation of instructor certification.

(1) Failure to meet the minimum qualifications for instructor certification listed in division (A) of this rule;

~~(2)~~ Failure to meet renewal criteria;

~~(3)~~ Failure to meet renewal deadline;

~~(34)~~ Submission of falsified records, application, or other documentation;

~~(45)~~ Unacceptable performance evaluations;

~~(56)~~ Convictions of a felony, ~~or~~ a crime of moral turpitude, offense of violence, sexually oriented or child-victim oriented offense, or any other peace officer disqualifying offense;

~~(67)~~ Any other good cause shown.

~~If an instructor's certification is revoked for any of the listed reasons, notice of this action shall be sent and any requested hearing shall be conducted as required in paragraph (C) of this rule.~~

(E) The executive director may suspend the certification of any instructor that is charged with any felony, crime of moral turpitude, offense of violence, sexually oriented or child-victim oriented offense, or any other peace officer disqualifying offense.

109:2-6-06 Attendance

(A) Attendance shall be required of each criminal investigator at all sessions of the basic course.

~~(A) Absence of ten per cent or less.~~

~~When a criminal investigator is absent for ten per cent or less of the total hours of the training course in which he is enrolled, the school commander may excuse the absence if in the school commander's judgment, the absences were for valid reasons, including but not limited to: illness of either the criminal investigator or his immediate family; an emergency employment situation; or transportation failure. The commander may require the criminal investigator to make up the missed training to assure satisfactory completion of all subjects.~~

~~(B) Absence of more than ten per cent.~~

~~(1) If a criminal investigator misses more than ten per cent of the total hours of the course, the criminal investigator may complete the course but shall not be permitted to take the final examination nor shall he be certified. The criminal investigator may submit to the executive director a notarized statement setting forth the reasons for the absences and request to complete the training that was missed. Reasons for absence which the executive director may consider include but are not limited to: illness of either the student or his immediate family; emergency employment situations; transportation failure; or other valid reasons. The executive director shall rule on that request within fifteen calendar days of his receipt of the request. If the request is granted, the executive director shall approve in writing the method of completing the training.~~

~~(2) If the request to complete the course is denied by the executive director, the criminal investigator may request a hearing before the Ohio peace officer training commission as provided in section 119.06 of the Revised Code. The commission shall conduct the hearing as required by sections 119.01 to 119.13 of the Revised Code.~~

~~(C) There shall not be excused absences from the firearms training portion of the basic course.~~

~~(D)~~ No criminal investigator shall be permitted to attend a school or the Ohio peace officer training academy unless the state public defender has authorized the attendance. The commander shall ensure each enrollee has the proper enrollment authorization for attendance of the basic course.

~~(E)~~ The commander shall be responsible for maintaining an accurate record of attendance for each criminal investigator at the basic course on a form provided by the executive director person attending training. The commander shall forward such records to the executive director, ~~where they shall be available for authorized inspection.~~

109:2-9-01 Definitions.

When used in this chapter:

- (A) The term "commission" means the Ohio peace officer training commission;
- (B) The term "executive director" means the executive director of the Ohio peace officer training commission or designee;
- (C) The term "commander" means the director or other head of a corrections training school which has been approved by the executive director;
- (D) The term "school" means the training prescribed in rule [5120:1-8-18](#) of the Administrative Code and other training which has been prescribed and approved by the executive director for persons described in this chapter;
- (E) The term "full-service jail" means a local facility as defined by the Ohio department of rehabilitation and correction, bureau of adult detention;
- (F) The term "correctional officers/jail staff" means those persons whose positions consist primarily of duties that require prisoner supervision, direct interaction with prisoners, and responsibility for the safety and security of prisoners and of the facility;
- (G) The term "support staff" [has the same meaning as in rule 5120:1-7-02 of the Administrative Code](#)~~means those persons whose job functions do not reflect a primary responsibility for the security and/or supervision of prisoners.~~

109:2-9-04 Approval of commanders.

Each school commander is required to have the approval of the executive director to conduct a school for which commission certification is sought. Such approval shall be based upon the submission of a notarized and typewritten statement of qualifications by the person seeking approval on a form prescribed by the executive director.

- (A) Minimum qualifications for approval as a commander shall be as follows:
 - (1) High school graduate or possession of a "General Education Development" certificate;
 - (2) Written approval from a sheriff or designee or a criminal justice agency administrator who is the executive head of a full-service jail;
 - (3) Three professional references from criminal justice agency administrators
 - (4) No convictions for a felony ~~or~~ crime of moral turpitude, [offense of violence, sexually oriented or child-victim oriented offense, or any other peace officer disqualifying offense](#);

(5) Completion of an instructor training program approved by the executive director which shall include the following: Instruction in the theories of learning and adult education, teaching techniques, lesson plan development and usage, behavioral objectives, student evaluation and measurement, role playing, the use of audio-visual aids, and an exercise in practice teaching. Instructor training programs taught by the Ohio peace officer training academy, the Ohio department of education, the Ohio state highway patrol, a college or educational institution, or other programs which in the opinion of the executive director are equivalent will be acceptable; and

(6) Completion of an Ohio peace officer training commission corrections school commander's conference.

(B) Upon receipt and verification of a notarized application form, the executive director may issue a certificate to the commander. Unless the decision is of a ministerial nature, Should the executive director refuse to issue a certificate, the executive director shall notify the applicant in writing and shall advise the applicant that he or she may request a hearing before the commission as provided in sections [119.06](#) and [119.07](#) of the Revised Code. The commission shall conduct the hearing as required by sections [119.01](#) to [119.13](#) of the Revised Code.

(C) The executive director ~~may shall deny or~~ revoke the certification of any commander for the following reasons:

(1) Failure to meet the minimum qualifications for certification of a commander listed in division (A) of this rule

~~(12)~~ Unacceptable performance evaluations;

~~(13)~~ Conviction for a felony, ~~or~~ crime of moral turpitude, offense of violence, sexually oriented or child-victim oriented offense, or any other peace officer disqualifying offense;

~~(34)~~ A written request showing cause from the incumbent sheriff of the county in which the commander was originally certified or from a criminal justice agency administrator who is the executive head of a full-service jail facility;

~~(45)~~ Failure to conduct a commission-approved school within a five-year period;

~~(56)~~ Failure to attend two consecutive commander's conferences;

~~(67)~~ Falsifying information to obtain a commander's certificate;

~~(78)~~ Submission of falsified records, application, or other documentation;

~~(89)~~ Allowing a person not approved as a school commander to function as a school commander; or

~~(910)~~ Any other good cause shown.

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(D) The executive director may suspend the certification of any commander that is charged with any felony, crime of moral turpitude, offense of violence, sexually oriented or child-victim oriented offense, or any other peace officer disqualifying offense.

~~(D)~~ Should the executive director suspend or revoke ~~the~~ certificate, the executive director shall notify the commander in writing of ~~this decision~~ revocation and shall advise the commander that the commander may request a hearing before the commission as provided in sections [119.06](#) and [119.07](#) of the Revised Code. The commission shall conduct the hearing as required by sections [119.01](#) to [119.13](#) of the Revised Code.

109:2-9-05 Approval of instructors.

Each instructor is required to have the approval of the executive director. All persons requesting approval as an instructor shall submit a notarized statement of qualifications for each subject or unit of subjects on a form required by the executive director.

(A) Minimum qualifications for approval as a unit instructor shall be as follows:

(1) High school graduate or possession of a "General Education Development" certificate;

(2) Three years of institutional corrections experience;

(3) Completion of an instructor training program approved by the executive director which shall include instruction in the theories of learning and adult education, teaching techniques, lesson plan development and usage, behavioral objectives, student evaluation and measurement, role playing, the use of audio-visual aids, and an exercise in practice teaching. Instructor training programs taught by the Ohio peace officer training academy, the Ohio department of education, the Ohio state highway patrol, a college or educational institution, or other programs which in the opinion of the executive director are equivalent will be acceptable;

(4) Completion of training that allows a person to gain specific knowledge and skills in a unit for which certification is requested;

(5) Recommendation of a school commander who has been the commander of record of an approved school within the five-year period immediately preceding the date of the application;

(B) Minimum qualifications for approval as a special subject instructor shall be as follows:

(1) A high school graduate or possession of a "General Education Development" certificate;

(2) Three years of combined experience and training in the subject area to be taught; or

(3) Recognition for occupational competency; and

(4) Recommendation of a school commander who has been the commander of record of an approved school within the five-year period immediately preceding the date of the application;

(C) Persons approved as special subject instructors shall be limited to no more than five topics in the commission-approved corrections curriculum.

(D) Renewal of unit and special subject instructor certification.

(1) Persons certified as unit instructors shall renew their certificate every three years. At least sixty days and no more than ninety days prior to expiration of the certificate, the instructor shall file with the executive director an application for renewal on a form required by the executive director. The instructor shall also file:

(a) Written evidence from the educational or training facility where the instructor received the training documenting that the instructor has successfully completed within the past three years a minimum of twelve clock hours of training in topics related to the commission-approved corrections curriculum or to improve instructional abilities, and

(b) Written evidence from the school commander that the instructor has taught in two approved corrections training schools for a minimum total of twelve teaching hours within the past three years.

(2) Persons certified as special subject instructors shall renew their certificates every three years. At least sixty days and no more than ninety days prior to expiration of the certificate, the instructor shall file with the executive director an application for renewal on a form required by the executive director. The instructor shall also file:

(a) Written evidence from the educational or training facility where the instructor received the training documenting that the instructor has successfully completed within the past three years a minimum of eight clock hours of training in topics related to the commission-approved corrections curriculum, and

(b) Written evidence from the school commander or administrator that the instructor has taught in two approved corrections training schools for a minimum total of eight teaching hours within the past three years.

(E) Denial of certification, denial of or renewal of certification, or revocation of certification.

(1) Should the executive director refuse to issue or renew a certificate, or should the executive director suspend or revoke a certificate, the executive director shall notify the person in writing and, unless the decision is of a ministerial nature, shall advise the applicant that he or she may request a hearing before the commission as provided in sections [119.06](#) and [119.07](#) of the Revised Code.

(2) The commission shall conduct the hearing as required by sections [119.01](#) to [119.13](#) of the Revised Code.

(3) The executive director ~~may~~shall deny or revoke the certificate of any instructor for the following reasons:

(a) Failure to meet the minimum qualifications for instructor certification listed in divisions (A) and (B) of this rule;

- (~~ab~~) Failure to meet renewal criteria;
 - (~~bc~~) Failure to meet renewal deadline;
 - (~~ed~~) Submission of falsified records, application, or other documentation;
 - (~~de~~) Unacceptable performance evaluations;
 - (~~ef~~) Conviction of a felony, ~~or~~ crime of moral turpitude, offense of violence, sexually oriented or child-victim oriented offense, or any other peace officer disqualifying offense; or
 - (~~fg~~) Any other good cause shown.
- (4) The executive director may suspend the certification of any instructor that is charged with any felony, crime of moral turpitude, offense of violence, sexually oriented or child-victim oriented offense, or any other peace officer disqualifying offense. If an instructor's certification is revoked for any of the listed reasons, notice of this action shall be sent and any requested hearing shall be conducted as required in paragraph (D)(1) of this rule.

109:2-9-08 Attendance

(A) Attendance shall be required of each individual at all sessions of the school.

~~(A) When a student is absent for ten per cent or less of the hours of non-mandatory topics of the training school in which the student is enrolled, the commander may excuse the absences if, in the commander's judgment, the absences were for valid reasons, including but not limited to: illness of either the student or the student's immediate family or an emergency employment situation. The student shall provide the commander with written documentation listing the reason for the absence. The commander may require the student to make up the missed training to ensure that the student has the required mastery of the subjects taught during the school.~~

~~(B) If a student is absent for more than ten per cent of the hours of non-mandatory commission-required topics of the school, the student may complete the school but shall not be permitted to take the state examination.~~

~~(1) The student shall submit to the executive director a notarized statement setting forth the reasons for the absences and request to complete the training that was missed. Reasons for absence which the executive director may consider include but are not limited to illness of either the student or the student's immediate family, emergency employment situations or other valid reasons. The executive director shall rule on that request within fifteen calendar days of receipt of the request. If the request is granted, the executive director shall approve, in writing, the method of completing the training.~~

~~(2) If the request to complete the school is denied by the executive director, the executive director shall~~

~~(3) Notify the student in writing of this denial and shall advise the student that he or she may request a hearing before the commission as provided in sections 119.06 and 119.07 of the Revised Code. The commission shall conduct the hearing as required by sections 119.01 to 119.13 of the Revised Code.~~

~~(C) There shall be no excused absences from any topic designated by the executive director.~~

~~(B)~~ The commander shall be responsible for maintaining an accurate record of attendance for each person attending training. The commander shall forward such records to the executive director.

~~(C)~~ No person convicted of a felony shall be permitted to attend any portion of a training school approved by the executive director unless a request is made to the executive director from the chief executive officer of the appointing agency. Should the executive director refuse to grant the request, the executive director shall notify the person in writing of this denial and shall advise the person that he or she may request a hearing before the commission as provided in sections 119.06 and 119.07 of the Revised Code. The commission shall conduct the hearing as required by sections 119.01 to 119.13 of the Revised Code.

109:2-11-01 Definitions.

(A) The term "commission" means the Ohio peace officer training commission;

(B) The term "executive director" means the executive director of the Ohio peace officer training commission;

(C) The term "jailer training school commander" means the director or other head of a jailer training program which has been approved by the executive director;

(D) The term "jailer training" means the training described in rules [5120:1-10-18](#) and [5120:1-12-18](#) of the Administrative Code and other training which has been prescribed and approved by the executive director for persons described in this chapter;

(E) The term "~~five~~twelve-day facility" means a local confinement facility used primarily to detain adults for a maximum of ~~two~~one hundred ~~eighty-eight~~twenty hours;

(F) The term "twelve-hour facility" means a local confinement facility used primarily to detain adults for a maximum of twelve hours;

(G) The term "full-time corrections officers" means those persons whose sole job is to work in the jail area with prisoners within a ~~twelve~~five-day facility.

(H) The term "jail support staff" ~~has the same meaning as in rule 5120:1-7-02 of the Administrative Code means those persons whose job function does not reflect a primary responsibility for the security and/or supervision of prisoners within a five-day facility.~~

(I) The term "staff training within a twelve-hour facility" means at least one employee per shift, and all others who have been assigned direct responsibility of custody and supervision of prisoners shall receive training.

109:2-11-02 Jailer training for ~~five~~twelve-day and twelve-hour facilities.

(A) Who is required to complete jailer training.

(1) Those persons set out in paragraph (G) of rule [109:2-11-01](#) of the Administrative Code shall complete the training prescribed in paragraphs (A)(2) and (B)(2) of rule [5120:1-10-18](#) of the Administrative Code and any other training prescribed by the executive director during the first year of assignment.

(2) Those persons set out in paragraph (H) of rule [109:2-11-01](#) of the Administrative Code may complete the training prescribed in paragraph (B)(2) of rule [5120:1-10-18](#) of the Administrative Code and any other training prescribed by the executive director. Ohio peace officer training commission approved support staff training is optional for the local agency.

(3) Those persons set out in paragraph (I) of rule [109:2-11-01](#) of the Administrative Code may complete the training prescribed in paragraph (A)(2) of rule [5120:1-12-18](#) of the Administrative Code as follows and any other training prescribed by the executive director. Ohio peace officer training commission approved twelve-hour facility personnel training is optional for the local agency.

(B) It shall be clearly understood that the jailer training program described in this chapter is designed as a minimum program. The jailer training school commander is encouraged to exceed the minimum program wherever possible and appropriate.

(C) Instruction in such matters as departmental rules and regulations, local ordinances, personnel policies and procedures may be given entirely upon local initiative. No portion of the instructional time devoted to this training shall be credited against the hours of instruction required by rules [5120:1-10-18](#) and [5120:1-12-18](#) of the Administrative Code or by the executive director.

(D) The executive director shall specify topics, student performance objectives, and minimum hours of training to meet the training required for correctional officers/jail staff in rules [5120:1-10-18](#) and [5120:1-12-18](#) of the Administrative Code. The executive director may require topics, student performance objectives and minimum hours of training in addition to that training required for correctional officers/jail staff in rules [5120:1-10-18](#) and [5120:1-12-18](#) of the Administrative Code. The executive director may provide lesson plans to meet the above described training.

(E) After January 1, 2003, no person convicted of a felony shall be permitted to attend any portion of a training program approved by the executive director.

109:2-11-04 Approval of school commanders.

Each jailer training school commander is required to have the approval of the executive director to conduct a training program. Such approval will be based upon the submission of a notarized statement of qualifications by the person seeking approval to be designated a training school commander on a form prescribed by the executive director.

(A) Minimum qualifications for certification as a jailer training school commander shall be as follows:

(1) High school graduate or possession of a "General Education Development" certificate;

(2) Three professional references from law enforcement administrators of the rank of lieutenant or above;

(3) No convictions for a felony, ~~or~~ crime of moral turpitude, offense of violence, sexually oriented or child-victim oriented offense, or any other peace officer disqualifying offense.

(4) Completion of an Ohio peace officer training commission conference for jailer training school commanders.

(5) Completion of an instructor training program approved by the executive director which shall include the following: instruction in the theories of learning and adult education, teaching techniques, lesson plan development and usage, behavioral objectives, student evaluation and measurement, role playing, the use of audio-visual aids, and an exercise in practice teaching. Instructor training programs taught by the Ohio peace officer training academy, the Ohio department of education, the Ohio state highway patrol, a college or educational institution, or other programs which in the opinion of the executive director are equivalent will be acceptable; and;

(B) Upon receipt and verification of a notarized application form and completion of school commanders' conference, the executive director may issue a certificate to the school commander. Unless the decision is of a ministerial nature, ~~S~~hould the executive director refuse to issue a certificate, the executive director shall notify the applicant in writing and shall advise the applicant that he or she may request a hearing before the commission as provided in sections [119.06](#) and [119.07](#) of the Revised Code. The commission shall conduct the hearing as required by sections [119.01](#) to [119.13](#) of the Revised Code.

(C) A corrections training school commander approved under rule 109:2-09-04 of the Administrative Code may perform the functions of a jailer training school commander upon approval from the executive director.

(D) The executive director ~~may~~ shall deny or revoke the certificate of any jailer training school commander for the following reasons:

(7) Failure to meet the minimum qualifications for certification of a commander listed in division (A) of this rule

~~(24)~~ Unacceptable performance evaluations;

~~(32)~~ Conviction of a felony, a crime of moral turpitude, offense of violence, sexually oriented or child-victim oriented offense, or any other peace officer disqualifying offense;

~~(43)~~ Separation from the agency or institution for which the individual was approved to conduct the programs;

~~(54)~~ Failure to conduct a commission approved school within a five year period. This paragraph shall not apply if the individual can produce written verification that the need did not exist for such training within the given period;

~~(56)~~ Falsifying information to obtain a certificate;

~~(67)~~ Failure to attend two consecutive jailer training school commanders' conferences;

~~(78)~~ Violation of rules promulgated under Chapter 109:2-11 of the Administrative Code;

~~(89)~~ Submission of falsified records, application, or other documentation;

~~(910)~~ Allowing a person not approved as a school commander to function as a school commander;

~~(101)~~ For any other good cause shown.

(E) The executive director may suspend the certification of any commander that is charged with any felony, crime of moral turpitude, offense of violence, sexually oriented or child-victim oriented offense, or any other peace officer disqualifying offense.

~~(E)~~ Should the executive director suspend or revoke ~~the~~ certificate, the executive director shall notify the commander in writing of thise suspension or revocation and shall advise the commander that the commander may request a hearing before the commission as provided in sections 119.06 and 119.07 of the Revised Code. The commission shall conduct the hearing as required by sections 119.01 to 119.13 of the Revised Code.

109:2-11-05 Approval of instructors.

Each instructor is required to have the approval of the executive director. All persons requesting approval as an instructor shall submit a notarized statement of qualifications on a form provided by the executive director for each subject or unit of subjects for which the instructor is seeking approval.

(A) Minimum qualifications for unit instructor approval shall be as follows:

(1) High school graduate or possession of a "General Education Development" certificate;

(2) Five years of relevant full-time law enforcement experience ~~as a law enforcement officer~~ or three years of full-time experience as a corrections officer;

(3) Completion of a training program which will allow a person to gain specific knowledge and skills in a unit for which the person desires approval;

(4) Completion of an instructor training program approved by the executive director and consisting of a minimum of forty clock hours which shall include instruction in the theories of learning and adult education, teaching techniques, lesson plan development and usage, behavioral objectives, student evaluation and measurement, role playing, the use of audio-visual aids, and an exercise in practice teaching. Instructor training programs taught by the Ohio peace officer training academy, the Ohio department of education, the Ohio state highway patrol, a college or educational institution, or other programs which in the opinion of the executive director are equivalent will be acceptable.

(5) Recommendation of the jailer training school commander.

(B) Minimum qualifications for special subject instructor approval shall be as follows:

(1) A high school graduate or possession of a "General Education Development" certificate;

(2) Three years of combined experience and training in the subject area to be taught; or

(3) Recognition for occupational competency; and

(4) Recommendation of the jailer training school commander.

(C) Persons approved as special subject instructors shall be limited to no more than five topics in the commission approved jailer training curriculum.

(D) Renewal of unit and special subject instructor certificates.

(1) Persons approved as unit instructors shall renew their certificate every three years. At least sixty days and no more than ninety days before expiration of the certificate, the instructor shall file with the

executive director an application for renewal on a form required by the executive director. The instructor shall also file:

(a) Written evidence from the educational or training facility where the instructor received the training indicating successful completion of a minimum of eight clock hours of training in topics related to the commission approved jailer curriculum or to improve instructional abilities; and

(b) Written evidence from the jailer training school commander that the instructor has taught in one approved school for jailer training for a minimum total of eight teaching hours within the past three years.

(2) Persons approved as special subject instructors after the effective date of this rule shall renew their certificates every three years. At least sixty days and no more than ninety days before expiration of the certificate, the instructor shall file with the executive director an application for renewal on a form supplied by the executive director. The instructor shall also file:

(a) Written evidence from the jailer training school commander that the instructor has taught in one approved school for jailer training for a minimum total of four teaching hours within the past three years;

(b) Written evidence from the educational or training facility where the instructor received the training indicating successful completion of a minimum of four clock hours of training in topics related to the commission approved jailer curriculum or to improve instructional abilities, and;

(c) Copy of documentation showing current proficiency in assigned technical skill topics;

(3) A corrections training program unit or special subject instructor certified under rule 109:2-09-05 of the Administrative Code may perform the functions of a jailer training program unit or special subject instructor upon approval from the executive director.

(E) Denial of certificate, denial of renewal of certificate, [suspension of certificate](#) or revocation of certificate.

(1) [Unless the decision is of a ministerial nature](#), ~~S~~ should the executive director refuse to issue or renew a certificate, or should the executive director [suspend or](#) revoke a certificate, the executive director shall notify the person in writing and shall advise the applicant that he or she may request a hearing before the commission as provided in sections [119.06](#) and [119.07](#) of the Revised Code.

(2) The commission shall conduct the hearing as required by sections [119.01](#) to [119.13](#) of the Revised Code.

~~(3)~~ The executive director may suspend the certification of any instructor that is charged with any felony, crime of moral turpitude, offense of violence, sexually oriented or child-victim oriented offense, or any other peace officer disqualifying offense.

~~(3)~~ The executive director may deny or revoke the certificate of any instructor for the following reasons:

~~(a)~~ Failure to meet the minimum qualifications for instructor certification listed in divisions (A) and (B) of this rule;

~~(a)~~ Failure to meet renewal criteria;

~~(b)~~ Failure to meet renewal deadline;

~~(c)~~ Submission of falsified records, application, or other documentation;

~~(d)~~ Unacceptable performance evaluations;

~~(e)~~ Conviction of a felony, a crime of moral turpitude, an offense of violence, a sexually oriented or child-victim oriented offense, or any other peace officer disqualifying offense;

~~(f)~~ Any other good cause shown.

~~(4) If an instructor's certificate is revoked for any of the listed reasons, notice of this action shall be sent and any requested hearing shall be conducted as required in paragraph (E)(1) of this rule.~~

Comment [JRH1]: Redundant as (E)(1) says the same thing.

109:2-11-08 Attendance

~~(A)~~ Attendance shall be required of each individual at all sessions of the school.

~~(A)~~ When a student is absent for ten per cent or less of the hours of non-mandatory topics of the training school in which the student is enrolled, the commander may excuse the absences if, in the commander's judgment, the absences were for valid reasons, including but not limited to: illness of either the student or the student's immediate family or an emergency employment situation. The student shall provide the commander with written documentation listing the reason for absence. The commander may require the student to make up the missed training to ensure that the student has the required mastery of the subjects taught during the school.

~~(B)~~ If a student is absent for more than ten per cent of the hours of non-mandatory commission required topics of the school, the student may complete the school but shall not be permitted to take the state examination.

~~(1) The student shall submit to the executive director a notarized statement setting forth the reasons for the absences and request to complete the training that was missed. Reasons for absence which the executive director may consider include but are not limited to illness of either the student or the student's immediate family, emergency employment situations or other valid reasons. The executive director shall rule on the request within fifteen calendar days of receipt of the request. If the request is granted, the executive director shall approve, in writing, the method of completing the training.~~

~~(2) If the request to complete the school is denied by the executive director, the executive director shall notify the student in writing of this denial and shall advise the student that he or she may request a hearing before the commission as provided in sections 119.06 and 119.07 of the Revised Code. The commission shall conduct the hearing as required by sections 119.01 to 119.13 of the Revised Code.~~

~~(C) There shall be no excused absences from any topic designated as mandatory by the executive director.~~

~~(D) The commander shall be responsible for maintaining an accurate record of attendance for each person attending training. The commander shall forward such records to the executive director.~~

~~(E) No person convicted of a felony shall be permitted to attend any portion of a training school approved by the executive director unless a request is made to the executive director from the chief executive officer of the appointing agency. Should the executive director refuse to grant the request, the executive director shall notify the person in writing of this denial and shall advise the person that he or she may request a hearing before the commission as provided in sections 119.06 and 119.07 of the Revised Code. The commission shall conduct the hearing as required by sections 119.01 to 119.13 of the Revised Code.~~

109:2-11-11 Time requirements for certification, credit for prior equivalent training, and training requirements upon re-appointment.

(A) All persons described in paragraph (G) of rule [109:2-11-01](#) of the Administrative Code shall successfully complete training required for their position as prescribed in rule [5120:1-10-18](#) of the Administrative Code as well as any other training prescribed by the executive director.

(B) Persons described in paragraphs (H) and (I) of rule [109:2-11-01](#) of the Administrative Code may complete the training prescribed in rule [5120:1-10-18](#) and [5120:1-12-18](#) of the Administrative Code and as is prescribed by the executive director. Ohio peace officer training commission approved training for the persons described in this paragraph is optional for the local agency.

(C) Credit for prior equivalent training or education.

(1) An individual who has successfully completed prior training or education, other than basic training for ~~five~~twelve-day or twelve-hour facility corrections officers under the auspices of the Ohio peace

officer training commission, and who is required to complete the jailer training school as prescribed in rule [5120:1-10-18](#) or [5120:1-12-18](#) of the Administrative Code may request credit for that portion of the curriculum which is equal to training previously completed. Training or education which will be accepted may include, but is not limited to; training or education certified by another state; another government agency; a branch of the military service; the state highway patrol; or a college, university, or other educational institution.

(2) The applicant shall provide to the executive director documented evidence of the training. The executive director shall review the record of the prior training or education and make a determination of the training the person shall be required to complete in a commission approved jailer training school.

(3) Persons who have received training in ~~unarmed self defense~~[subject control](#) within the previous two years may petition for waiver of that training with proper documentation.

(4) Persons holding current, nationally recognized first aid and CPR cards may petition for waiver of that training with proper documentation.

(5) No credit shall be given under this rule for experience which is not part of a formal training or educational program.

(6) If the applicant disputes any of the training assigned by the executive director, he or she may request a hearing before the commission as provided in section [119.06](#) or [119.07](#) of the Revised Code. The commission shall conduct the hearing as required by sections [119.01](#) to [119.13](#) of the Revised Code.

(D) Re-appointment, training requirements

(1) Upon appointing a person to a corrections officer position as described in rule [109:2-11-01\(G\)](#) or (I) of the Administrative Code, the appointing agency shall submit a request for the executive director to evaluate the officer's training and eligibility to perform the functions of a corrections officer. Such request will be made on a form provided by the executive director and shall be submitted immediately upon appointing the officer.

(2) All persons who have completed required training and who have not been appointed as a corrections officer for less than one year may maintain their eligibility for re-appointment provided no specialized training has been mandated. If specialized training has been mandated, the specialized training shall be completed within one year of re-appointment.

(3) All persons who have completed required training and who have not been appointed as a corrections officer for one year or more but less than four years shall, within one year of re-appointment, successfully complete any specialized training, any training deemed appropriate by the appointing authority, and successfully complete the state examination as prescribed in rule [109:2-11-10](#) of the Administrative Code.

(4) All persons who have completed required training and who have not been appointed as a corrections officer for more than four years shall, upon re-appointment, complete entry level training required of their position as prescribed in rule [109:2-11-02](#) of the Administrative Code.

All interested parties are invited to attend the hearing and present oral and/or written testimony. Written comments may also be submitted prior to the hearing to the attention of Donna Long, Ohio Peace Officer Training Commission, P.O. Box 309, London, Ohio 43140 or donna.long@ohioattorneygeneral.gov no later than Friday, May 9, 2014.

A copy of the proposed rules may be obtained from the Attorney General's website (OhioAttorneyGeneral.gov) or by calling 614-728-7275 or 800-282-0515. TTY users, please call Relay Ohio at 800-325-2223.