



CRIMINAL JUSTICE STANDARDS AND TRAINING COMMISSION

RULES AND FORMS EFFECTIVE: 7/2024 ~~7/2023~~

2023-2024 ~~2022-2023~~ PROPOSED RULE REVISIONS

The 2023-2024 Proposed Rules are indicated with ~~strike-throughs~~ and underlining in **RED** with Comment boxes in **BLACK** text, effective 7/2024.

The Link to: [RULES INDEX](#)

Rule Chapter

SALARY INCENTIVE PROGRAM

State Website: <https://www.flrules.org/gateway/RuleNo.asp?ID=11B-14>

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CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND

State Website: <https://www.flrules.org/gateway/ChapterHome.asp?Chapter=11B-18>

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CERTIFICATION OF CRIMINAL JUSTICE TRAINING INSTRUCTORS

State Website: <https://www.flrules.org/gateway/ChapterHome.asp?Chapter=11B-20>

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CERTIFICATION OF CRIMINAL JUSTICE TRAINING SCHOOLS

State Website: <https://www.flrules.org/gateway/ChapterHome.asp?Chapter=11B-21>

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CERTIFICATION AND EMPLOYMENT OR APPOINTMENT

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STATE OFFICER CERTIFICATION EXAMINATION

State Website: <https://www.flrules.org/gateway/ChapterHome.asp?Chapter=11B-30>

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TRAINING PROGRAMS

State Website: <https://www.flrules.org/gateway/ChapterHome.asp?Chapter=11B-35>

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CJSTC FORMS ON FDLE WEBSITE

<http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>

Bureau of Administrative Code Website

<https://www.flrules.org/gateway/Division.asp?DivID=20>

Note: In March 2020, JAPC approved the removal of "cms" throughout specific areas of the rule text and CJSTC forms.

Salary Incentive Program		Chapter 11B-14
4 RULE TITLES:		RULE NOS.:
5 1. Definitions.		<u>11B-14.001</u>
6 2. General Program Provisions.		<u>11B-14.002</u>
7 3. Authorized Salary Incentive Payments.		<u>11B-14.003</u>
8 4. Annual Salary Incentive Compensation Report.		<u>11B-14.005</u>

11B-14.001 Definitions. For the purpose of this rule chapter, the definitions of "employing agency," "law enforcement officer," "correctional officer," "correctional probation officer," and "Commission," pursuant to Section 943.10, F.S., and the definitions of "community college degree or equivalent," "bachelor's degree," and "accredited college or university or community college," pursuant to Section 943.22, F.S., shall be deemed controlling. The definition of "law enforcement officer" also includes those elected officers who, pursuant to Section 943.253, F.S., choose to participate in the Salary Incentive Program. In addition, for the purpose of this rule chapter, the term "officer" is limited to include "law enforcement officer," "correctional officer," or "correctional probation officer," pursuant to Section 943.10(14), F.S. Further, in order to provide effectively for the administration of the Salary Incentive Program, certain additional definitions are necessary, therefore, the following words or phrases shall have these meanings:

22 (2) "Federal or Private Training" means a Commission-approved training program that enhances an officer's
23 knowledge, skills, and abilities for the job performed and is approved by the Commission for salary incentive
24 payment. Commission-approved Federal or Private Training Programs are listed in subsection 11B-14.002(4),
25 F.A.C.

26 (3) "Advanced Training Course" means a course in the Commission-approved Advanced Training Program
27 that enhances an officer's knowledge, skills, and abilities for the job performed, pursuant to Section 943.17(1)(c),
28 F.S.

29 (4) "Annual Salary Incentive Compensation Report" means "a computerized report prepared annually," that
30 lists for each agency the name of its officers, date of employment, and correct monthly payments by the type of
31 salary incentive an officer is eligible to receive, and contains the required signature lines, pursuant to Section
32 943.22(2)(i), F.S.

(5) "Officer" means an individual who meets the statutory requirements pursuant to Section 943.13, F.S.

34 (6) "Educational Training" means an associate's degree, equivalent, or bachelor's degree pursuant to Sections
35 943.22(2)(b), (c), F.S.

36 (7) "ATMS" means the Commission's Automated Training Management System.

37 (8) "Basic Recruit Training Program" means Commission-approved Basic Recruit Training Programs for law
38 enforcement, correctional, and correctional probation officers.

43 (10) "ATMS Global Profile Sheet" means a continuous record of criminal justice officer employment, salary
44 incentive, mandatory training, certifications, instructor topics, examination records, equivalency of training
45 exemption, and officer training generated from the Automated Training Management System.

46 Specific Authority 943.03(4), 943.12(1), 943.22(2)(h) FS. Law Implemented 943.22 FS. History-New 8-19-72,
47 Repromulgated 1-5-75, Amended 1-13-81, 5-16-83, 9-1-83, 1-7-85, Formerly 11B-14.01, Amended 7-13-87,
48 9-3-87, 12-13-92, 1-2-97, 7-7-99, 11-5-02, 11-30-04, 3-13-13, 7-19-17, 8-15-18.

49 **11B-14.002 General Program Provisions.**

50 (1) Section 943.22, F.S., establishes the Salary Incentive Program requirements for continued professional
51 development of a full-time officer who is eligible to receive maximum aggregate monthly salary incentive payments
52 in the amount of \$130 for completion of Commission-approved Advanced and Career Development Training
53 Program Courses, Federal or Private Training Programs, Educational Training, and Commission-approved Law
54 Enforcement Basic Recruit Training Programs pursuant to Section 943.22 (2)(a), F.S.

55 (2) Career Development Training Program Course, as defined in subsection 11B-14.001(1), F.A.C., and
56 Advanced Training Program Course, as defined in subsection 11B-14.001(3), F.A.C., that have been successfully
57 completed, as defined in subsection 11B-14.001(9), F.A.C., by eligible officers, shall be verified by the training
58 center director or designee, as defined in paragraph 11B-21.005(8)(a), F.A.C. To verify successful completion of a
59 Commission-approved Advanced or Career Development Training Program Course and to authorize salary incentive
60 payments, a Training Report, form CJSTC-67, revised November 5, 2015, effective 9/2016, hereby incorporated by
61 reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-07373>, shall be electronically transmitted to
62 Commission staff through the Commission's ATMS. Form CJSTC-67 can be obtained at the following FDLE
63 Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx> or by contacting Commission staff at
64 (850) 410-8615.

65 (3) Pursuant to Section 943.17, F.S., Commission staff shall award 40 hours of advanced training credit for
66 each 40 hours of criminal justice executive or management training successfully completed and approved by the
67 Commission. Eligible officers who request to receive salary incentive payments for programs listed in paragraphs
68 (4)(a)–(v) below, shall submit to Commission staff a written request from the officer's agency administrator and
69 submit a copy of the officer's Certificate of Completion that indicates the hours completed.

70 (4) The following Commission-approved federal or private training is recognized as training that enhances an
71 officer's knowledge, skills, and abilities for the job performed. Individuals successfully completing federal or
72 private training shall submit documentation to Commission staff for determination of course completion eligibility
73 entitling the individual to receive salary incentive payments. However, the cost is not approved for expenditure
74 from the Criminal Justice Standards and Training Trust Fund Officer Training Monies pursuant to subsection
75 11B-18.0053(3), F.A.C.:

Federal or Private Training	Code	Hours
(a) Federal Bureau of Investigation's National Academy	700	320
(b) S.P.I. Administrative Officers' Course	701	320
(c) National Institute of Corrections	702	320
(d) Police Executive Institute	703	320
(e) National Sheriff's Institute	704	320
(f) Northwestern Traffic Institute	705	320
(g) Federal Bureau of Prisons	706	320
(h) IPTM Principles of Police Management	707	80
(i) IPTM Police Traffic Management	708	80
(j) IPTM Supervising a Selective Traffic Law Enforcement Program	709	40
(k) IPTM Police Executive Development	710	40
(l) IPTM Electronic Spreadsheet for the Police Manager	711	40
(m) Federal Bureau of Investigation's National Executive Institute	712	80
(n) Senior Management Institute for Police	713	80
(o) S.P.I. Police Executive Development	714	80
(p) N.I.C. Planning of New Institutions	715	40
(q) N.I.C. ACM: Managing the Organization	716	80
(r) N.I.C. Correctional Management	717	80
(s) N.I.C. Training for Staff Trainers	718	40
(t) N.I.C. Legal Issues for Institutional Personnel	719	40
(u) FDLE Senior Leadership Program	720	320
(v) S.P.I. Command Officer Development	721	400

76

- 77 (5) Training Salary Incentive Payments.
- 78 (a) Full-time officers are eligible to receive training salary incentive payment based on their date of
79 certification, provided the officer notifies the agency of his or her eligibility to receive salary incentive payments.
80 The date of eligibility for salary incentive payments shall be:
- 81 1. Determined by the date of "successful completion," defined in subsection 11B-14.001(9), F.A.C., of a
82 Commission-approved training course indicated on the ATMS Global Profile Sheet or the date of certification,
83 whichever date is later; or
- 84 2. Determined by the date indicated on a Commission-approved training Certificate(s) of Completion, or the
85 date of certification, whichever is later; and.
- 86 3. No other date shall be used to calculate training salary incentive payments.
- 87 (b) The initial salary incentive payment paid to local officers shall be pro-rated or no payment paid for the
88 initial month of eligibility. Salary incentive payments paid to officers employed by the State of Florida shall begin
89 in the first full calendar month following the initial date of eligibility.
- 90 (c) An officer who has been previously employed by another agency shall be paid salary incentive payments
91 beginning on the day the officer becomes employed by an agency.
- 92 (d) Salary incentive monies for Commission-approved Advanced Training Program Courses are transferable
93 from one discipline to another.
- 94 (6) Educational Salary Incentive Payments.
- 95 (a) State Officers. Educational salary incentive payments shall not be paid to state officers whose class
96 specifications require a minimum of a 4-year degree or higher, pursuant to Section 943.22(2)(e), F.S.
- 97 (b) The employing agency is responsible for ensuring that the documents submitted for educational salary
98 incentive payments are authentic and accurately reflect the credit given for academic courses successfully completed
99 by the officer, and shall submit or electronically transmit to Commission staff through the Commission's ATMS a
100 completed Higher Education for Salary Incentive Report, form CJSTC-63, revised August 13, 2020, effective
101 5/2021, hereby incorporated by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-13122>. Form
102 CJSTC-63 can be obtained at the following FDLE Internet address:
103 http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx, or by contacting Commission staff at (850) 410-8615.
- 104 (c) Educational salary incentive payments shall begin on or after the date of notice of eligibility indicated on
105 the transcript approval or the date of certification, whichever is later, pursuant to Section 943.22(2)(f), F.S., and no
106 other date shall be used to calculate educational salary incentive payments.
- 107 (d) The employing agency shall obtain an official sealed transcript directly from the educational institution
108 conferring the degree, or providing the academic credit for successful completion of courses. The employing
109 agency shall not forward the transcript to Commission staff.
- 110 (7) Retroactive salary incentive payments are not authorized, pursuant to Section 943.22(2)(f), F.S.
- 111 (a) Retroactive salary incentive payments are not paid to an officer for any training courses completed prior to
112 certification.
- 113 (b) Retroactive educational salary incentive payments are not paid to an officer prior to the officer providing
114 notification of eligibility to the employing agency.
- 115 (8) Agency financial records shall be maintained to separately identify gross salary and salary incentive
116 payments.
- 117 (9) The employing agency shall maintain all documents related to salary incentive eligibility and payments in
118 the officer's file.
- 119

120 (10) Officer Suspension or leave of absence. When an officer is suspended without pay, or takes any leave of
121 absence without pay, the salary incentive payment for the month in which the suspension or leave of absence occurs,
122 shall be pro-rated by the number of days or hours paid within the pay period. Salary incentive payments for
123 subsequent months shall be withheld. When the officer returns to employment, salary incentive payments shall
124 resume and continue beginning on the date the officer returns to employment.

125 (11) Separating State and Local Officers. Salary incentive payments paid to separating state and local officers
126 shall be pro-rated by the number of days or hours worked within the month of separation.

127 (12) Workers' compensation. An officer that is paid while on workers' compensation is entitled to salary
128 incentive payments in the same proportion as a paid salary, pursuant to Section 943.22(2)(h), F.S.

129 (13) In the event a state agency is not making the required salary incentive payment to an eligible officer, the
130 Commission shall notify the Executive Office of the Governor of the discrepancy and request that appropriate action
131 be taken to ensure compliance, pursuant to Section 943.22(2)(j), F.S.

132 (14) Sheriffs eligible to qualify for special qualification salary, pursuant to Sections 943.253, F.S., and 145.071,
133 F.S., are authorized to request salary incentive payment pursuant to Section 943.22(2)(d), F.S., and shall be entitled
134 to salary incentive payment under the programs provided in subsection (3) of this rule section. However, any
135 executive or management courses completed to satisfy the requirements of Section 145.071, F.S., regarding special
136 qualification salary for sheriffs, shall not be credited for salary incentive payments. Documentation shall be
137 provided to sheriffs, by Commission staff, that verifies the number of hours credited for salary incentive payments
138 pursuant to Section 943.22(2)(d), F.S., and the number of hours credited toward continuing education pursuant to
139 Section 145.071(2)(c), F.S.

140 (15) All forms referenced in this rule chapter may be obtained on the following web site:
141 <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx> or by contacting the Florida Department of Law
142 Enforcement, Criminal Justice Professionalism Program, Post Office Box 1489, Tallahassee, Florida 32302-1489,
143 Attention: Bureau of Standards, Forms Liaison.

144 Rulemaking Authority 943.03(4), 943.12(1), 943.22(2)(h) FS. Law Implemented 943.22 FS. History- New 10-16-
145 78, Amended 9-11-79, 1-13-81, 5-16-83, 1-7-85, Formerly 11B-14.02, Amended 7-13-87, 9-3-87, 5-23-88, 5-14-92,
146 12-13-92, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 3-13-13, 7-29-15, 9-4-16,
147 7-19-17, 5-20-21.

148

149 **11B-14.003 Authorized Salary Incentive Payments.** Full-time law enforcement, correctional, and
150 correctional probation officers satisfying the certification requirements of Section 943.13, F.S., who are not
151 excluded from eligibility pursuant to Section 943.22(4), F.S., shall be eligible to participate in the Salary Incentive
152 Program.

153 (1) Pursuant to Section 943.22(2)(a), F.S., the sum of \$25 each month for basic salary incentive payments shall
154 be paid to a full-time law enforcement, or a concurrently certified officer who was initially certified and employed
155 as a law enforcement officer before July 1, 1980. Additionally, upon the reactivation of certification, an individual
156 eligible as specified in this subsection shall again be entitled to basic salary incentive payments. A correctional or
157 correctional probation officer shall not be entitled to basic salary incentive payments, regardless of their
158 employment or certification date.

159 (2) Pursuant to Section 943.22(2)(b) and (c), F.S., the maximum amount of educational salary incentive
160 payments an officer may receive shall be limited to \$80 each month for a bachelor or higher degree. Full-time
161 officers who possess an associate degree or equivalent, or a higher degree from an accredited post-secondary
162 institution, are eligible for educational salary incentive payments. However, state officers whose job class
163 specifications require a four-year degree are not eligible to receive educational salary incentive payment pursuant to
164 Section 943.22(2)(c), F.S. Pursuant to Section 943.22, F.S., the employing agency is responsible for verifying that
165 the accrediting association is recognized.

166 (3) Section 943.22(1)(c), F.S., defines an associate college degree or equivalent as "graduation from an
167 accredited community college or successful completion of 60 semester hours or 90 quarter hours and eligibility to
168 receive an associate degree." To qualify for educational salary incentive payment, a letter from the awarding
169 institution shall be submitted to the employing agency, defined in Section 943.10, F.S., stating that the hours
170 completed by the officer are equivalent to a two-year degree and would qualify the officer for a degree if the
171 institution had a two-year degree program.

172 (4) Pursuant to Section 943.22(2)(d), F.S., officers shall receive the sum of \$20 each month for each
173 successfully completed 80-hour unit of Commission-approved Advanced or Career Development Training, which
174 has been verified by the employing agency, defined in Section 943.10, F.S., through the Commission's ATMS.
175 Commission staff shall recognize, only once, the successful completion of any specific training course for salary
176 incentive payment. Officers who elect to use Commission-approved Advanced or Career Development Training
177 Courses as credit toward a two or four year degree, for which the officer would receive educational salary incentive
178 payment, shall not receive advanced or career development salary incentive payment for the same courses.
179 Agencies shall review the educational transcripts submitted for educational salary incentive to ensure there is no
180 duplication of payment.

181 (5) The maximum amount of salary incentive payments an officer is entitled to receive each month is based on
182 the completion of the following Commission-approved training:

Commission-approved Training	Maximum Salary Incentive Payment
(a) Basic Recruit Training for law enforcement officers initially certified and employed before July 1, 1980.	\$25.00
(b) Career Development Training Program Courses on or before June 30, 1985 Advanced Training Program Courses on or after July 1, 1985 Federal or Private Training.	\$120 maximum
(c) Educational Training, if applicable	\$30 for a two-year degree \$80 for a four-year degree
(d) Combination of Training and Education	\$130 maximum

183 Rulemaking Authority 943.03(4), 943.12(1), 943.22(2)(h) FS. Law Implemented 943.22 FS. History-New 9-11-79,
184 Amended 1-13-81, 5-16-83, 9-1-83, 4-26-84, 1-7-85, Formerly 11B-14.03, Amended 7-13-87, 1-2-97, 7-7-99, 8-22-
185 00, 11-5-02, 11-30-04, 3-21-07, 3-13-13, 5-5-20.

186

187 **11B-14.005 Annual Salary Incentive Compensation Report.**

188 (1) Employing agencies, defined in Section 943.10(4), F.S., shall be responsible for the correct salary incentive
189 payments to full-time officers pursuant to Section 943.22(2)(j), F.S., and shall annually submit to the Commission a
190 Salary Incentive Compensation Report that contains information relative to compensation of full-time officers
191 pursuant to Section 943.22(2)(l), F.S.

192 (2) Salary incentive courses successfully completed by an officer are reported on the Annual Salary Incentive
193 Compensation Report and are denoted by a code that corresponds with the course code reported by a Commission-
194 certified training school, defined in Section 943.10(16), F.S., or a code that corresponds with federal or private
195 training.

196 (3)(a) The active Commission-approved Advanced Training Program Courses approved for salary incentive
197 payments are listed on the Active CJSTC Curricula web page at
198 <http://www.fdle.state.fl.us/CJSTC/Curriculum/Active-Courses.aspx>.

199 (b) The following inactive Advanced Training Program Courses were eligible for salary incentive payments for
200 the dates as indicated:

	Course Title	Course Code	Course Hours	Inactive
1.	Refresher	003	40	11/1/79
2.	Intermediate	004	80	11/1/79
3.	Advanced	005	40	11/1/79
4.	Middle Management	007	40	10/1/06
5.	Executive Development: Base	008	40	10/1/85
6.	The Nature of Management Responsibilities	009	40	7/1/88
7.	Developing a Philosophy of Management	010	40	7/1/88
8.	Instructor Techniques, effective 10/1/79	015	40	10/1/85
9.	Crime Scene Procedure	017	40	7/1/88
10.	General Criminal Investigation Techniques	018	40	7/1/88
11.	Criminal Law	019	40	9/4/16
12.	Officer Skills Improvement and Stress Reduction	028	40	7/1/88
13.	Police Officer Procedures and Techniques	029	40	7/1/88
14.	Introduction to Police Operations and Leadership	030	40	7/1/88
15.	Crime Scene Photography, effective 7/1/85	031	40	7/1/88
16.	Sex Crimes Investigations	033	40	9/4/16
17.	Crimes Against Property	034	40	7/1/88
18.	Confidential Informants and Other Source of Information	035	40	7/1/88
19.	Crime Prevention	037	40	7/1/88
20.	Traffic Accident Investigation	038	40	7/1/88
21.	Traffic Homicide Investigation	039	40	7/1/98
22.	Surveillance Techniques	040	40	7/1/88
23.	Environmental Law Enforcement and Investigation	041	40	10/1/85
24.	Marine Enforcement and Investigation	042	40	7/1/88
25.	Economic Crimes - An Overview	043	40	7/1/88
26.	Economic Crimes - Crime Scheme Identification	044	40	10/1/85
27.	Economic Crimes - Frauds and Schemes	045	40	7/1/88
28.	Economic Crimes - Tangible Property Frauds and Schemes	046	40	10/24/86
29.	Crimes Against Persons	048	40	7/1/88
30.	Tactical Police Driving	049	40	7/1/88
31.	Field Training Officer	051	40	7/1/02
32.	Crime and the Elderly	052	40	7/1/88
33.	Organized Crime	054	40	9/4/16
34.	Radar Speed Measurement Training Course for Law Enforcement Officers	055	40	12/31/06
35.	Supervision of the Youthful Offender	058	40	9/4/16

201

36.	Correctional Operations	059	40	7/1/88
37.	Counseling and Communication Skills Program	060	40	7/1/88
38.	Supervisory Training - See Course 006	061	40	10/1/85
39.	Management Training - See Course 007	062	40	10/1/85
40.	Crisis Management Training - See Course 053	063	40	10/1/85
41.	Stress Awareness and Resolution - See Course 050	064	40	10/1/85
42.	Self Defense and Use of Force	065	40	7/1/88
43.	First Responder to Medical Emergencies	066	40	7/1/91
44.	Firearms Qualification	067	40	9/30/83
45.	Residential Security	069	40	7/1/88
46.	Commercial Security	070	40	7/1/88
47.	Developing and Managing Crime Prevention Programs	071	40	7/1/88
48.	Firefighting for Correctional Officers	072	40	9/4/16
49.	Community and Human Relations	073	40	9/4/16
50.	Community Relations	075	40	10/24/86
51.	Health Training	076	40	10/1/85
52.	Proficiency Skills Enhancement, effective 4/25/85	078	40	7/1/88
53.	Prevention of Delinquency and Juvenile Victimization, effective 4/25/85	079	40	7/1/88
54.	Computers and Technology in Criminal Justice	080	40	9/4/16
55.	Instructor Techniques, effective 7/1/85	081	80	7/1/88
56.	Foreign Language Skills, effective 7/25/85	082	80	7/1/88
57.	Advanced Neighborhood Watch, effective 7/25/85	083	40	7/1/88
58.	Models for Management	084	40	7/1/87
59.	Background Investigations	086	40	7/1/88
60.	Investment in Excellence, effective 3/17/86	089	40	7/1/88
61.	Fingerprints Science, effective 10/24/86	092	120	7/1/88
62.	Laser Speed Measurement Operators Course for Law Enforcement Officers	095	40	12/31/06
63.	Learning To Supervise, effective 4/25/85	200	40	7/1/88
64.	Learning To Manage, effective 4/25/85	201	40	7/1/88
65.	Computer Crimes Investigations	1153	40	9/4/16
66.	Financial Fraud Investigations	1154	40	9/4/16
67.	Managing and Communicating With Inmates and Offenders	1161	40	9/4/16
68.	Inmate Manipulation	1164	60	9/4/16
69.	Investigating Crimes Against Children	1187	40	9/4/16
70.	Field Training Officer Course for Correctional Probation Officers	1188	40	9/4/16

203 Rulemaking Authority 943.03(4), 943.12(1), 943.22(2)(i) FS. Law Implemented 943.22 FS. History—New 11-5-02.

204 Amended 11-30-04, 6-9-08, 3-13-13, 8-15-18.

205	Criminal Justice Standards and Training Trust Fund	Chapter 11B-18
206	RULE TITLES:	RULE NOS.:
207	1. Operational Definitions.	<u>11B-18.003</u>
208	2. Regional Training Areas.	<u>11B-18.004</u>
209	3. Establishment of Regional Training Councils.	<u>11B-18.005</u>
210	4. Regional Training Council Meetings.	<u>11B-18.0051</u>
211	5. Development of Budgets.	<u>11B-18.0052</u>
212	6. Officer Training Monies Budget and Expenditure Categories.	<u>11B-18.0053</u>
213	7. Development of Officer Training Monies Budgets and Required Reports.	<u>11B-18.0071</u>
214	8. Areas of Responsibility.	<u>11B-18.008</u>
215	9. Applicability, Contractual Obligations.	<u>11B-18.009</u>
216	10. Criminal Justice Standards and Training Commission Fiscal Program Audits and Instruction and Facility Evaluations.	<u>11B-18.010</u>

218 **11B-18.003 Operational Definitions.** For the purpose of this rule chapter, the definitions of "Auxiliary Law
 219 Enforcement Officer," "Auxiliary Correctional Officer," "Auxiliary Correctional Probation Officer," "Commission,"
 220 "Correctional Officer," "Correctional Probation Officer," "Criminal Justice Training School," "Commission staff,"
 221 "Program," "Employing Agency," "Law Enforcement Officer," "Officer," "Part-time Law Enforcement Officer,"
 222 "Part-time Correctional Officer," "Part-time Correctional Probation Officer," "Private Criminal Justice Training
 223 School," "Public Criminal Justice Training School," "Support Personnel," and "Training Center Director," pursuant
 224 to Section 943.10, F.S., shall apply. The operational definitions are as follows:

225 (1) "Advanced Training Program" means Commission-approved courses that are limited to training that
 226 enhances an officer's knowledge, skills, and abilities for the job an officer performs pursuant to paragraph Section
 227 943.17(1)(b), F.S.

228 (2) "Budget Amendment" means a transfer of funds from one budget category to another budget category
 229 within an approved regional training budget.

230 (3) "Budget Cycle" means the process and procedure for the development, preparation, review, approval,
 231 implementation, or execution of a regional training budget, and is identified with a fiscal year beginning July 1, and
 232 ending June 30 of the following calendar year.

233 (4) "Regional Training Council" means a Local Regional Training Council or a State Regional Training
 234 Council established in this rule chapter pursuant to Section 943.25(4), F.S.

235 (5) "Criminal Justice Standards and Training Trust Fund" means "Officer Training Monies" appropriated by
 236 the Legislature to provide Commission-approved Advanced and Specialized Training Program Courses for law
 237 enforcement, correctional, and correctional probation officers pursuant to Section 943.25(2), F.S.

238 (6) "Department" means the Florida Department of Law Enforcement pursuant to Section 943.02(1), F.S.

239 (7) "Distribution Formula" means the Commission-approved distribution formula established in this rule
 240 chapter used to calculate the distribution of Officer Training Monies to the training regions pursuant to Section
 241 943.25(4)(b), F.S.

242 (8) "Encumbered Funds" means Officer Training Monies that have been obligated during a given fiscal year by
 243 proper execution of a purchase order or other formal agreement that is enforceable as a contract for disbursement of
 244 those funds.

245 (9) "Fiscal Year" means July 1 of one year through June 30 of the next year.

246 (10) "Local Regional Training Council" means a Regional Training Council established pursuant to Section
 247 943.25(4), F.S., and is composed of representatives of Commission-certified training schools, and local law
 248 enforcement and local correctional agencies within a region.

249 (11) "Operating Budget" means an approved regional budget that includes proposed expenditures for a given
250 fiscal year in the categories of administrative expenditures, training costs, and operating capital outlay.

251 (12) "Personal Property" means all things other than real property that are subject to ownership.

252 (13) "Programmatic Change" means any change made within a budget category.

253 (14) "Real Property" means land, and generally whatever is erected or growing upon or affixed to the land.

254 (15) "Reciprocal Payment" means reimbursement to a region for the expense of training a trainee from another
255 region pursuant to Section 943.25(5)(a), F.S.

256 (16) "Fiscal Agent" means the person(s) appointed or approved by a training center director(s) or Regional
257 Training Council, who is responsible for providing fiscal assistance and expertise to the Regional Training
258 Council(s) and school(s). The fiscal agent is responsible for the records, accountings, and other materials or
259 information regarding expenditures from Officer Training Monies.

260 (17) "Specialized Training Program Courses," defined in Rule 11B-35.007, F.A.C., are Commission-approved
261 courses delivered through a Commission-certified training school, that demonstrate job relevance, instructional
262 quality, and training needed at the local level.

263 (18) "State Regional Training Councils" means the two training councils, one of which is comprised of
264 representatives from state law enforcement agencies, and the other from the Florida Department of Corrections.

265 (19) "Year End Fiscal Report" means the report prepared at the close of the budget cycle, which is used to
266 advise Commission staff and the Commission of all expended, encumbered, and unexpended Officer Training
267 Monies within the operating budget.

268 (20) "Expenditure Formula" means the formula established by the Commission specifying the expenditure of a
269 training region's budget.

270 (21) "Emergency Budget Amendment" means a transfer of Officer Training Monies from one budget category
271 to another budget category, which requires a revision to the expenditure formula.

272 (22) "Advanced Training Course" on or after July 1, 1985, means a Commission-approved Advanced Training
273 Program Course that enhances an officer's knowledge, skills, and abilities for the job performed, pursuant to Section
274 943.17(1)(b), F.S., and for the purpose of this rule chapter, means Commission-approved Training Program Courses.

275 (23) "Commission-certified training school" means a training school pursuant to Section 943.10(16), F.S.

276 (24) "Training funded with Officer Training Monies" means Commission-approved Advanced and Specialized
277 Training Program Courses funded in whole or in part with Officer Training Monies.

278 (25) "Student fees funded with Officer Training Monies" means payment for tuition, lab fees, and other related
279 fees, for Commission-approved Advanced and Specialized Training Program Courses that have been approved by an
280 accredited college or school district, as defined in Section 943.22, F.S.

281 Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.12(5), 943.25(3) FS. (Supp. 1998).
282 History—New 1-13-81, Amended 7-28-82, 1-26-83, 1-7-85, 1-28-86, Formerly 11B-18.03, Amended 7-13-87, 5-23-
283 88, 12-13-92, 1-2-97, 7-7-99, 8-22-00, 11-5-02, 11-30-04, 3-13-13.

284 **11B-18.004 Regional Training Areas.** For the purposes of Officer Training Monies activities, sixteen regional
285 training areas comprised of the criminal justice agencies and Commission-certified training schools located within
286 each regional training area are established. The names of the Commission-certified training schools can be obtained
287 at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Training-Resources/Training-Centers.aspx> or by contacting Commission staff at (850)410-8615. The following sixteen regional training areas are
288 established:

290 (1) Region I. Criminal justice agencies and Commission-certified training schools within Escambia, Santa Rosa,
291 Okaloosa, and Walton counties, and the State Attorney's Office for the First Judicial Circuit.

292 (2) Region II. Criminal justice agencies and Commission-certified training schools within Holmes, Washington,
293 Bay, Jackson, Calhoun, and Gulf counties, and the State Attorney's Office for the Fourteenth Judicial Circuit.

294 (3) Region III. Criminal justice agencies and Commission-certified training schools within Gadsden, Liberty,
295 Franklin, Leon, Wakulla, and Jefferson counties, and the State Attorney's Office for the Second Judicial Circuit.

296 (4) Region IV. Criminal justice agencies and Commission-certified training schools within Madison, Taylor,
297 Hamilton, Suwannee, Lafayette, Dixie, Columbia, Gilchrist, Baker, Union, Bradford, and Alachua counties, and the
298 State Attorney's Office for the Third and Eighth Judicial Circuits.

299 (5) Region V. Criminal justice agencies and Commission-certified training schools within Nassau, Duval, Clay,
300 Putnam, and St. Johns counties, and the State Attorney's Office for the Fourth Judicial Circuit.

301 (6) Region VI. Criminal justice agencies and Commission-certified training schools within Levy, Citrus,
302 Hernando, Marion, and Sumter counties, and the State Attorney's Office for the Fifth Judicial Circuit.

303 (7) Region VII. Criminal justice agencies and Commission-certified training schools within Lake, Volusia,
304 Seminole, Orange, Osceola, Brevard, and Flagler counties, and the State Attorney's Office for the Seventh, Ninth,
305 and Eighteenth Judicial Circuits.

306 (8) Region VIII. Criminal justice agencies and Commission-certified training schools within Polk, Hardee,
307 DeSoto, and Highlands counties, and the State Attorney's Office for the Tenth Judicial Circuit.

308 (9) Region IX. Criminal justice agencies and Commission-certified training schools within Pasco, Pinellas,
309 Hillsborough, and Manatee counties, and the State Attorney's Office for the Sixth and Thirteenth Judicial Circuits.

310 (10) Region X. Criminal justice agencies and Commission-certified training schools within Charlotte, Lee,
311 Sarasota, Collier, Glades, and Hendry counties, and the State Attorney's Office for the Twelfth and Twentieth
312 Judicial Circuits.

313 (11) Region XI. Criminal justice agencies and Commission-certified training schools within Indian River,
314 Okeechobee, St. Lucie and Martin counties, and the State Attorney's Office for the Nineteenth Judicial Circuit.

315 (12) Region XII. Criminal justice agencies and Commission-certified training schools within Palm Beach
316 County and the State Attorney's Office for the Fifteenth Judicial Circuit.

317 (13) Region XIII. Criminal justice agencies and Commission-certified training schools within Broward County
318 and the State Attorney's Office for the Seventeenth Judicial Circuit.

319 (14) Region XIV. Criminal justice agencies and Commission-certified training schools within Monroe and
320 Miami-Dade counties and the State Attorney's Office for the Eleventh and Sixteenth Judicial Circuits.

321 (15) Region XV. All state law enforcement agencies and units, and Commission-certified training schools
322 affiliated with the state law enforcement agencies, excluding the State Attorney's Offices, Florida Department of
323 Corrections, Board of Regents, and the University Police Agencies.

324 (16) Region XVI. Florida Department of Corrections and the Commission-certified training school affiliated
325 with the Florida Department of Corrections.

326 Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.25(4) FS. (Supp. 1998). History– New
327 1-13-81, Amended 7-28-82, 1-7-85. Formerly 11B-18.04, Amended 7-13-87, 1-2-97, 7-7-99, 8-22-00, 11-5-02, 11-
328 30-04, 3-27-06, 3-21-07, 9-28-09, 6-3-10, 3-13-13, 5-29-14, 7-29-15, 9-4-16.

329 **11B-18.005 Establishment of Regional Training Councils.**

330 (1) A Regional Training Council is hereby established in each of the regional training areas described in Rule
331 11B-18.004, F.A.C. The purpose of each Regional Training Council shall be to act as an extension of the Criminal
332 Justice Standards and Training Commission in planning, programming, and budgeting of Officer Training Monies
333 and to advise and assist the Commission in developing a plan for assessing regional training and Commission-
334 certified training school needs pursuant to Section 943.25(4), F.S.

335 (2) State Regional Training Councils XV and XVI shall have the same functions as the Local Regional
336 Training Councils.

337 (3) The State Regional Law Enforcement Officer Training Council XV shall be comprised of one
338 representative from each of the state law enforcement agencies and units, and Commission-certified training schools
339 affiliated with the state law enforcement agencies, excluding the State Attorney's Offices, Florida Department of
340 Corrections, Board of Regents, and the University Police Agencies.

341 (4) The State Regional Correctional Officer Training Council shall be comprised of not less than seven
342 representatives and are appointed by the Secretary of the Department of Corrections.

343 (5) Each Local Regional Training Council shall be comprised of the following:

344 (a) Not more than twelve members, of which not more than six shall be law enforcement officers;

345 (b) Not less than two correctional officers and one individual who is in charge of a public county correctional
346 institution within the region; and

347 (c) Not more than three members representing Commission-certified training schools. Members representing
348 Commission-certified training schools shall be training center directors.

349 (d) A single Commission-certified training school, correctional agency, or law enforcement agency shall not
350 have more than two voting members.

351 (e) At least one of the six law enforcement officers shall be a sheriff; and

352 (f) At least one of the six law enforcement officers shall be a police chief.

353 (g) The training center directors of Commission-certified training schools in the region shall elect
354 representatives from their members.

355 (6) Each agency or Commission-certified training school providing a representative to the State Regional
356 Training Councils or the Local Regional Training Councils, shall designate an alternate representative from the
357 same agency or Commission-certified training school. The alternate shall assume all responsibilities of the primary
358 representative upon notice. The representative's appointment shall not continue after the representative ceases to be
359 employed by the agency represented. The Regional Training Council shall approve appointments of replacement
360 representatives.

361 (7) Service on a Regional Training Council shall not constitute employment by a state agency or entitle a
362 member to any special compensation, benefits, or privileges. The Commission shall authorize travel costs and per
363 diem, through budget approval, pursuant to Section 112.061, F.S., for chairpersons, fiscal agents, and training center
364 directors who are members of a Regional Training Council, or others authorized pursuant to Section 943.25(4)(e),
365 F.S., and paragraph 11B-18.0053(2)(a), F.A.C., to attend Officer Training Monies workshops.

366 Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.25(4) FS. History-New 1-13-81,
367 Amended 7-28-82, 1-7-85, (7), (8) Transferred to 11B-18.051, Formerly 11B-18.05, Amended 7-13-87, 5-23-88,
368 10-17-90, 12-13-92, 1-2-97, 7-7-99, 8-22-00, 11-5-02, 11-30-04, 3-21-07, 3-13-13, 5-20-21.

369

370 **11B-18.0051 Regional Training Council Meetings.**

371 (1) Each of the Regional Training Councils established pursuant to Rule 11B-18.005, F.A.C., and Section
372 943.25(4), F.S., shall elect a chairperson and other officers needed, and shall hold at least two meetings each fiscal
373 year to develop and approve the regional Officer Training Monies budgets, and may hold other meetings to consider
374 other items pertaining to law enforcement, correctional, or correctional probation officer training. A majority of
375 Regional Training Council members shall be in attendance to constitute a quorum.

376 (2) Three members or the chairperson of a Regional Training Council may request a meeting.

377 (3) For the purpose of developing and approving regional Officer Training Monies budgets, a quorum of a
378 Regional Training Council's members shall meet, and a majority vote of those members in attendance is required to
379 reach a decision.

380 (4) Each of the Regional Training Councils created pursuant to Rule 11B-18.005, F.A.C., and Section
381 943.25(4), F.S., shall adopt rules of parliamentary procedure, and the minutes of each meeting shall be recorded and
382 submitted to Commission staff for review.

383 Rulemaking Authority 943.03(4), 943.12(1), (2), 943.25(4) FS. Law Implemented 943.25(4) FS. (Supp. 1998).
384 History—New 1-7-85, (1), (4), Formerly 11B-18.05(8), (7), Formerly 11B-18.051, Amended 7-13-87, 1-2-97, 7-7-99,
385 11-5-02.

386 **11B-18.0052 Development of Budgets.**

387 (1) Officer Training Monies collected pursuant to Section 943.25, F.S., and appropriated by the Legislature to
388 implement Commission-approved training programs and Commission-certified training school enhancements, are
389 public funds and are subject to the State Legislative Budget and Appropriation processes. By July 1 of each year,
390 the training regions shall be notified of the projected allocation of Officer Training Monies and the proposed
391 distribution of this allocation to each training region, as determined by the Officer Training Monies statewide
392 distribution formula pursuant to subsection 11B-18.003(7), F.A.C.

393 (2) The following formulas are used to calculate the statewide distribution of Officer Training Monies to
394 regions:

395 (a) To determine per capita allocation:

396 T/N = P; where:

397 T = total Officer Training Monies available for distribution

398 N = total full-time officer population prior to July 1

399 P = per capita allocation

400 (b) To determine the regional allocation:

401 P × N = R; where:

402 P = per capita allocation

403 N = full-time officer population in a region prior to July 1

404 R = region allocation

405 (3) All forms referenced in this rule may be obtained on the following web site:
406 <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx> or by contacting the Florida Department of Law
407 Enforcement, Criminal Justice Professionalism Program, Post Office Box 1489, Tallahassee, Florida 32302-1489,
408 Attention: Bureau of Standards, Forms Liaison.

409 Rulemaking Authority 943.03(4), 943.12(1), (2), 943.25(4)(b) FS. Law Implemented 943.25(4)(b) FS. History—
410 New 1-13-81, Amended 7-28-82, 1-26-83, 1-7-85, Formerly 11B-18.052(2)(a), (b), Amended 1-28-86, 7-13-87, 10-
411 17-90, 12-13-92, 1-2-97, 7-7-99, 8-22-00, 11-5-02, 11-30-04, 3-21-07.

11B-18.0053 Officer Training Monies Budget and Expenditure Categories.

(1) A distribution formula has been established by the Criminal Justice Standards and Training Commission to provide guidance to training regions regarding the expenditure of Officer Training Monies in the regions. Any deviations by a region from the distribution formula shall be approved by the Commission. The distribution formula is:

- (a) Category I - Administrative Expenses - 5%
 - (b) Category II - Training Expenses – 80%
 - (c) Category III - Operating Capital Outlay - 15%

(2) Category I, Administrative Expenses. Administrative Expenses shall be reasonable and an accounting of all expenditures shall be maintained.

(a) Each region shall not budget more than 5% of the total regional allocation for Administrative Expenses, notwithstanding the following exceptions for additional Officer Training Monies budgeted that exceed the 5% limitation:

1. Support of travel of Regional Training Council Chairpersons, fiscal agents, and training center directors or their designee, to Officer Training Monies workshops conducted by Commission staff. Travel pursuant to this section shall comply with the travel guidelines maintained by the Criminal Justice Professionalism Division, (Travel Guidelines, revised March, 2020), hereby incorporated by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-11997>. For a copy of the travel guidelines, contact the Florida Department of Law Enforcement, Criminal Justice Professionalism Division, Post Office Box 1489, Tallahassee, Florida 32302-1489, Attention: Bureau of Policy and Special Programs; and

2. Support of travel for training center directors or designees to attend Criminal Justice Standards and Training Commission quarterly meetings. Travel pursuant to this section shall comply with the travel guidelines maintained by the Criminal Justice Professionalism Division, (Travel Guidelines, revised March, 2020), <http://www.flrules.org/Gateway/reference.asp?No=Ref-11997>. For a copy of the travel guidelines, contact the Florida Department of Law Enforcement, Criminal Justice Professionalism Division, Post Office Box 1489, Tallahassee, Florida 32302-1489, Attention: Bureau of Policy and Special Programs.

(b) Administrative expenses are divided into two categories:

1. Personal Services. Personal Services are expenses incurred by a Commission-certified training school for full or part-time training school staff, who directly support the administration of Officer Training Monies. Charges shall be proportionate to the individual's time spent in direct support of officer training.

2. Miscellaneous Expenses. Miscellaneous Expenses are administrative expenditures, expended from Officer Training Monies by Commission-certified training schools that are incurred in direct support of officer training. Examples include office supplies, notices in the Florida Administrative Register publications, and postage.

(c) Officer Training Monies shall not be expended for recurring costs incurred by the training school. Examples include liability insurance, utilities, and office furniture.

(3) Category II, Training Expenses. Each region shall not budget less than 80% of the total regional allocation of Officer Training Monies for the purpose of delivering regional Commission-approved Advanced and Specialized Training Program Courses.

(a) Criminal justice officers and support personnel, pursuant to Section 943.10, F.S., are authorized to expend Officer Training Monies to attend Advanced and Specialized Training Program Courses delivered through a Commission-certified training school, provided the support personnel does not displace a certified officer. The Criminal Justice Standards and Training Commission has further authorized the following personnel to attend courses funded with Officer Training Monies:

1. A sworn federal officer, on a space available basis provided the officer does not displace a Florida officer.
 2. Medical examiners personnel with prior written approval from the Regional Training Council.
 3. Full-time staff and part-time instructional coordinators employed by a Commission-certified training school on a space available basis provided the staff does not displace a Florida officer.

459 4. Department of Financial Services, Division of Investigative and Forensic Services, on a space available
460 basis, provided a Florida officer is not displaced.

461 (b) Officer Training Monies, pursuant to subsection 11B-18.003(24) or (25), F.A.C., shall be expended for
462 Commission-approved Advanced and Specialized Training Program Courses set forth in Rules 11B-35.006 and
463 11B-35.007, F.A.C., and shall not be used for reoccurring expenses incurred by a Commission-certified training
464 school.

465 (c) Each training region shall offer Commission-approved Advanced and Specialized Training Program
466 Courses funded with Officer Training Monies, to officers within its respective region, prior to accepting officers or
467 support personnel from other regions.

468 (d) Criminal justice officers and support personnel located in one region may attend training in a different
469 region. Each region shall make provisions in its operating budget for the reciprocal payment of training provided to
470 officers, pursuant to Section 943.25(5), F.S., and support personnel, defined in Section 943.10(11), F.S., who attend
471 training programs offered in other training regions. Reciprocal payment shall be limited to Commission Category II
472 training costs and each training region's fiscal agent shall be held accountable for receipt and disbursement of the
473 region's reciprocal funds. Such costs shall be administered and paid by the fiscal agent charged with the
474 responsibility for the reciprocal payment of training.

475 (e) If Commission-approved Advanced and Specialized Training Program Courses are funded with Officer
476 Training Monies, the training and room or board costs may not be assessed against the officer, support personnel, or
477 their employing agency, pursuant to Section 943.25(5), F.S., however, the employing agency is responsible for
478 travel incurred to and from training. If an officer, defined in Section 943.10(2), F.S., is employed with a private
479 entity contracted with the state or county, or if an officer is not employed or appointed by an employing agency of
480 Florida, the officer may attend a course funded with Officer Training Monies, provided the officer pays for all
481 training costs associated with course attendance, pursuant to Sections 943.25(5)(b), 944.105(7), or 944.714(2), F.S.
482 Reimbursement of these costs, excluding out-of-state tuition, shall be deposited in the Commission-certified training
483 school's Officer Training Monies account.

484 (4) Category III, Operating Capital Outlay Expenses. Each region shall not budget more than 15% of the total
485 regional allocation to purchase items that are non-consumable and non-expendable. Category III Operating Capital
486 Outlay Expenses fall into the following categories:

487 (a) "Expense" Operating Capital Outlay. Expense operating capital outlay purchases that cost less than \$500
488 with a life expectancy of one year or more, shall be limited to items purchased that are required for delivery of
489 Commission-approved Advanced and Specialized Training Program Courses. Officer Training Monies shall not be
490 used for training school expenditures used to fulfill the certification and recertification requirements of Rule
491 11B-21.005, F.A.C.

492 (b) "Standard" Operating Capital Outlay. Standard operating capital outlay purchases include items with a cost
493 of \$500 or more with a life expectancy of one year or more.

494 (c) Operating Capital Outlay property purchased for use other than for the direct support of Commission-
495 approved Advanced Training Program Courses pursuant to Rule 11B-35.006, F.A.C., and Specialized Training
496 Program Courses pursuant to Rule 11B-35.007, F.A.C., are not appropriate purchases.

497 (d) Operating Capital Outlay property received from a vendor as a purchasing incentive, using Officer Training
498 Monies, shall be reported on an Officer Training Monies Semi-Annual Expenditure Report, form CJSTC-300,
499 revised February 7, 2002, hereby incorporated by reference. Form CJSTC-300 can be obtained at the following
500 FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission
501 staff at (850)410-8615.

502 (e) Operating Capital Outlay Property shall not be disposed of or transferred without prior notification to and
503 approval by Commission staff. An Operating Capital Outlay Property Disposal Request, form CJSTC-311, revised
504 November 5, 2015, effective 9/2016, hereby incorporated by reference
<http://www.flrules.org/Gateway/reference.asp?No=Ref-07391>, shall be completed and submitted to Commission
505 staff when disposing or transferring Operating Capital Outlay Property. Form CJSTC-311 can be obtained at the
506 following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting
507 Commission staff at (850)410-8615.
508

Rule 11B-18.0053	15	Effective 7-23-23
Criminal Justice Standards and Training Trust Fund: Officer Training Monies Budget and Expenditure Categories		

509 1. Usable Operating Capital Outlay Property. Usable property shall be offered to other Commission-certified
510 training schools in Florida prior to selling or disposing of the property. The usable property shall be offered to
511 criminal justice agencies in Florida if a training school does not claim the property. To transfer Operating Capital
512 Outlay Property from one training school to another, the transferring training school shall forward to Commission
513 staff a completed form CJSTC-311, which shall be signed by the training center director.

514 2. Obsolete or Unusable Operating Capital Outlay Property. A Commission-certified training school shall
515 notify Commission staff on form CJSTC-311, to request disposal of obsolete property. A written verification of the
516 condition of the property shall be included. Commission staff shall physically view the property and approve the
517 written verification of the condition of the property prior to disposal or trading of the property. Obsolete property
518 may be traded for credit on the purchase of new property. Money received from the disposal of property purchased
519 with Officer Training Monies shall be returned to Commission staff for deposit into the Criminal Justice Standards
520 and Training Trust Fund.

521 3. Stolen Operating Capital Outlay Property. Notification of stolen property purchased with Officer Training
522 Monies shall include a copy of a police report indicating that the circumstances surrounding the theft were beyond
523 the control of the Commission-certified training school. Should property purchased with Officer Training Monies
524 become lost or stolen through negligence, the training school shall replace the property with the training school's
525 funds.

526 (f) Audit of Operating Capital Outlay Property. Operating Capital Outlay Property purchased by a
527 Commission-certified training school, using Officer Training Monies, shall be made available to Commission staff
528 and inventoried during the audit for the fiscal year the property was purchased.

529 1. A training school shall conduct annual audits of property purchased with Officer Training Monies to
530 include the inventory item, date purchased, property serial number if appropriate, and property number.

531 2. Commission staff is authorized to conduct spot inventories, on demand, of items purchased with Officer
532 Training Monies.

533 3. After the year of purchase, items purchased with a value of \$500 or more, and \$100 or more for hardbound
534 books, shall be inventoried on an annual basis.

535 4. Weapons shall be inventoried each year regardless of the purchase price.

536 5. Training schools shall have written procedures on file for the security of all property purchased with
537 Officer Training Monies. Such procedures shall include check-in and check-out procedures and the names of
538 personnel that have access to the property.

539 Rulemaking Authority 943.03(4), 943.12(1), (2), 943.25(2), (4), (5) FS. Law Implemented 943.25 FS. History-New
540 11-5-02. Amended 11-30-04, 6-3-10, 3-13-13, 9-4-16, 6-9-20, 7-23-23.

Rule 11B-18.0053 Criminal Justice Standards and Training Trust Fund: Officer Training Monies Budget and Expenditure Categories	16	Effective 7-23-23
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11B-18.0071 Development of Officer Training Monies Budgets and Required Reports.

542

(1) Operating Budget. No later than February 1 of each year, the Officer Training Monies Operating Budget, form CJSTC-310, revised February 7, 2002, hereby incorporated by reference, shall be submitted to Commission staff by each Regional Training Council and shall reflect the region's proposed operating budget for the upcoming fiscal year, beginning July 1 and ending June 30 of the next year, based on the Officer Training Monies available and projected for the region pursuant to subsection 11B-18.0052(1), F.A.C. Form CJSTC-310 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615. The region shall also include a request to expend the previous year's accrued interest pursuant to subsection (5) of this rule section. Each Regional Training Council is responsible for including in its approved budget, the Criminal Justice Standards and Training Commission's priority budget issues as they relate to the training needs of the region. The region's projected annual operating budget shall list items in order of priority within each budget category as set forth in Rule 11B-18.0053, F.A.C. A region that fails to meet the required deadline, or fails to receive an extension of the submission deadline from Commission staff, shall forfeit the opportunity to propose an operating budget for the region and Commission-certified training schools for that fiscal year. Officer Training Monies forfeited by a region due to noncompliance with the February 1 deadline shall be distributed to other regions in the state based on the statewide distribution formula set forth in subsection 11B-18.0052(2), F.A.C.

558

(2) Budget Amendment and Programmatic Change. The Officer Training Monies Programmatic Change and Budget Amendment, form CJSTC-302, revised February 7, 2002, hereby incorporated by reference, shall be used by a Commission-certified training school through its Regional Training Council to reflect changes to its annual operating budget. Form CJSTC-302 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

563

(a) Unobligated Operating Capital Outlay Purchases. Operating budgets approved by the Criminal Justice Standards and Training Commission that include "unobligated" Operating Capital Outlay purchases require additional approval prior to expenditure of these funds. A training school shall submit form CJSTC-302 to identify planned expenditures equal to the amounts previously budgeted as unobligated. Form CJSTC-302 shall only be completed when a training school and region requests a revision to its operating budget and the revision does not alter the distribution formula set forth in Rule 11B-18.0053, F.A.C.

569

(b) Budget Amendment. A budget amendment shall be submitted to Commission staff on form CJSTC-302 when a training school and region request an adjustment to its Commission-approved budget, by transferring funds in one category to a different category, and does not alter the distribution formula set forth in Rule 11B-18.0053, F.A.C.

573

(c) Programmatic Change: A programmatic change shall be submitted to Commission staff on form CJSTC-302 when a training school and region requests a change within a budget category within its Commission-approved budget and does not alter the distribution formula set forth in Rule 11B-18.0053, F.A.C.

576

(d) Emergency Budget Amendment. An Emergency Budget Amendment is an adjustment to the approved regional operating budget that does not meet the Commission's distribution formula. An Emergency Budget Amendment that alters the Commission's distribution formula shall be submitted to Commission staff by a Commission-certified training school through its Regional Training Council, and shall include an explanation as to why the budget amendment is needed. Emergency Budget Amendments shall be submitted at the Criminal Justice Standards and Training Commission's next quarterly Commission meeting. If approval of the budget amendment is required prior to the next scheduled Commission meeting, the Commission Chairman shall approve the Emergency Budget Amendment and report the approved amendment to the full Commission at the next quarterly Commission meeting.

585

(3) Each Regional Fiscal Agent shall submit an Officer Training Monies Semi-Annual Expenditure Report form CJSTC-300, to Commission staff twice each fiscal year advising the Commission of administrative, training, and capital outlay property expenditures. Encumbered Officer Training Monies shall not be included on this report.

588

(a) Semi-annual Expenditure Reporting Period. Form CJSTC-300 shall be submitted by a training school through the Regional Training Council no later than 45 days after the end of each semi-annual expenditure reporting period.

591

(b) Semi-annual expenditure reporting periods are January 1 through June 30 with a report due date of August 15, and July 1 through December 31 with a report due date of February 15.

Rule 11B-18.0071 **17** **Effective 7-19-17**
Criminal Justice Standards and Training Trust Fund:
Development of Officer Training Monies Budgets
and Required Reports

593 (4) Year-End Fiscal Report. Each Regional Fiscal Agent shall submit to Commission staff a completed Officer
594 Training Monies Year-End Fiscal Report, form CJSTC-301, revised February 7, 2002, hereby incorporated by
595 reference, reporting all expenditures, to include a list of all Operating Capital Outlay Property purchased pursuant to
596 subsection 11B-18.0053(4), F.A.C. The report shall be filed by October 30 of each year and shall include interest
597 earned for the previous fiscal year ending June 30. Form CJSTC-301 can be obtained at the following FDLE
598 Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at
599 (850) 410-8615.

600 (a) Encumbered Officer Training Monies. Purchases shall be encumbered by close of the fiscal year, which is
601 June 30. An encumbered purchase occurs when a purchase order has been issued or a binding contract negotiated
602 prior to the end of the budget year. Purchases that encumber Officer Training Monies shall be received and paid by
603 a training school no later than December 31. If Officer Training Monies are encumbered on June 30, the training
604 school shall submit to Commission staff a "Preliminary" form CJSTC-301, on or before October 30, and a "Final"
605 form CJSTC-301, on or before the following January 30.

606 (b) Unencumbered Officer Training Monies. Officer Training Monies not expended and not encumbered on
607 June 30, shall be reported on form CJSTC-301 and filed by a training school on or before October 30 of each year.
608 The training school shall attach a check or warrant payable to the Criminal Justice Standards and Training Trust
609 Fund in the amount equal to the unexpended unencumbered funds for the year.

610 (5) Interest Earned. A training school may deposit Officer Training Monies in interest bearing accounts based
611 on the authority granted by the State Comptroller. Interest earned shall be expended consistent with Category II and
612 Category III expenditures set forth in subsections 11B-18.0053(3)-(4), F.A.C., and are not subject to the distribution
613 formula. A separate operating budget for accrued interest shall be submitted by the Regional Training Councils.
614 The training school shall report interest earned and corresponding expenditures to Commission staff on the
615 following forms:

616 (a) The Officer Training Monies Semi-annual Expenditure Report form CJSTC-300, pursuant to subsection
617 11B-18.0071(3), F.A.C., submitted to Commission staff no later than 45 days after the end of the two reporting
618 periods of June 30 and December 31, shall include a report of all expenditures made during the interest budget
619 period the interest was accrued. Interest earned by a training school shall be expended by June 30 of the year the
620 Commission approved the expenditure. Interest earned shall not be encumbered, and if not expended, shall be
621 returned to the Commission no later than 90 days following June 30, which is the close of the fiscal year.

622 (b) Year-End Fiscal Report. Each Regional Fiscal Agent shall submit to Commission staff a completed Officer
623 Training Monies Year-End Fiscal Report form CJSTC-301, reporting all interest expenditures, to include a list of all
624 Operating Capital Outlay Property purchased pursuant to subsection 11B-18.0053(4), F.A.C. The report shall be
625 filed by October 30 of each year.

626 Rulemaking Authority 943.03(4), 943.12(1), (2), 943.25(4), (5) FS. Law Implemented 943.25 FS. History-New 1-
627 13-81, Amended 7-1-81, 7-28-82, 1-7-85, 1-28-86, Formerly 11B-18.071, Amended 7-13-87, 5-23-88, 10-17-90,
628 12-13-92, 1-2-97, 7-7-99, 8-22-00, 11-5-02, 11-30-04, 3-13-13, 7-19-17.

Rule 11B-18.0071 Criminal Justice Standards and Training Trust Fund: Development of Officer Training Monies Budgets and Required Reports	18	Effective 7-19-17
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629 **11B-18.008 Areas of Responsibility.**

630 With regard to the Criminal Justice Standards and Training Trust Fund Officer Training Monies, the following
631 entities shall have responsibilities outlined in subsections (1)-(3) of this rule section.

632 (1) The responsibilities of the Regional Training Councils are to:

633 (a) Determine the distribution of Officer Training Monies for allocation to the individual Commission-
634 certified training schools in the respective training regions.

635 (b) Submit to Commission staff a list of the current voting membership of each Regional Training Council,
636 including Regional Training Council officers (noting appointed fiscal agents) and forward any membership changes
637 to Commission staff as they occur.

638 (c) Submit to Commission staff and maintain on file the minutes of each Regional Training Council meeting.

639 (d) Submit to Commission staff and maintain on file all required documents, budgets, reports, audit reports,
640 and other documentation required by the Council and make available for review by Commission staff.

641 (e) Appoint or approve a regional fiscal agent.

642 (2) The responsibilities of the regional fiscal agents are to:

643 (a) Provide fiscal guidance and assistance to Regional Training Councils in the preparation of all documents,
644 budgets, and reports for submission to Commission staff.

645 (b) Be responsible for the receipt and disbursement of Officer Training Monies pursuant to Rule Chapter 11B-
646 18, F.A.C., and Section 943.25, F.S.

647 (c) Be responsible for the separate maintenance of financial records, including accrued interest documentation
648 for Officer Training Monies accounts, and Commission-certified training school property inventories.

649 (3) The responsibilities of Commission-certified training schools are to:

650 (a) Develop a training calendar based on regional training priorities that is inclusive of Criminal Justice
651 Standards and Training Commission recommendations and estimated training costs. The training calendar shall
652 adhere to the Regional Training Council's plan, Commission procedures, and the statewide distribution formula for
653 Officer Training Monies set forth in subsection 11B-18.0052(2), F.A.C.

654 (b) Be responsible for the receipt and payment of Officer Training Monies authorized by a Commission-
655 certified training school's approved annual operating budget pursuant to Rule Chapter 11B-18, F.A.C., and Section
656 943.25, F.S.

657 (c) Be responsible for the separate maintenance of the appropriate financial records pursuant to standard state
658 or local accounting procedures.

659 (d) Make available to the Regional Training Council, documentation maintained by the fiscal agent 15 business
660 days after the request for documentation.

661 (e) Respond to any audit by the State, Commission staff, Regional Training Councils, or local government.

662 (f) Begin training courses, for which Officer Training Monies are expended, on or before June 30 of the
663 current fiscal year.

664 (g) Receive and separately account for all property purchased with Officer Training Monies pursuant to
665 standard state or local property inventory procedures. Submit to Commission staff an inventory of operating capital
666 outlay items purchased with Officer Training Monies during each fiscal year.

667 (h) Obtain approval from Commission staff prior to disposing of property purchased with Officer Training
668 Monies.

669 Rulemaking Authority 943.03(4), 943.12(1), (2), 943.25(5) FS. Law Implemented 943.25 FS. History-New 1-13-
670 81, Amended 7-1-81, 7-28-82, 1-7-85, 1-28-86, Formerly 11B-18.08, Amended 7-13-87, 5-23-88, 10-17-90, 12-13-
671 92, 1-2-97, 7-7-99, 8-22-00, 11-5-02, 11-30-04, 5-21-12, 3-13-13.

672 **11B-18.009 Applicability, Contractual Obligations.**

673 (1) Officer Training Monies budgets approved by the Criminal Justice Standards and Training Commission
674 shall be governed by this rule chapter upon its adoption. Failure to submit required budgets, reports, and other
675 related documents, shall result in subsequent allocations being withheld by the Commission.

676 (2) Receipt of any Officer Training Monies shall be deemed an acceptance of the terms, conditions, and
677 limitations contained in the Commission-approved budget under which they are received. Regional Training
678 Councils or Commission-certified training schools accepting Officer Training Monies support, on or after the
679 effective date of this rule chapter, shall be deemed to have:

680 (a) Agreed to surrender to the Commission property purchased with Officer Training Monies upon loss of a
681 Commission-certified training school's certification.

682 (b) Agreed to receive approval from Commission staff prior to disposing of property secured through Officer
683 Training Monies.

684 (3) Property acquired by a state, local, or regional entity using Officer Training Monies shall become the
685 property of the local entity, with the exception of Section 943.25, F.S., or other state statutes, this rule, the budget,
686 approved training plan, or a grant that provides to the contrary. However, where a grant or a portion of a grant from
687 Officer Training Monies has been used or applied contrary to these authorities, the state, local, or regional entity
688 shall be deemed to have a contractual obligation to make restitution pursuant to this rule.

689 Specific Authority 943.03(4), 943.12(1), (2), 943.25(4), (5) FS. Law Implemented 943.25 FS. History-New 1-13-
690 81, Amended 7-28-82, 1-7-85, 1-28-86, Formerly 11B-18.09, Amended 7-13-87, 12-13-92, 1-2-97, 7-7-99, 8-22-00,
691 11-5-02.

11B-18.010 Criminal Justice Standards and Training Commission Fiscal Program Audits and Instruction and Facility Evaluations. Commission staff conducts a fiscal and program audit and instruction and facility evaluation of training schools within each region. The audit and instruction facility inspection performed by Commission staff shall establish a comprehensive analysis of training schools to ensure compliance with Chapter 943, F.S., and Rule Chapter 11B-18, F.A.C.

697 (1) Annual Audit.

698 (a) Each training school shall be audited annually and shall be scheduled and coordinated with the respective
699 training center director(s), fiscal agent(s), and Regional Training Council Chairperson(s) who are subject to the
700 audit. Training schools that receive a fiscal year perfect audit shall be exempt from an audit in the subsequent fiscal
701 year unless otherwise requested by the training center director. However, a training school may be audited for
702 cause, for example, the removal or death of a training center director, an allegation of fiscal irregularity or
703 impropriety, or the improper expenditure of funds, or violations of applicable Florida Administrative Code.

704 (b) The annual fiscal year audit shall be conducted after the June 30 close of the fiscal year.

705 (c) The audit shall include all transactions for the fiscal year of July 1 through June 30 and may, at the
706 discretion of Commission staff, include a review of current fiscal year activities in progress.

707 (2) Preliminary Audit Report. Training center director(s), fiscal agent(s), and Regional Training Council
708 Chairperson(s) shall receive a preliminary copy of the fiscal program audits and instruction and facility evaluation
709 prior to its presentation to the Criminal Justice Standards and Training Commission. In addition to the concerns and
710 recommended actions noted for the fiscal year being audited, Commission staff is authorized to review and include
711 follow-up corrective actions to deficiencies by a Commission-certified training school found in prior year audits.
712 Training school staff and regional personnel are permitted to submit additional information to include in the audit
713 presented to the Commission. The Commission, at its next regularly scheduled quarterly meeting, shall take action
714 on the recommended actions presented in the audit report.

715 (3) Final Audit Report. The training center director(s), fiscal agent(s), and Regional Training Council
716 Chairperson(s) shall receive a copy of the final audit report within five working days of the quarterly Commission
717 meeting.

718 (4) Final Audit Response. Each training center director, fiscal agent, and Regional Training Council
719 Chairperson shall provide a written response to Commission staff in response to the audit by the due date included in
720 the audit. The audit response shall include a plan for corrective action and reimbursement of any unauthorized
721 expenditures.

722 (5) Failure to respond to, and continued non-compliance with applicable Florida Statutes and Commission
723 rules shall result in punitive action by the Criminal Justice Standards and Training Commission to include:

724 (a) When training schools fail to respond in writing to the audit, Commission staff shall write a letter of
725 concern to the training center director requesting a written response to the audit. Copies of the letter shall be sent to
726 the administrative head of the agency or entity, fiscal agent, and the regional chairperson.

727 (b) Failure to return inappropriately expended Officer Training Monies requested in an audit shall result in the
728 Commission withholding the training school's next release of Officer Training Monies.

729 (c) Continued failure for three years to comply with Chapter 943, F.S., and Rule Chapter 11B-18, F.A.C., shall
730 result in the Commission writing a letter of censure to the administrative head of the entity and to the training center
731 director requesting a written plan for compliance with applicable Florida Statutes and Commission rules.

732 (d) If compliance is not achieved by following paragraphs (5)(a)–(c) of this rule section, the Commission shall
733 take disciplinary action pursuant to the disciplinary guidelines set forth in Rule 11B-21.018, F.A.C.

734 Specific Authority 943.03(4), 943.12(1), (2), 943.25(3), (4) FS. Law Implemented 943.25 FS. History-New 11-5-
735 02. Amended 11-30-04.

Rule 11B-18.010 **21** **Effective 11-30-04**

Criminal Justice Standards and Training Trust Fund:
Criminal Justice Standards and Training Commission
Fiscal Program Audits and Instruction and Facility Evaluations

Certification of Criminal Justice Training Instructors		Chapter 11B-20
736	RULE TITLES:	RULE NOS.:
737	1. Definitions and Minimum Requirements for General Certification of Instructors.	<u>11B-20.001</u>
738	2. Denial and Discipline of Instructor Certification.	<u>11B-20.0012</u>
739	3. Commission Instructor Certification Categories.	<u>11B-20.0013</u>
740	4. Minimum Requirements for High-Liability and Specialized Instructor Certifications.	<u>11B-20.0014</u>
741	5. Inspection of Instructor Certification Applications.	<u>11B-20.0016</u>
742	6. Maintenance and Duration of Instructor Certifications.	<u>11B-20.0017</u>
743		
744	11B-20.001 Definitions and Minimum Requirements for General Certification of Instructors.	
745	(1) Definitions:	
746	(a) "Successful completion" of a course is documented as a "Pass" on the completed Training Report, form	
747	CJSTC-67, revised November 5, 2015, effective 9/2016, hereby incorporated by reference	
748	http://www.flrules.org/Gateway/reference.asp?No=Ref07374 . Form CJSTC-67 can be obtained at the following	
749	FDLE Internet address: http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx , or by contacting Commission	
750	staff at (850)410-8615.	
751	(b) "Training school" means those training academies and training schools that are certified by the Criminal	
752	Justice Standards and Training Commission.	
753	(c) "Instructor" means an individual certified by the Criminal Justice Standards and Training Commission,	
754	hereafter referred to as "Commission" or "CJSTC," and is affiliated with a Commission-certified criminal justice	
755	training school or criminal justice employing agency and is authorized to instruct Basic Recruit Training Programs,	
756	Advanced Training Programs, or Specialized Training Programs.	
757	(d) "Affiliated" means an instructor who is currently employed by a Commission-certified criminal justice	
758	training school or criminal justice agency, whether or not the instructor receives compensation.	
759	(e) "Active certification" means a certification held by an instructor who is affiliated with a Commission-	
760	certified criminal justice training school or criminal justice agency.	
761	(f) "Inactive certification" means a certification held by an instructor who is not affiliated with a Commission-	
762	certified training school or criminal justice agency.	
763	(g) "ATMS" means the Commission's Automated Training Management System.	
764	(h) "Basic Recruit Training Programs," "Advanced Training Programs," and "Specialized Training Programs"	
765	means training administered by training schools pursuant to Rule Chapter 11B-35, F.A.C.	
766	(i) "Agency" means criminal justice employing agency.	
767	(j) "Romantic or sexual relationship" means a relationship that may be evidenced by one or more of the	
768	following: kissing; fondling of the genital area, buttocks, or breasts; oral, anal, or vaginal penetration by, or union	
769	with, the sexual organ of another or the anal or vaginal penetration of another by any other object.	
770	(2) Instructor applicants applying for instructor certification shall:	
771	(a) Complete the Instructor Certification Application, form CJSTC-71, revised <u>August 12, 2021</u> effective <u>6/2022</u> , hereby incorporated by reference	<u>effective</u>
772	https://www.flrules.org/Gateway/reference.asp?No=Ref-14219 . Form CJSTC-71 can be obtained at the following	
773	FDLE Internet address: http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx , or by contacting Commission	
774	staff at (850)410-8615;	
775	(b) Be affiliated with a training school or agency;	
776		
777		

Commented [GJ1]:

11B-20.001(2)(a):

Description of the Revision: Incorporates the revised Instructor Certification Application, form CJSTC-71.

Why the rule is being revised: Incorporates the revised Instructor Certification Application, form CJSTC-71, to add Breath Test-9000 to the instructor certification categories, pursuant to the implementation of CMI, Inc., Intoxilyzer 9000.

Revised by: Shayla Platt

778 (c) Possess good moral character pursuant to subsection 11B-27.0011(4), F.A.C., as applied to instructor
779 applicants and certified instructors;

780 1. Not have been convicted of a felony or of a misdemeanor involving perjury or false statement, or received a
781 dishonorable discharge from any of the Armed Forces of the United States; and

782 2. After July 1, 1981, any person who has pled guilty or nolo contendere to any felony or of a misdemeanor
783 involving perjury or a false statement is not eligible for instructor certification, notwithstanding suspension of
784 sentence or withholding of adjudication; and

785 3. Notwithstanding subsections (3)-(4) of this rule section, any person who has pled nolo contendere to a
786 misdemeanor involving a false statement, prior to December 1, 1985, and has had such record sealed or expunged
787 shall not be deemed ineligible for instructor certification.

788 (3) General Instructor Certification.

789 (a) Instructor applicants shall comply with the following requirements to obtain General Instructor
790 Certification:

791 1. Instructor applicants shall successfully complete the Traditional Instructor Techniques Course (Retired
792 6/30/04), CMS Instructor Techniques Course (Retired 11/14/08), or Florida General Instructor Techniques Course
793 delivered through a training school or complete equivalent instructor training. The training center director is
794 authorized to have instructor applicants complete only those portions of the Instructor Techniques Course for which
795 the instructor applicant is deficient.

796 2. Instructor applicants who apply for General Instructor Certification shall have completed the required
797 instructor training within four years of the date the instructor applicant applies for certification. Instructor applicants
798 who apply more than four years from the date training was completed shall be required to complete the General
799 Instructor Refresher Course.

800 3. After successful completion of the mandatory instructor training, instructor applicants shall complete an
801 internship.

802 a. The instructor applicant shall be supervised by and have his or her instructional abilities evaluated by a
803 training center director or agency administrator, who is currently an instructor, or a designee who is currently an
804 instructor. The training center director, agency administrator, or designee shall complete the Instructor Competency
805 Checklist, form CJSTC-81, revised _____, effective _____, hereby incorporated by reference
806 _____, Form CJSTC-81 can be obtained at the following FDLE Internet address: <http://www.flrules.org/Gateway/reference.asp?No=Ref-14222>. Form CJSTC-81 can be obtained at the following
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824 FDLE Internet address: <http://www.flrules.org/Gateway/reference.asp?No=Ref-14222>. Form CJSTC-81 can be obtained at the following

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11B-20.001(3)(a)3.a.:

Description of the Revision: Incorporates the revised Instructor Competency Checklist, form CJSTC-81.

Why the rule is being revised: Incorporates the revised Instructor Competency Checklist, form CJSTC-81, to add Breath Test-9000 to the instructor certification categories, pursuant to the implementation of CMI, Inc., Intoxilyzer 9000.

Revised by: Shayla Pratt

810 b. The instructor applicant shall demonstrate the applicable competencies listed on form CJSTC-81, which
811 shall be maintained in the instructor's file at the training school or agency.

812 c. The instructor applicant shall be evaluated by his or her students. Student evaluations shall be reviewed
813 with the instructor applicant by a training center director, agency administrator, or an instructor designated by the
814 training center director or agency administrator, and documented on form CJSTC-81.

815 4. Instructor applicants shall complete the Instructor Certification Application form CJSTC-71 and attach all
816 required documentation prior to submitting the application for approval. The training center director, agency
817 administrator, or designee is required to submit form CJSTC-71 to Commission staff or electronically transmit
818 through the Commission's ATMS. Form CJSTC-71 and supporting documentation on each affiliated instructor
819 shall be maintained in the instructor's file.

820 5. Instructor Separation or Change of Affiliation.

821 a. When an instructor requests a change of affiliation, the training center director, agency administrator, or
822 designee shall complete an Affidavit of Separation, form CJSTC-61, revised August 18, 2022, effective 7/2023,
823 hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-15515>, and submit to
824 Commission staff, or immediately transmit through the Commission's ATMS. Form CJSTC-61 can be obtained at

825 the following FDLE Internet address: <http://www.fdl.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting
826 Commission staff at (850)410-8615. A copy shall be maintained in the instructor's file.

827 b. Instructor Separation. When a training center director, agency administrator, or designee separates an
828 instructor, the training center director, agency administrator, or designee shall notify the instructor of the separation
829 and submit form CJSTC-61 to Commission staff or electronically transmit through the Commission's ATMS. A
830 copy of form CJSTC-61 shall be maintained in the Instructor's file. An instructor's certification shall become
831 inactive upon separation and remain inactive until the instructor is affiliated with a training school or agency. If the
832 separation involves a violation of Section 943.13(4), F.S., or moral character violation, the training center director,
833 agency administrator, or designee shall also complete the Internal Investigation Report form CJSTC-78, revised
834 August 13, 2020, effective 5/2021, hereby incorporated by reference
835 <http://www.flrules.org/Gateway/reference.asp?No=Ref-13124>, and form CJSTC-61, and submit to Commission staff
836 or immediately transmit through the Commission's ATMS. Form CJSTC-78 can be obtained at the following FDLE
837 Internet address: <http://www.fdl.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at
838 (850)410-8615.

839 c. Request for new Affiliation. The instructor requesting the change shall submit to the employing agency or
840 training school the Instructor Certification Application form CJSTC-71, the training center director, agency
841 administrator, or designee shall enter the employment into the Commission's ATMS, and the instructor's ATMS
842 Global Profile Sheet shall be maintained in the instructor's file.

843 (b) Equivalent Instructor Training.

844 1. Instructor applicants who request an exemption from the required instructor training shall be evaluated by
845 the training center director or designee for completion of equivalent instructor training by documenting the
846 instructor applicant's qualifications. Documentation shall include the instructor applicant's training in all of the
847 following competencies, or the training center director or designee may authorize the instructor applicant to
848 complete only those portions of the Florida General Instructor Techniques Course for which the instructor applicant
849 is deficient:

- 850 a. Training liability.
 - 851 b. Ethics.
 - 852 c. Human diversity training required by Section 943.1758, F.S.
 - 853 d. Adult learning theory.
 - 854 e. Communication skills.
 - 855 f. Instructional aids.
 - 856 g. Principles of instruction.
 - 857 h. Lesson plan preparation.
 - 858 i. Evaluation, measurement, and simulation.
 - 859 j. Demonstration of instructional ability.
 - 860 k. Group management.
 - 861 l. Facilitation skills.
 - 862 m. Applied Learning Concepts.
- 863 2. Instructor applicants shall complete an internship.

864 a. The instructor applicant shall be supervised by and have his or her instructional abilities evaluated by a
865 training center director or agency administrator, who is currently an instructor, or a designee who is currently an
866 instructor. The training center director, agency administrator, or designee, shall complete the Instructor Competency
867 Checklist form CJSTC-81.

868 b. The instructor applicant shall demonstrate the applicable competencies listed on form CJSTC-81, which
869 shall be maintained in the instructor's file at the training school or agency.

870 c. The instructor applicant shall be evaluated by his or her students. Student evaluations shall be reviewed
871 with the instructor applicant by a training center director, agency administrator, or an instructor designated by the
872 training center director or agency administrator, and documented on form CJSTC-81.

873 3. Instructor applicants shall complete the Instructor Certification Application form CJSTC-71 and attach all
874 required documentation prior to submitting the application for approval. The training center director, agency
875 administrator, or designee is required to submit form CJSTC-71 to Commission staff or electronically transmit
876 through the Commission's ATMS. Form CJSTC-71 and supporting documentation on each affiliated instructor
877 shall be maintained in the instructor's file.

878 (c) Exemption from Instructor Techniques Courses.

879 1. Instructor applicants are exempt from the Florida General Instructor Techniques Course when the instructor
880 applicant is a full-time instructor at a vocational technical institution or an accredited community college, college, or
881 university. The instructor applicant shall provide documentation of his or her full-time status and identify the name
882 and location of the vocational technical institution, community college, college or university.

883 2. Instructor applicants shall complete an internship pursuant to (3)(b)2. of this rule section.

884 3. Instructor applicants shall complete the Instructor Certification Application form CJSTC-71 and attach all
885 required documentation prior to submitting the application for approval. The training center director, agency
886 administrator, or designee is required to submit form CJSTC-71 to Commission staff or electronically transmit
887 through the Commission's ATMS. Form CJSTC-71 and supporting documentation on each affiliated instructor
888 shall be maintained in the instructor's file.

(4) Exemption from General Instructor Certification. An individual, who has a professional or technical certification or three years of experience in the specified subject matter to be instructed, shall be exempt from General Instructor Certification. The training center director or designee shall document the individual's qualifications by completing the Instructor Exemption, form CJSTC-82, revised August 13, 2020, effective 5/2021, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-14224>, which shall be maintained in the course file at the training school. Form CJSTC-82 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850)410-8615.

897 (5) An individual, whose certification has been revoked, relinquished, or is currently suspended, shall not
898 instruct Commission-approved Basic Recruit Training, Advanced Training or Specialized Training Program
899 Courses.

900 (6) An individual found in violation of Section 943.13(4), F.S., or is guilty of the offenses set forth in
901 paragraphs 11B-20.0012(2)(a)-(f), F.A.C., shall not instruct Commission-approved Basic Recruit Training,
902 Advanced Training, or Specialized Training Program Courses.

903 Rulemaking Authority 943.03(4), 943.12(1), 943.14(3) FS. Law Implemented 943.12(3), (9), 943.14(3) FS.
904 History-New 7-21-82, Formerly 11B-20.01, Amended 10-26-88, 5-14-92, 12-8-92, 1-10-94, 1-2-97, 7-7-99,
905 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09, 6-3-10, 5-21-12, 3-13-13, 5-29-14,
906 7-29-15, 9-4-16, 7-19-17, 8-15-18, 7-9-19, 5-20-21, 6-23-22, 7-23-23. .

11B-20.0012 Denial and Discipline of Instructor Certification.

(1) The Criminal Justice Standards and Training Commission shall deny an instructor applicant's request for certification, in the certification categories outlined in Rule 11B-20.0013, F.A.C., if the instructor applicant does not meet the minimum qualification requirements for General, High-Liability, or Specialized Instructor Certification, pursuant to Rules 11B-20.001 and 11B-20.0014, F.A.C. The Commission shall notify the instructor applicant by sending a "Notice of Intent to Deny Instructor Certification," which shall specify the reason(s) for the denial of instructor certification. The affected party shall have a right to a hearing pursuant to Section 120.57, F.S., upon denial of certification.

(2) The Criminal Justice Standards and Training Commission is authorized to impose disciplinary action against an instructor's certification if:

(a) The instructor willfully compromises the security and confidentiality of examinations, grading keys, or test specifications used in training courses, or engages in any other conduct that subverts or attempts to subvert the State Officer Certification Examination (SOCE) process; or

(b) The instructor willfully compromises or circumvents the student attendance requirements set forth in Rule 11B-35.001, F.A.C.; or

(c) The instructor willfully compromises or circumvents the trainee performance requirements pursuant to Rules 11B-35.001 and 11B-35.0024, F. A. C.; or

(d) The instructor intentionally and materially falsifies criminal justice documentation; or

(e) The instructor commits an act or acts establishing gross incompetence as determined by the Commission. Gross incompetence is the lack of ability or fitness to perform as an instructor as a result of emotional instability, or physical incapacitation, or inadequate technical knowledge of subject matter, or reckless disregard for the safety of trainees or the public.

(f) The instructor teaches or supervises a basic recruit trainee in any Commission-approved Basic Recruit Training Program and engages in a romantic or sexual relationship, as defined in Rule 11B-20.001(1)(j), F.A.C., with that basic recruit trainee; and;

1. Submission to the relationship is made either explicitly or implicitly a term or condition of the basic recruit trainee's ability to complete the Basic Recruit Training Program; or

2. Submission to or rejection of the relationship by the basic recruit trainee is used as a basis for decisions affecting the basic recruit trainee's participation in the Basic Recruit Training Program; or

3. The relationship is consensual and results in the basic recruit trainee receiving an undue advantage or some benefit in the Basic Recruit Training Program as a result thereof.

(g) The instructor commits an act or acts establishing a "lack of good moral character," defined in subsection 11B-27.0011(4), F.A.C.

(3) Allegations of violations against an instructor, pursuant to subsection (2) of this rule section, shall be investigated upon receipt of a written complaint or a violation(s) discovered through an audit. All sustained violations shall be handled in accordance with the grievance procedure of the institution.

(4) A training center director or agency administrator, having good cause to believe that an instructor has violated subsection (2) of this rule section, shall conduct a preliminary inquiry, and report the findings to Commission staff. An administrative investigation based upon this report shall be conducted by Commission staff, and all sustained violations of conduct shall be scheduled before a Commission Probable Cause Determination Hearing.

(5) Should a Commission Probable Cause Determination Hearing find probable cause that an instructor has violated subsection (2) of this rule section, disciplinary proceedings shall be conducted pursuant to Chapter 120, E.S.

(6) Action taken by the Criminal Justice Standards and Training Commission, against an officer's certification, pursuant to subsection 11B.27.005(9), F.A.C., shall also be applicable against an officer's instructor certification.

953 (7) Notwithstanding subsection 11B-20.001(4), F.A.C., if an instructor's certification is revoked, or is
954 voluntarily relinquished, or the instructor has been adjudicated or found to be guilty of an offense, or has plead nolo
955 contendere to any offense set forth in paragraphs 11B-20.0012(2)(a)-(f), F.A.C., the instructor shall not instruct
956 Commission-approved Basic Recruit Training Program Courses, Advanced Training Program Courses, or
957 Specialized Training Program Courses.

958 (8) The Criminal Justice Standards and Training Commission sets forth in subsections (1)-(2) of this rule
959 section, a range of disciplinary guidelines from which disciplinary penalties shall be imposed upon certified
960 instructors who have been found by the Commission to have violated subsection 11B-20.0012(2), F.A.C.

961 (a) For the perpetration by the instructor of an act that would constitute any violation of paragraphs
962 11B-20.0012(2)(a)-(f), F.A.C., the Commission shall impose one or more of the following penalties:

963 1. Revocation of certification.

964 2. Suspension of certification for a period not to exceed two years.

965 3. Placement on a probationary status for a period not to exceed two years. Upon the violation of such terms
966 and conditions, the Commission is authorized to revoke certification or impose additional penalties as enumerated in
967 this subsection.

968 4. Successful completion by the instructor of any basic recruit, advanced, or career development training or
969 such retraining required by the Commission.

970 5. Issuance of a reprimand.

971 (b) For the perpetration by the instructor of an act or acts that would constitute a violation of paragraph
972 11B-20.0012(2)(g), F.A.C., the Commission shall impose a penalty consistent with subsections 11B-27.005(4)-(7),
973 F.A.C., for an act or acts establishing a "lack of good moral character" defined in subsection 11B-27.0011(4), F.A.C.

974 Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12(3), 943.14(3) FS. History—New 10-26-
975 88, Amended 1-2-97, 7-7-99, 7-29-01, 11-5-02, 11-30-04, 3-21-07, 6-9-08, 5-29-14, 8-15-18.

976 **11B-20.0013 Commission Instructor Certification Categories.**

977 Except as otherwise provided in this rule section or by law, individuals who instruct training courses pursuant to
978 Rule Chapter 11B-35, F.A.C., at or through a training school, shall be certified by the Criminal Justice Standards
979 and Training Commission. The Commission offers the following categories of certification to instructor applicants:

- 980 (1) General Instructor Certification.
- 981 (2) High-Liability Instructor Certifications.
- 982 (a) Vehicle Operations Instructor Certification.
- 983 (b) Firearms Instructor Certification.
- 984 (c) Defensive Tactics Instructor Certification.
- 985 (d) First Aid Instructor Certification.
- 986 (3) Specialized Instructor Certifications.
- 987 (a) Criminal Justice Diving Instructor Certification.
- 988 (b) Speed Measurement Instructor Certification.
- 989 (c) Canine Team Instructor Certification.
- 990 (d) Breath Test Instructor Certification.
- 991 (e) Breath Test Instructor Certification – Intoxilyzer 9000.

993 Rulemaking Authority 943.03(4), 943.12(1), 943.14(3) FS. Law Implemented 943.12(3), (9), 943.14(3), 943.17 FS.
994 History—New 7-29-01, Amended 11-5-02, 11-30-04, 3-21-07, 6-9-08, 5-29-14.

Commented [GJ3]:

11B-20.0013(3)(e):

Description of the Revision: Adds Breath Test Instructor Certification-Intoxilyzer 9000 as a Commission-approved Specialized Instructor Certification.

Why the rule is being revised: Adds Breath Test Instructor Certification-Intoxilyzer 9000 to the list of Commission-approved Specialized Instructor Certification, pursuant to the implementation of CMI, Inc., Intoxilyzer 9000.

Revised by: Shayla Platt

- 1040 1. Comply with the requirements for General Instructor Certification pursuant to subsection 11B-20.001(3),
1041 F.A.C.; and
- 1042 2. Have successfully completed through a training school the Defensive Tactics Instructor Course which
1043 began on or after October 31, 2019 or completed through a training school the Defensive Tactics Instructor Course
1044 which began prior to October 31, 2019 and the Defensive Tactics Instructor Update course; and
- 1045 3. Following successful completion of the Defensive Tactics Instructor Course, have successfully completed a
1046 high-liability internship documented on the Instructor Competency Checklist form CJSTC-81 that is supervised by a
1047 certified defensive tactics instructor.
- 1048 (d) First Aid Instructor Certification. Instructor applicants who request to obtain certification to instruct in first
1049 aid shall:
- 1050 1. Have three years' experience as a criminal justice officer; and
- 1051 2. Comply with the requirements for General Instructor Certification pursuant to subsection 11B-20.001(3),
1052 F.A.C.; and
- 1053 3. Have successfully completed through a training school the First Responder Instructor Course ~~retired~~
1054 ~~6/30/04~~ or First Aid Instructor Course or complete a U.S. Department of Transportation recognized first responder
1055 instructor course; and
- 1056 4. Following successful completion of the First Aid Instructor Course, if required, have successfully
1057 completed a high-liability internship documented on the Instructor Competency Checklist form CJSTC-81 that is
1058 supervised by a certified first aid instructor; and
- 1059 5. Possess and maintain an active CPR Instructor Certification from the American Heart Association (AHA),
1060 American Red Cross (ARC), American Safety & Health Institute (ASHI), or other entity referenced in the
1061 Department of Health Rule 64J-1.022, F.A.C. The instructor shall not let the CPR Instructor Certification lapse and
1062 shall provide documentation of renewal to the certifying agency or training school. If the CPR Instructor
1063 Certification expires during the instructor certification period, the instructor shall not instruct in first responder or
1064 first aid until the CPR Instructor Certification is renewed; or
- 1065 6. Certain individuals, based on their education and training experience in the United States or its territories,
1066 are eligible for First Aid Instructor Certification without completing additional Commission-approved training and
1067 shall comply with subparagraphs (2)(d)4.-5. of this rule section:
- 1068 a. Qualifying professional certifications or licenses:
- 1069 1. Certified emergency medical technicians.
- 1070 2. Certified paramedics.
- 1071 3. Licensed physicians, who are actively involved in emergency care and have three years' experience in
1072 emergency medical care.
- 1073 4. Licensed physician's assistants, who are actively involved in emergency care and have three years'
1074 experience in emergency medical care.
- 1075 5. Registered nurses or licensed practical nurses, who are actively involved in emergency care and have three
1076 years' experience in emergency medical care.
- 1077 6. Members of the Armed Forces of the United States on active duty entitled to practice as an Emergency
1078 Medical Technician (EMT) or a Florida paramedic set forth in Chapter 401, Part III, F.S.
- 1079 7. Full-time instructors at a vocational technical institution or an accredited college or university, who instruct
1080 medical topics in EMT, paramedic, nursing, physician, or physician assistance programs.
- 1081 b. To obtain a First Aid Instructor Certification, the instructor applicant shall provide a copy of the current
1082 qualifying professional's certification or license and shall not allow the qualifying professional's certification or
1083 license to lapse. The instructor applicant shall provide documentation of renewal to the certifying agency or training

Commented [GJ7]:

11B-20.001(2)(d)3.:

Description of the Revision: Removes First Responder Instructor Course retirement date.

Why the rule is being revised: Removes First Responder Instructor Course retirement date.

Revised by: Terry Baker

1084 school. If the qualifying professional's certification or license expires during the certification period, the instructor
1085 shall not instruct in first aid until the professional's certification or license is renewed.

1086 (3) Specialized Instructor Certifications. Instructor applicants who apply for a Specialized Instructor
1087 Certification shall have completed the applicable specialized instructor course within four years of the date the
1088 instructor applicant applies for certification. Instructor applicants who apply for a Specialized Instructor
1089 Certification more than four years from the date training was completed shall meet the requirements for completing
1090 an internship and demonstration of proficiency skills if applicable to the specialized topic. Instructor applicants
1091 shall meet the following requirements for each Specialized Instructor Certification requested:

1092 (a) Criminal Justice Diving Instructor Certification to instruct the Underwater Police Science and Technology
1093 course number 077, pursuant to Rule 11B-35.006, F.A.C., shall:

1094 1. Possess a General Instructor Certification or be eligible for General Instructor Certification and apply for a
1095 General Instructor Certification at the same time the applicant requests a Criminal Justice Diving Instructor
1096 Certification; and

1097 2. Possess and maintain a current Scuba Instructor Certification from a nationally recognized organization that
1098 meets the standards of the World Recreational Scuba Training Council (WRSTC) and have two years of experience
1099 as a public safety diver, or possess and maintain a Dive Master Certification from a nationally recognized
1100 organization that meets the standards of the WRSTC and have five years of experience as a public safety diver; and

1101 3. Have been employed in the capacity of a public safety diver within the past four years, or have instructed
1102 the Underwater Police Science and Technology course within the past four years.

1103 (b) Speed Measurement Instructor Certification. Instructor applicants who request certification to instruct
1104 speed measurement training courses shall:

1105 1. Possess a General Instructor Certification or be eligible for General Instructor Certification and apply for
1106 General Instructor Certification at the same time the applicant is requesting Speed Measurement Instructor
1107 Certification; and

1108 2. Possess three years' experience as a speed measurement device operator; and

1109 3. Successfully complete at a training school, the Speed Measurement Instructor Course for Law Enforcement
1110 Officers, course number 1159 or the Radar Speed Measurement Instructor Course for Law Enforcement Officers,
1111 course number 1108, retired December 31, 2006, and the Laser Speed Measurement Device (LSMD) Instructor
1112 Transition Course for Radar Instructors, course number 1109, retired December 31, 2008; and

1113 4. Complete the Speed Measurement Device Instructor Field Evaluation, form CJSTC-10, revised August 13,
1114 2020, effective 5/2021, hereby incorporated by reference <http://www.flrules.org/Gateway/reference.asp?No=Ref-13126>. Form CJSTC-10 can be obtained at the following FDLE Internet address:
1115 http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx, or by contacting Commission staff at (850)410-8615

1116 5. Following successful completion of the Speed Measurement Instructor Course, successfully complete a
1117 speed measurement internship supervised by a certified Speed Measurement Instructor and document on the
1118 Instructor Competency Checklist form CJSTC-81.

1119 6. Be evaluated by his or her students. Student evaluations shall be reviewed with the instructor applicant by
1120 a training center director, agency administrator, or an instructor designated by the training center director or agency
1121 administrator, and documented on form CJSTC-81.

1122 (c) Canine Team Instructor Certification. Instructor applicants who request to obtain certification to instruct
1123 Commission-approved canine team training courses shall:

1124 1. Possess a General Instructor Certification or be eligible for General Instructor Certification and apply for a
1125 General Instructor Certification at the same time the applicant requests Canine Team Instructor Certification.

1126 2. Possess a minimum of five years' criminal justice canine team experience documented in the instructor
1127 applicant's file at the training school or agency. This does not include canines used by certified officers exclusively
1128 for tracking and trailing or specific detection, which are excluded from the certification process.

- 1130 3. Successfully complete the Canine Team Training Course number 1112 (retired 11/6/2013) or Canine Team
1131 Training Course number 1198 or an equivalent course approved by a Commission-approved evaluator.
- 1132 4. Successfully complete the Canine Team Training Instructor Course number 1199 or Canine Team Training
1133 Instructor Course number 1107 (retired 11/6/2013), through a training school.
- 1134 5. Complete the Canine Team Instructor Performance Evaluation, form CJSTC-20, revised August 13, 2020,
1135 effective 5/2021, hereby incorporated by reference <http://www.flrules.org/Gateway/reference.asp?No=Ref-13127>.
1136 Form CJSTC-20 can be obtained at the following FDLE Internet address:
1137 <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850)410-8615.
- 1138 6. Following successful completion of the Canine Team Training Instructor Course, successfully complete a
1139 Canine Team internship supervised by a certified Canine Team Instructor and document on the Instructor
1140 Competency form CJSTC-81. An instructor applicant shall instruct any topic of the Canine Team Training or
1141 Canine Team Training Instructor Course.
- 1142 7. Be evaluated by his or her students. Student evaluations shall be reviewed with the instructor applicant by
1143 a training center director, agency administrator, or an instructor designated by the training center director or agency
1144 administrator, and documented on form CJSTC-81.
- 1145 8. Provide verification that there is not a sustained “excessive use-of-force” complaint against the instructor
1146 applicant, involving the use of the canine at the time a canine was under his or her command, at the agency(s) where
1147 the instructor applicant obtained experience as a canine officer. The verification shall be documented on agency
1148 letterhead and signed by the agency administrator or designee.
- 1149 (d) Breath Test Instructor Certification. Instructor applicants who request certification to instruct the Breath
1150 Test Operator Course, Breath Test Operator Renewal Course, Agency Inspector Course, and the Agency Inspector
1151 Renewal Course, pursuant to Rule 11B-35.007, F.A.C., shall:
- 1152 1. Possess a General Instructor Certification or be eligible for General Instructor Certification and apply for a
1153 General Instructor Certification at the same time the applicant requests a Breath Test Instructor Certification.
- 1154 2. Successfully complete the Breath Test Instructor Course and proficiency requirements outlined in Rule
1155 11B-35.0024(4)(d), F.A.C., through a training school.
- 1156 3. Have a minimum of three years’ experience as a permitted certified breath test operator and agency
1157 inspector.
- 1158 4. Possess a valid Breath Test Operator Permit and a valid Agency Inspector Permit at the time the application
1159 for breath test instructor certification is submitted.
- 1160 5. Following successful completion of the Breath Test Instructor Course, successfully complete a Breath Test
1161 internship supervised by a certified Breath Test Instructor and document on the Instructor Competency Checklist
1162 form CJSTC-81. An instructor applicant shall instruct in one topic from any of the following courses: Breath Test
1163 Operator Course, Breath Test Operator Renewal Course, Agency Inspector Course, or Agency Inspector Renewal
1164 Course.
- 1165 6. Be evaluated by his or her students. Student evaluations shall be reviewed with the instructor applicant by
1166 a training center director, agency administer, or an instructor designated by the training center director or agency
1167 administrator, and shall be documented on form CJSTC-81, which shall be maintained in the instructor’s file at the
1168 training school or agency.
- 1169 7. Alcohol Testing Program staff shall possess a General Instructor Certification pursuant to subparagraph
1170 (3)(d)1 of this rule section, and shall be exempt from the requirements of subparagraph (3)(d)2.-6. of this rule
1171 section.
- 1172

Commented [GJ8]:

11B-20.0014(3)(d):

Description of the Revision: Changes the rule text from “certified” to “permitted”.

Why the rule is being revised: Revises the Breath Test Instructor Certification terminology to reflect that instructor applicants may have a minimum of three years’ experience as a “permitted” breath test operator and agency inspector rather than “certified”.

Revised by: Shayla Platt

(c) Breath Test Instructor Certification-Intoxilyzer 9000. Instructor applicants who request certification to instruct the Breath Test Operator Course-Intoxilyzer 9000, Breath Test Operator Renewal Course-Intoxilyzer 9000, Agency Inspector Course-Intoxilyzer 9000, and the Agency Inspector Renewal Course-Intoxilyzer 9000, pursuant to Rule 11B-35.007, F.A.C., shall:

1. Possess a General Instructor Certification or be eligible for General Instructor Certification and apply for a General Instructor Certification at the same time the applicant requests a Breath Test Instructor Certification-Intoxilyzer 9000.

2. Successfully complete the Breath Test Instructor Course-Intoxilyzer 9000 and proficiency requirements outlined in paragraph 11B-35.0024(4)(d), F.A.C., through a training school.

3. Have a minimum of three years' experience as a permitted Breath Test Operator-Intoxilyzer 9000 and Agency Inspector-Intoxilyzer 9000.

4. Possess a valid Breath Test Operator-Intoxilyzer 9000 Permit and a valid Agency Inspector-Intoxilyzer 9000 Permit at the time the application for breath test instructor certification is submitted.

5. Successfully complete a Breath Test internship supervised by a certified Breath Test Instructor and document on the Instructor Competency Checklist, form CJSTC-81. An instructor applicant shall instruct in one or more of the following areas:

topic from any of the following courses: Breath Test Operator Course-Intoxilyzer 9000, Breath Test Operator Renewal Course-Intoxilyzer 9000, Agency Inspector Course-Intoxilyzer 9000, or Agency Inspector Renewal Course-Intoxilyzer 9000.

6. Be evaluated by his or her students. Student evaluations shall be reviewed with the instructor applicant by a training center director, agency administrator, or an instructor designated by the training center director or agency administrator, and shall be documented on form CJSTC-81, which shall be maintained in the instructor's file at the training school or agency.

7. Alcohol Testing Program staff shall possess a General Instructor Certification pursuant to subparagraph (3)(e)1. of this rule section, and shall be exempt from the requirements of subparagraphs (3)(e)2.-6. of this rule section.

8. Breath Test Instructors who possess a valid certification prior to December 31, 2023 pursuant to subparagraph (3)(d)1.-6. of this rule section shall be exempt from the requirements of subparagraphs (3)(c)3.-6. of this rule section and shall be granted Breath Test Instructor-Intoxilyzer 9000 certification as well as Breath Test Operator and Agency Inspector Permits upon successful completion of Breath Test Instructor-Intoxilyzer 9000 course outlined in paragraph 11B-35.0024(4)(c).

Rule 11B-20.0014 3
Certification of Criminal Justice Training Instructors:
Minimum Requirements for High-Liability and
Specialized Instructor Certifications

2023-2024 PENDING Effective 7-23-23

1207 **11B-20.0016 Inspection of Instructor Certification Applications.**

1208 (1) For instructor applicants who have not been certified by the Commission and who have met the
1209 certification requirements set forth in Rules 11B-20.001 and 11B-20.0014, F.A.C., the employing training center
1210 director, agency administrator, or designee shall:

1211 (a) Collect the Instructor Certification Application form CJSTC-71 and verify the instructor meets the
1212 requirements of paragraph 11B-20.001(2)(c), F.A.C. Verify the instructor's professional expertise, pursuant with
1213 Rules 11B-20.001 and 11B-20.0014, F.A.C., for the specific certification being requested. Form CJSTC-71 and
1214 required documentation shall be maintained in the instructor's training file at the training school or agency.

1215 (b) Sign the instructor application after the instructor applicant has completed a satisfactory internship.

1216 (c) Electronically transmit the information to Commission staff on form CJSTC-71, through the Commission's
1217 ATMS.

1218 (2) If the instructor applicant's file at the training school or agency is missing documentation or contains
1219 deficient documentation, the instructor applicant and the training school or agency shall be notified of such
1220 documentation on the Instructor Certification Deficiency Notification, form CJSTC-271, revised _____,
1221 effective _____ November 5, 2015, effective 9-2016, hereby incorporated by reference
1222 <https://www.flrules.org/Gateway/reference.asp?No=Ref-07390>. Form CJSTC-271 can be obtained at the following
1223 FDLE Internet address: <http://www.fdlle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission
1224 staff at (850)410-8615.

1225 (3) The effective date of the instructor certification shall be the date the application is approved by
1226 Commission staff. Application for additional instructor certification topics shall be made pursuant to Rules 11B-
1227 20.001 and 11B-20.0014, F.A.C. An instructor's renewal date shall not change with the addition of instructor
1228 certification topics. Any additional instructor certification topics applied for within six months of the instructor's
1229 renewal deadline shall automatically renew on the renewal deadline.

1230 (4) The instructor applicant shall satisfy the deficiency(s) by submitting the required documentation to
1231 Commission staff within 90 days of the receipt of the Instructor Certification Deficiency Notification form
1232 CJSTC-271. The Commission has the authority to grant or deny the instructor applicant's certification for failure to
1233 meet the 90-day requirement. Upon denial of the application, the instructor applicant may reapply for certification.

1234 Rulemaking Authority 120.60(1), 943.03(4), 943.12(1), 943.14(3) FS. Law Implemented 120.60(1), 943.12(3), (9),
1235 943.14(3) FS. History—New 7-29-01, Amended 11-5-02, 11-30-04, 3-27-06, 6-9-08, 3-13-13, 7-29-15, 9-4-16.
1236
1237 _____.

Commented [GJ10]:

11B-20.0016(2):

Description of the Revision: Incorporates the revised Instructor Certification Deficiency Notification, form CJSTC-271.

Why the rule is being revised: Incorporates the revised Instructor Certification Deficiency Notification, form CJSTC-271, to add Breath Test-Intoxilyzer 9000 to the instructor certification categories.

Revised by: Shayla Platt

1238 **11B-20.0017 Maintenance and Duration of Instructor Certifications.** Documentation for instructors shall be
1239 maintained in the instructor's file at the respective training school or agency. Additionally, the training school or
1240 agency shall submit or transmit to Commission staff, through the Commission's ATMS, an Instructor Compliance
1241 Application, form CJSTC-84, revised _____, effective _____ November 5, 2015, effective 9/2016, hereby
1242 incorporated by reference _____ <https://www.flrules.org/Gateway/reference.asp?No=Ref->
1243 <https://www.flrules.org/Gateway/reference.asp?No=Ref-07287>, to verify compliance with the mandatory retraining
1244 requirements. Form CJSTC-84 can be obtained at the following FDLE Internet address:
1245 <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850)410-8615.

Commented [GJ11]:

11B-20.0017:

Description of the Revision: Incorporates the revised Instructor Compliance Application, form CJSTC-84.

Why the rule is being revised: Incorporates the revised Instructor Compliance Application, form CJSTC-84, to add Breath Test-Intoxilyzer 9000 to the list of specialized topics and continuing training and education categories, pursuant to implementation of the CMI Inc., Intoxilyzer 9000.

Revised by: Shayla Platt

1246 (1) Instructors shall successfully complete the instructional and continuing education requirements outlined
1247 below every four years. The expiration of an instructor's certification shall be March 31st of the fourth year
1248 following the instructor's initial certification.

1249 Example:

1250 Original Instructor Certification Date	November 21, 2009
1251 Instructor Four-year Anniversary Date	November 21, 2013
1252 Instructor Renewal Deadline	March 31, 2014

1253 (2) Instructors shall maintain Good Moral Character Standards pursuant to paragraph 11B-20.001(2)(c), F.A.C.

1254 (3) General Instructor Certification. Instructors who possess a General Instructor Certification shall instruct in
1255 a Commission-approved Basic Recruit Training Program Course, Advanced Training Program Course, or
1256 Specialized Training Program Course delivered at a training school, or in-service training course delivered at an
1257 agency, once during their four-year cycle.

1258 (4) High-Liability Instructor Certification. Commission-certified Instructors who possess a High-Liability
1259 Instructor Certification shall comply with the following requirements, once during their four-year cycle, to maintain
1260 an active certificate for each high-liability topic:

1261 (a) Instruction of a Commission-approved Basic Recruit Training Program Course, Advanced Training
1262 Program Course, or Specialized Training Program Course delivered at a training school, or in-service training course
1263 delivered at an agency for each high-liability certification.

1264 (b) Successfully complete continuing education or training approved by the training center director, agency
1265 administrator, or designee.

1266 (5) Specialized Instructor Certification. Instructors who possess a Specialized Instructor Certification shall
1267 comply with the following requirements, once during their four-year cycle, to maintain certification:

1268 (a) Instruct in a Commission-approved Basic Recruit Training Program Course, Advanced Training Program
1269 Course, or Specialized Training Program Course delivered at a training school, or in-service training course
1270 delivered at an agency for each specialized topic certification.

1271 (b) Successfully complete continuing education or training approved by the training center director, agency
1272 administrator, or designee. Breath Test Instructors shall successfully complete the corresponding Breath Test
1273 Instructor Renewal Course and proficiency requirements outlined in Rule 11B-35.0024(4)(f) or (g)(e), F.A.C.

1274 (6) Commission staff and Alcohol Testing Program staff responsible for the oversight of training schools are
1275 exempt from the instructor maintenance requirements for Commission certification.

1276 (7) Lapse of Instructor Certifications.

1277 (a) Instructors who do not comply with subsections (3), (4), or (5) of this rule section shall complete the
1278 Instructor Certification Application form CJSTC-71, and attach all required documentation pursuant to paragraphs
1279 (7)(b)-(e) of this rule section, to request approval for reactivation of instructor certification.

1280 (b) General Instructor Certification. Instructors whose General Instructor Certification has lapsed shall
1281 complete the General Instructor Refresher Course and an internship documented on the Instructor Competency
1282 Checklist, form CJSTC-81.

Commented [GJ12]:

11B-20.0017(5)(b):

Description of the Revision: Updates the rule reference and language.

Why the rule is being revised: Updates the rule reference and language, pursuant to implementation of the CMI Inc., Intoxilyzer 9000.

Revised by: Shayla Platt

1284 (c) High-Liability Instructor Certification. Instructors whose High-Liability Instructor Certification has lapsed
1285 for a period of four years or fewer shall:

- 1286 1. Demonstrate proficiency skills in the applicable high-liability topic pursuant to Rule 11B-35.0024, F.A.C.;
1287 and
- 1288 2. Complete continuing education or training approved by the training center director, agency administrator,
1289 or designee; and
- 1290 3. Complete a high-liability internship documented on the Instructor Competency Checklist, form CJSTC-81,
1291 that is supervised by an instructor who is certified in the high-liability topic area.

1292 (d) High-Liability Instructor Certification. Instructors whose High-Liability Instructor Certification has lapsed
1293 for a period of more than four years shall comply with Rule 11B-20.0014(1), F.A.C.

1294 (e) Specialized Instructor Certification. Instructors whose Specialized Instructor Certification has lapsed shall
1295 complete an internship in the applicable specialized topic documented on form CJSTC-81.

1296 (8) Breath Test Instructors who have not met the continuing education requirement required pursuant to
1297 paragraph (5)(b) in this rule section, shall successfully complete the corresponding Breath Test Instructor Renewal
1298 Course prior to submitting a request for reactivation of their Breath Test Instructor Certification.

1299 (9) Breath Test Instructors who fail the Breath Test Instructor Renewal Course or Breath Test Instructor
1300 Renewal Course-Intoxilyzer 9000 shall successfully complete the corresponding Breath Test Instructor Course and
1301 proficiency requirements outlined in paragraph 11B-35.0024(4)(d) or (e), F.A.C., through a Commission-certified
1302 training school, complete a Breath Test internship, and apply for Breath Test Instructor certification.

1303 Rulemaking Authority 943.03(4), 943.12(1), 943.14(3) FS. Law Implemented 943.12(3), 943.14(3) FS. History—
1304 New 7-29-01, Amended 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 6-3-10, 3-13-13, 5-29-14, 7-29-15, 9-4-16,
1305 7-19-17, 8-15-18, 6-23-22.

Commented [GJ13]:

11B-20.0017(8):

Description of the Revision: Updates the rule reference and rule language.

Why the rule is being revised: Updates the rule reference and rule language, pursuant to implementation of the CMI Inc., Intoxilyzer 9000.

Revised by: Shayla Platt

Commented [GJ14]:

11B-20.0017(9):

Description of the Revision: Updates the rule reference and rule language.

Why the rule is being revised: Updates the rule reference and rule language to include Breath Test Instructor Renewal Course-Intoxilyzer 9000, pursuant to implementation of the CMI Inc., Intoxilyzer 9000.

Revised by: Shayla Platt

Certification of Criminal Justice Training Schools		Chapter 11B-21
1306	RULE TITLES:	RULE NOS.:
1307	1. Local Advisement and Definitions.	<u>11B-21.001</u>
1308	2. Criminal Justice Training Schools' Request for Certification, Expansion of Certification, and Re-certification.	<u>11B-21.002</u>
1309	3. Criminal Justice Training School Requirements for Certification and Re-certification.	<u>11B-21.005</u>
1310	4. Criminal Justice Training School Satellite Facilities and Equipment Requirements.	<u>11B-21.0051</u>
1311	5. Criminal Justice Training School Disciplinary Guidelines and Revocation of Certification.	<u>11B-21.018</u>
1312	6. Criminal Justice Training School Inspections.	<u>11B-21.019</u>
1313	11B-21.001 Local Advisement and Definitions.	
1314	(1) "Training school" means those training academies and training schools that are certified by the Criminal Justice Standards and Training Commission.	
1315	(2) "Training program(s)" means Commission-approved training administered by Commission-certified criminal justice training schools pursuant to Rule Chapter 11B-35, F.A.C.	
1316	(3) Each training school shall establish a method for receiving advisement from the employing agencies served by the training school. The advisement method shall consist of an established advisory committee, a Regional Training Council, or any other method agreed upon by the training school and employing agencies in the service area.	
1317	(4) The purpose of such advisement shall be to provide information concerning training needs, number of trainees to be enrolled, type of training courses to be offered, effectiveness of training, expenditure of Criminal Justice Standards and Training Trust Fund Officer Training Monies, and other information that may be useful to training schools.	
1318	(5) Training School Customer Survey. With respect to the services provided by training schools, a Satisfaction Survey of officer training needs shall be conducted to maintain on-going communication with criminal justice agencies. The survey shall be conducted twice during the certification period and shall be distributed to criminal justice agencies and returned to Commission staff for compilation of survey findings. The survey findings shall be forwarded to the respective training schools for review and a report containing the compilation of survey findings shall be submitted to the Criminal Justice Standards and Training Commission.	
1319	Rulermaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.12(5), (6), 943.25(4), (9) FS. History- New 7-21-82, Amended 1-26-83, 9-1-83, 1-28-86, Formerly 11B-21.01, Amended 1-2-97, 7-7-99, 11-5-02, 11-30-04, 3-27-06.	

1337 **11B-21.002 Criminal Justice Training Schools' Request for Certification, Expansion of Certification, and**
1338 **Re-certification.**

1339 (1) Training organizations requesting Commission certification, re-certification, or expansion of a current
1340 certification shall apply to the Commission by submitting to Commission staff a completed Training School
1341 Certification, Re-certification, or Expansion of Certification Application, form CJSTC-29, revised November 6,
1342 2014, effective 7-2015, hereby incorporated by reference, <https://www.flrules.org/Gateway/reference.asp?No=Ref-05628>. Form CJSTC-29 shall reflect that certification is for the training organization requesting the certification, re-
1343 certification, or expansion of a current certification. Form CJSTC-29 can be obtained at the following FDLE
1344 Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at
1345 (850) 410-8615.

1346 (2) Pursuant to Section 943.12(3), F.S., the Commission shall authorize the issuance of certificates to criminal
1347 justice training schools. A training school shall be categorized as a type "A," "B," or "C," certification and assigned
1348 one of the following certification codes:

1349 (a) Type "A" certification grants a training school the authority to deliver Commission-approved Basic Recruit
1350 Training Program Courses for law enforcement, correctional, and correctional probation officers, and Commission-
1351 approved Advanced and Specialized Training Program Courses outlined in Rule Chapter 11B-35, F.A.C.

1352 (b) Type "B" certification grants a training school the authority to deliver Commission-approved Basic Recruit
1353 Training Program Courses for law enforcement and Commission-approved Advanced and Specialized Training
1354 Program Courses outlined in Rule Chapter 11B-35, F.A.C.

1355 (c) Type "C" certification grants a training school the authority to deliver Commission-approved Basic Recruit
1356 Training Program Courses for correctional and correctional probation officers, and Commission-approved Advanced
1357 and Specialized Training Program outlined in Rule Chapter 11B-35, F.A.C.

1358 (3) Request for Training School Initial Certification.

1359 (a) The training organization requesting initial certification shall obtain approval from the Regional Training
1360 Council in its area prior to applying for an initial certification, via a Training School Certification, Re-certification,
1361 or Expansion of Certification Application form CJSTC-29.

1362 (b) A training needs analysis shall be conducted by Commission staff for the region or local training area to be
1363 served by the organization requesting certification. An inspection shall be conducted of the training organization to
1364 ensure compliance with the requirements for certification pursuant to Rule 11B-21.005, F.A.C. An application for
1365 certification of a training organization shall be denied by the Commission for any training organization that does not
1366 demonstrate that a training need exists in the region or local training area intended to be served by the training
1367 organization or does not comply with the requirements set forth in Rule 11B-21.005, F.A.C.

1368 (c) A training organization shall receive a notice of intent to approve or deny certification. If a request for
1369 certification is denied, the notice shall specify the grounds for the denial, and the denial shall be conducted pursuant
1370 to Chapter 120, F.S. A training organization that has been denied Commission certification as a training school may
1371 reapply or petition the Commission after such action is effective. The Commission shall require a hearing, at which
1372 time the affected training organization shall show cause why its application for certification should be accepted, or
1373 its petition granted.

1374 (d) Commission approval of a training school for delivery of Commission training shall continue in effect until
1375 the next recertification date pursuant to paragraph 11B-21.002(5)(a), F.A.C.

1376 (4) Request for Expansion for Certification. A training school that requests expansion of its certification shall
1377 follow the procedures in subsection 11B-21.002(3), F.A.C. The expansion portion of the certification shall be
1378 treated as an initial certification. The certification expiration date of the expansion shall remain the same as the
1379 current expiration date.

1403 **11B-21.005 Criminal Justice Training School Requirements for Certification and Re-certification.**

1404 Training Schools certified by the Commission shall comply with the following requirements:

1405 (1) Provide criminal justice training to criminal justice agencies and officers in its service area.

1406 (2) Comply with the requirements set forth in Rule Chapter 11B-35, F.A.C., when delivering Commission-
1407 approved training.

1408 (3) Classroom Facility and Equipment Requirements. Comply with the classroom facility and equipment
1409 requirements set forth in the Training School Classroom Facility Requirements, form CJSTC-205, revised October
1410 30, 2008, hereby incorporated by reference. Form CJSTC-205 can be obtained at the following FDLE Internet
1411 address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850)
1412 410-8615.

1413 (4) Driving Range Facility, Equipment, and Instructor to Student Ratio Requirements.

1414 (a) When conducting Commission-approved vehicle operations training, comply with the driving range
1415 facility, equipment, and instructor to student ratio requirements set forth in subsection 11B-35.0021(8), F.A.C., and
1416 in the Driving Range Facility and Equipment Requirements, form CJSTC-202, revised August 18, 2022, effective
1417 7/2023, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-15519>. Form
1418 CJSTC-202 can be obtained at the following FDLE Internet address:
1419 <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

1420 (b) Deviation from the Standard Driving Range. Should any driving range proposed for construction after July
1421 1, 1988, deviate from the standards set forth in form CJSTC-202, plans for such construction shall be submitted to
1422 Commission staff for initial review, and then to the Commission for final approval or disapproval. Justification for
1423 such construction shall include a statement of explanation and supporting documentation justifying the need to
1424 deviate from the established standard. A recommendation for deviation from the Commission's driving facility
1425 requirement shall ensure that vehicle operation training exercises can be safely and effectively performed.

1426 (5) Defensive Tactics Facility, Equipment, and Instructor to Student Ratio Requirements. When conducting
1427 Commission-approved defensive tactics training, comply with the defensive tactics equipment, facility, and
1428 instructor to student ratio requirements set forth in subsection 11B-35.0021(8), F.A.C., and in the Defensive Tactics
1429 Facility and Equipment Requirements, form CJSTC-203, revised August 18, 2022, effective 7/2023, hereby
1430 incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-15520>. Form CJSTC-203 can be
1431 obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by
1432 contacting Commission staff at (850) 410-8615.

1433 (6) Firing Range Facility, Equipment, and Instructor to Student Ratio Requirements. When conducting
1434 Commission-approved firearms training, comply with the firing range equipment, facility, and instructor to student
1435 ratio requirements set forth in subsection 11B-35.0021(8), F.A.C., and in the Firing Range Facility and Equipment
1436 Requirements, form CJSTC-201, revised August 18, 2022, effective 7/2023, hereby incorporated by reference
1437 <https://www.flrules.org/Gateway/reference.asp?No=Ref-15518>. Form CJSTC-201 can be obtained at the following
1438 FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission
1439 staff at (850) 410-8615. Firearms training shall be supervised directly by a Commission-certified firearms instructor
1440 and the instructor shall have access to at least one firearms range designed for criminal justice firearms instruction.

1441

Rule 11B-21.005	40	Effective 7-23-23
Certification of Criminal Justice Training Schools:		
Criminal Justice Training School Requirements for		
Certification and Re-Certification		

1442 (7) First Aid Facility, Equipment, and Instructor to Student Ratio Requirements. When conducting
1443 Commission-approved first aid training, comply with the first aid equipment, facility, and instructor to student ratio
1444 requirements set forth in subsection 11B-35.0021(8), F.A.C., and in the First Aid Instructional Requirements, form
1445 CJSTC-208, revised August 18, 2022, effective 7/2023, hereby incorporated by reference
1446 <https://www.flrules.org/Gateway/reference.asp?No=Ref-15521>. Form CJSTC-208 can be obtained at the following
1447 FDLE Internet address: <http://www.fdlc.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission
1448 staff at (850) 410-8615.

1449 (8) Staffing Requirements. Comply with the personnel requirements set forth in the Staffing Requirements,
1450 form CJSTC-204, revised October 30, 2008, hereby incorporated by reference. Form CJSTC-204 can be obtained at
1451 the following FDLE Internet address: <http://www.fdlc.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting
1452 Commission staff at (850) 410-8615. The following specifications shall be met:

1453 (a) One full-time salaried criminal justice training center director designated by a training school, and
1454 employed on a 12-month calendar with faculty or administrative status, whose responsibilities are the management
1455 and quality control of the Commission-approved training programs and do not include a teaching assignment. Any
1456 additional administrative responsibilities or any instructional responsibilities shall not be undertaken by the director
1457 upon a finding that such additional responsibilities interfere with the director's effective management of the training
1458 school. A training center director or interim training center director initially employed on or after July 1, 1990, shall
1459 at minimum, hold a bachelor's degree from an accredited college or university, and possess no less than two years'
1460 experience in the criminal justice field. Training center directors shall be responsible for the scheduling,
1461 presentation, and management of Commission-approved training programs, which shall include preparation of
1462 required reports and records, assuring quality of instruction, administration, and security of examinations. A
1463 training center director's designee shall be employed full-time with faculty or administrative status, whose
1464 responsibilities are the management and quality control of Commission-approved training.

1465 (b) At least one full-time clerk or administrative assistant assigned to report to the training center director,
1466 whose responsibilities are limited to providing clerical and administrative assistance to the director. Two or more
1467 individuals may perform such clerk or administrative assistant duties, if the aggregate personnel time dedicated to
1468 these duties is equivalent, at minimum, to a full-time position.

1469 (c) At least two full-time criminal justice training instructor or instructional coordinator positions assigned to
1470 report solely to the training center director for training schools with a Type "A" certification. One coordinator
1471 position can be composed of two or more instructional coordinators, provided the aggregate personnel time
1472 dedicated to these duties is equivalent to one full-time position. A training school with a Type "B" or "C"
1473 certification shall have at least one full-time criminal justice training instructor or instructor coordinator position
1474 assigned to report solely to the training center director. In the absence of the director, at least one full-time
1475 instructor, instructional coordinator, or other individual specifically designated by the director shall be accessible
1476 while criminal justice training is being administered and shall be responsible for quality control.

1477 (9) Comply with the instructor certification requirements set forth in Rule Chapter 11B-20, F.A.C., when
1478 delivering Commission-approved training.

1479 (10) Basic Abilities Testing Requirements pursuant to Rule 11B-35.0011, F.A.C., and Section 943.17(1)(g),
1480 F.S. Effective January 1, 2002, training schools certified by the Commission that provide Commission-approved
1481 Basic Recruit Training Programs shall:

1482 (a) Adopt a Commission-approved basic abilities test as an entry requirement into a Law Enforcement or
1483 Correctional Basic Recruit Training Program. Correctional Probation Officers and individuals applying for a Law
1484 Enforcement Basic Recruit Training Program that are veterans as defined in Section 1.01(14), F.S., or hold an
1485 associate degree or higher from an accredited college or university are exempt from taking the basic abilities test.

1486 (b) Require, for admission into a Commission-approved Basic Recruit Training Program, a passing score from
1487 a Commission-approved basic abilities test, which shall be accepted by any training school. A passing score is valid
1488 four years from the date of the test.

1489

1490 (c) Not exempt a student from taking a Commission-approved basic abilities test unless otherwise noted in
1491 subsection 11B-21.005(10)(a), F.A.C.

1492 (11) Comply with criminal history background requirements as set forth in subsection 11B-27.00211(4), F.A.C.,
1493 and Section 943.14(7), F.S.

1494 (12) Comply with requirements for notification of changes in requirements for certification. Training schools
1495 with changes in staff and facilities during the school's active certification period shall:

1496 (a) Provide notification to Commission staff, in writing or via e-mail to your field specialist, of any changes in
1497 the training school's staffing requirements, pursuant to subsection 11B-21.005(8), F.A.C., within 10 working days
1498 upon hiring or separation of personnel.

1499 (b) Provide notification to Commission staff, in writing or via e-mail, of any changes in the training school's
1500 facility requirements. Such notification shall include locations by the type of facility and street address, and certify
1501 in writing to Commission staff that the facility is in compliance with Rule 11B-21.005, F.A.C.

1502 1. Training schools shall notify Commission staff of any changes in facility sites and the site's compliance
1503 with the Commission's requirements, thirty days prior to delivering training or immediately upon scheduling when
1504 under thirty days.

1505 2. Driving ranges, firearms ranges, and defensive tactics facilities shall not be used for Commission training
1506 until approved by Commission staff.

1507 Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.12(2), (3), (8), 943.14, 943.17(1)(g) FS.
1508 History—New 7-21-82, Formerly 11B-21.05, Amended 1-28-86, 8-30-89, 12-24-89, 6-3-91, 12-13-92, 1-2-97, 7-7-
1509 99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09, 5-21-12, 3-13-13, 5-29-14, 9-4-16,
1510 8-15-18, 5-20-21, 6-23-22, 7-23-23.

1511

1512 **11B-21.0051 Criminal Justice Training School Satellite Facilities and Equipment Requirements.**

1513 (1) A satellite facility shall be defined as a training facility or location that is not part of the immediate
1514 premises of a training school and is not used to comply with a training school's certification requirements. A high-
1515 liability satellite training facility shall comply with the facility and equipment requirements set forth in subsection
1516 11B-21.019(1), F.A.C.

1517 (2) Such training schools utilizing satellite training facilities, inclusive of high-liability facilities, to deliver
1518 training, shall:

1519 (a) Provide notification, in writing, via e-mail, or telephonic communication, pursuant to subsection
1520 11B-35.001(2), F.A.C.

1521 (b) Identify active satellite locations by the type of facility and street address, and certify in writing to
1522 Commission staff prior to July 1 of each fiscal year that its designated satellite training facility complies with Rule
1523 11B-21.005, F.A.C. Training schools shall notify Commission staff of any new satellite sites and the satellite site's
1524 compliance with the Commission's requirements, prior to delivering training, or immediately upon scheduling the
1525 course when under thirty days. Prior to utilizing a satellite training facility, pursuant to Rule 11B-21.005, F.A.C., a
1526 driving range, firearms range, and defensive tactics facility shall comply with the equipment and facility
1527 requirements, and shall not be used for Commission training until approved by Commission staff.

1528 (c) Comply with the requirements of Rule 11B-21.005, F.A.C., for the delivery of training at satellite sites.
1529 Only those sites that submit notification to Commission staff, set forth in subsection 11B-35.001(2), F.A.C.,
1530 regarding notification of scheduled courses, shall be approved to instruct training at a satellite facility.

1531 (d) Obtain approval from the affected Regional Training Council(s) and local training school prior to delivery
1532 of training at a satellite site outside its service area. Notification of such action shall be submitted to Commission
1533 staff.

1534 Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.12(3), (7), 943.14, 943.17(1)(g) FS.
1535 History-New, 11-5-02. Amended 11-30-04.

Rule 11B-21.0051 Certification of Criminal Justice Training Schools: Criminal Justice Training School Satellite Facilities and Equipment Requirements	43	Effective 11-30-04
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1536 **11B-21.018 Criminal Justice Training School Disciplinary Guidelines and Revocation of Certification.**

1537 (1) The certification of a training school shall be revoked, suspended, or placed on probation if any of the
1538 following violations occur:

1539 (a) Failure to maintain compliance with training school requirements pursuant to Rule 11B-21.005, F.A.C.

1540 (b) Failure to comply with Rule Chapter 11B-18, F.A.C., that regulates the administration, expenditure, and
1541 accounting of Criminal Justice Standards and Training Trust Fund Officer Training Monies.

1542 (c) Failure to notify the Commission of acts committed by Commission-certified training instructors that
1543 constitute grounds for revocation of instructor certification pursuant to Rule 11B-20.0012, F.A.C.

1544 (d) Failure to comply with trainee attendance and performance standards pursuant to subsections 11B-
1545 35.001(10) and (12), F.A.C.

1546 (e) Failure to comply with Criminal Justice Standards and Training Commission rules that regulate training
1547 pursuant to Rule Chapters 11B-21, 11B-30, and 11B-35, F.A.C.

1548 (2) Information obtained from a written complaint or other documentation, shall be used by the Commission to
1549 determine whether probable cause exists to justify the initiation of administrative action against the training school's
1550 certificate. Should a Commission Probable Cause Determination Hearing find probable cause to believe that the
1551 training school has committed a violation of Commission rules, the Commission shall:

1552 (a) Issue an Administrative Complaint, or

1553 (b) Resolve the case pursuant to Section 120.569, F.S.

1554 (3) Should the Commission revoke the certification of a training school, Commission staff shall schedule an
1555 audit and inventory pursuant to Sections 943.12(3) and 943.25(3), F.S., of class file documentation, monies,
1556 equipment, and property that have been acquired by the training school with Criminal Justice Standards and
1557 Training Trust Fund Officer Training Monies. The audit and inventory shall be conducted within thirty calendar
1558 days from the date the Commission took action on the training school's certification, and:

1559 (a) A training school shall submit to Commission staff unexpended Criminal Justice Standards and Training
1560 Trust Fund Officer Training Monies for deposit into the trust fund within thirty calendar days of the date of the audit
1561 and inventory.

1562 (b) A training school shall transfer equipment and property acquired with Criminal Justice Standards and
1563 Training Trust Fund Officer Training Monies to Commission staff within thirty calendar days of the audit and
1564 inventory completion date.

1565 (c) A training school shall submit to Commission staff class file records necessary to verify student attendance
1566 and performance for Commission-approved training conducted by a training school, or provide written
1567 documentation that the training school shall honor all requests for information and verification of data contained in
1568 the class files.

1569 (d) Commission staff shall coordinate with representatives of the affected Regional Training Council to
1570 schedule appropriate disposition of Officer Training Monies, trust fund equipment and property, and criminal justice
1571 training class file records.

1572 (4) A training school whose Commission certification has been revoked may reapply or petition the
1573 Commission for certification pursuant to the provisions of paragraph 11B-21.002(5)(d), F.A.C.

1574 Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.12(3), 943.14, 943.25(3) FS. History-
1575 New 10-17-90, Amended 12-13-92, 8-7-94, 1-2-97, 7-7-99, 8-22-00, 11-5-02, 11-30-04, 6-9-08, 9-4-16, 8-15-18.

1576

Rule 11B-21.018	44	Effective 8-15-18
Certification of Criminal Justice Training Schools:		
Criminal Justice Training School Disciplinary Guidelines and Revocation of Certification		

1577 **11B-21.019 Criminal Justice Training School Inspections.** Section 943.12(3), F.S., authorizes the Criminal
1578 Justice Standards and Training Commission to issue certificates to criminal justice training schools. These training
1579 schools shall abide by the requirements for administration and instruction of Commission-approved training
1580 pursuant to Rule Chapters 11B-21 and 11B-35, F.A.C.

1581 (1) A comprehensive inspection of training schools shall be conducted annually no later than December 31 of
1582 each year, by Commission staff or the training center director or designee, to ensure compliance with Rules
1583 11B-21.005 and 11B-21.0051, F.A.C. Commission staff shall conduct a comprehensive inspection of the training
1584 schools during the second year of the five-year training school certification period and in conjunction with the five-
1585 year training school recertification, pursuant to paragraph 11B-21.002(5)(b), F.A.C. The training center director or
1586 designee shall conduct a comprehensive inspection of their training school during each of the remaining years of the
1587 training school certification period. When the training center director or designee conducts an inspection, the
1588 training center director or designee shall complete, sign, and forward to Commission staff, the following applicable
1589 form(s):

- 1590 (a) Firing Range Facility and Equipment Requirements form CJSTC-201.
1591 (b) Driving Range Facility and Equipment Requirements form CJSTC-202.
1592 (c) Defensive Tactics Facility and Equipment Requirements form CJSTC-203.
1593 (d) First Aid Instructional Requirements form CJSTC-208.

1594 (2) Random inspections shall be conducted by Commission staff of classroom facilities, courses in session,
1595 staffing requirements, statute and rule compliance, and shall be documented on the following applicable form(s):

1596 (a) Training School Contact Report, form CJSTC-200, revised November 8, 2007, hereby incorporated by
1597 reference. Form CJSTC-200 can be obtained at the following FDLE Internet address:
1598 <http://www.fdlle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

- 1599 (b) Staffing Requirements form CJSTC-204.
1600 (c) Training School Classroom Facility Requirements form CJSTC-205.

1601 (3) The training center director or designee will notify Commission staff immediately if any areas of non-
1602 compliance are noted during the annual inspection. Training schools shall correct the areas of non-compliance
1603 within 30 days from the date the training center director or designee conducts the inspection or the date the training
1604 schools are notified by Commission staff. All areas of non-compliance shall be corrected or prior to the subsequent
1605 use of the facilities for delivery of training.

1606 (4) Commission staff shall conduct a re-inspection of the areas of non-compliance that were recorded on the
1607 form(s) to ensure corrective action has taken place and shall complete a Non-Compliance Follow-up Report, form
1608 CJSTC-206, revised May 6, 2004, hereby incorporated by reference. Form CJSTC-206 can be obtained at the
1609 following FDLE Internet address: <http://www.fdlle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting
1610 Commission staff at (850) 410-8615.

1611 (5) The Commission chairperson shall be notified of continued non-compliance of training schools regarding
1612 "deficiency(ies)" recorded and "complaint(s)" opened pursuant to the disciplinary provisions of Rule 11B-21.018,
1613 F.A.C. Notification of an "Official Inquiry" shall be provided to the training school.

1614 (6) Findings resulting from the Commission's complaint process shall be used by the Commission in
1615 determining whether probable cause exists to issue an administrative complaint seeking revocation of a certificate,
1616 or a statement denying a request for certification or re-certification.

1617 Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.12(3), 943.14 FS. History-New, 11-5-
1618 02, Amended 11-30-04, 6-9-08, 9-4-16.

1619	Certification and Employment or Appointment	Chapter 11B-27
1620	RULE TITLES:	RULE NOS.:
1621	1. Moral Character.	<u>11B-27.0011</u>
1622	2. Certification, Employment or Appointment, Reactivation, and	<u>11B-27.002</u>
1623	Terminating Employment or Appointment of Officers.	
1624	3. High School Graduation or Equivalent.	<u>11B-27.0021</u>
1625	4. Fingerprint Processing and Criminal Record Results.	<u>11B-27.00211</u>
1626	5. Maintenance of Officer Certification.	<u>11B-27.00212</u>
1627	6. Temporary Employment Authorization.	<u>11B-27.00213</u>
1628	7. Background Investigations.	<u>11B-27.0022</u>
1629	8. Controlled Substance Testing Procedures.	<u>11B-27.00225</u>
1630	9. Duty to Report, Investigations, Procedures	<u>11B-27.003</u>
1631	10. Probable Cause Determination.	<u>11B-27.004</u>
1632	11. Revocation or Disciplinary Actions; Disciplinary Guidelines; Range	<u>11B-27.005</u>
1633	of Penalties; Aggravating and Mitigating Circumstances.	
1634	12. Denial of Certification.	<u>11B-27.007</u>
1635	13. Canine Team Certification.	<u>11B-27.013</u>
1636	14. Implementation of the Law Enforcement Officers Safety Act of 2004.	<u>11B-27.014</u>
1637	11B-27.0011 Moral Character.	
1638	(1) For the purpose of certification, employment, or appointment, pursuant to procedures established by	
1639	paragraph 11B-27.002(1)(g) and Rule 11B-27.00225, F.A.C., the employing agency is responsible for conducting a	
1640	thorough background investigation to determine the moral character of an applicant, pursuant to Section 943.13(7),	
1641	F.S.	
1642	(2) The unlawful use of any controlled substances pursuant to Rule 11B-27.00225, F.A.C., by an applicant for	
1643	certification, employment, or appointment, at any time proximate to the submission of application for certification,	
1644	employment, or appointment, conclusively establishes that the applicant is not of good moral character pursuant to	
1645	Section 943.13(7), F.S. The unlawful use of any controlled substances specified in Rule 11B-27.00225, F.A.C., by	
1646	an applicant may or may not conclusively establish that the applicant is not of good moral character pursuant to	
1647	Section 943.13(7), F.S., depending upon the type of controlled substance used, the frequency of use, and the age of	
1648	the applicant at the time of use. Nothing in this rule chapter is intended to restrict the requirements of Section	
1649	943.13(7), F.S., to controlled substance use only.	
1650	(3) Upon written request and submission of materials, the Commission shall evaluate the qualification of an	
1651	applicant to determine compliance with "good moral character" pursuant to this rule section. Written materials	
1652	submitted to the Commission upon request for reinstatement of certification shall include, if available, all prior	
1653	Commission disciplinary records, agency disciplinary records, victim statement(s), or citizen input. The Notice of	
1654	Petition for reinstatement shall be published in the Florida Administrative Register or in the jurisdiction of the	
1655	petitioning agency.	
1656	(4) For the purposes of the Criminal Justice Standards and Training Commission's implementation of any of	
1657	the penalties specified in Section 943.1395(6) or (7), F.S., a certified officer's failure to maintain good moral	
1658	character required by Section 943.13(7), F.S., is defined as:	
1659	(a) The perpetration by an officer of an act that would constitute any felony offense, whether criminally	
1660	prosecuted or not.	

1661 (b) Except as otherwise provided in Section 943.13(4), F.S., a plea of guilty, an adjudication of guilt, or a
1662 verdict of guilty after a criminal trial for any of the following misdemeanor or criminal offenses, notwithstanding
1663 any suspension of sentence or withholding of adjudication, or the perpetration by an officer of an act that would
1664 constitute any of the following misdemeanor or criminal offenses whether criminally prosecuted or not:

1665 1. Sections 316.193, 316.1939, 327.35, 365.16(1)(c),(d), 414.39, 499.03, 741.31, 784.011, 784.03, 784.047,
1666 784.048, 784.05, 784.049(3)(a), 784.046(15), 790.01, 790.10, 790.15, 790.27, 794.027, 796.07, 800.02, 800.03,
1667 806.101, 806.13, 810.08, 810.14, 812.014, 810.145, 812.015, 812.14, 817.235, 817.49, 817.563, 817.565, 817.61,
1668 817.64, 827.04, 828.12, 831.30, 831.31(1)(b), 832.05, 836.12(2), 837.012, 837.05, 837.055, 837.06, 839.13, 839.20,
1669 843.02, 843.03, 843.06, 843.085, 847.011, 856.021, 870.01, 893.13, 893.147, 901.36 914.22, 934.03, 934.425,
1670 944.35, 944.37, **and** 944.39, **944.47, and 951.22**, F.S.

1671 2. Any principal, accessory, attempt, solicitation, or conspiracy, pursuant to Chapter 777, F.S., which had the
1672 crime been committed or completed would have been a felony offense; or

1673 3. The perpetration of an act in any jurisdiction other than the State of Florida, which if committed in the State
1674 of Florida would constitute any offense listed in this rule section.

1675 (c) The perpetration by an officer of acts or conduct that constitute the following offenses:

1676 1. Excessive use of force, defined as a use of force on a person by any officer that is not justified under
1677 Sections 776.05 or 776.07, F.S., or a use of force on an inmate or prisoner by any correctional officer that would not
1678 be authorized under Section 944.35(1)(a), F.S.

1679 2. Misuse of official position, defined by Section 112.313(6), F.S.

1680 3. Having an unprofessional relationship with an inmate, detainee, probationer or parolee, or community
1681 controllee. An unprofessional relationship is defined as:

1682 a. Having written or oral communication with an inmate, detainee, probationer or parolee, or community
1683 controllee that is intended to facilitate conduct prohibited by this rule section; or

1684 b. Engaging in physical contact not required in the performance of official duties, and is defined as kissing,
1685 fondling of the genital area, buttocks, or breasts, massaging or similar touching, holding hands, any other physical
1686 contact normally associated with the demonstration of affection or sexual misconduct as applied to all certifications,
1687 which is defined in Section 944.35(3), F.S.

1688 c. Engaging in a romantic association with an inmate, detainee, probationer, parolee, or community controlee.
1689 "Romantic association" is defined as the exchange of telephone calls, pictures, letters, greeting cards, or any other
1690 form of oral or written communication which expresses feelings or thoughts of affection or the desire to engage in a
1691 romantic relationship whether emotional or physical. This subsection shall not apply to an officer who is legally
1692 married to an inmate, detainee, probationer or parolee, or community controlee in the community, nor does it apply
1693 to any officer who has no knowledge, or reason to believe, that the person with whom the officer has engaged in a
1694 romantic association is an inmate, detainee, probationer or parolee, or community controlee.

1695 4. Sexual harassment pursuant to and consistent with decisions interpreting 29 C.F.R. 1604.11, including
1696 unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature,
1697 when the harassment involves physical contact or misuse of official position and when:

1698 a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's
1699 employment; or

1700 b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions
1701 affecting such individual; or

1702 c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance
1703 or creating an intimidating, hostile, or offensive working environment.

1704 5. Engaging in oral, anal, or vaginal penetration by, or union with, the sexual organ of another person or
1705 engaging in anal or vaginal penetration by any other object while on duty, or at any time the officer is acting under
1706 the color of authority as a Commission-certified criminal justice officer, and not done for a bona fide medical
1707 purpose or in the lawful performance of the officer's duty.

Commented [GJ15]:

11B-27.0011(4)(b)1.:

Description of the Revision: Adds the violations of "introduction of contraband" and "introduction of a vapor-generating electronic device" to the list of enumerated misdemeanor moral character violations.

Why the rule is being revised: Amends current rule language to add the charge of "introduction of contraband" to the list of misdemeanor moral character violations and associated penalty guideline because statutory changes were made in 2019 and 2020 to reclassify the introduction of written communication, currency or coins, food or clothing, tobacco products, cigarettes, cigars, and any intoxicating beverage from third-degree felonies to first-degree misdemeanors, including the "introduction of a vapor-generating electronic device" into a state correctional facility.

Revised by: Stacy Lehman/Erica Gaines

- 1708 6. False statements during the employment application process.
- 1709 7. Conduct that subverts or attempts to subvert the State Officer Certification Examination process pursuant to
- 1710 Rule 11B-30.009, F.A.C.
- 1711 8. Conduct that subverts or attempts to subvert the Basic Abilities Test process pursuant to subsection
- 1712 11B-35.0011(1), F.A.C.
- 1713 9. Conduct that subverts or attempts to subvert the examination process for Commission-approved training at
- 1714 a Commission-certified training school or an employing agency promotional examination process which shall
- 1715 include the following:
- 1716 a. Removing from the examination room any of the examination materials.
- 1717 b. Reproducing or reconstructing any portion of the examination.
- 1718 c. Aiding by any means in the reproduction of any portion of the examination.
- 1719 d. Selling, distributing, buying, receiving, or having unauthorized possession of any portion of a past, current,
- 1720 or future examination.
- 1721 e. Communication with any other examinee during the administration of the examination.
- 1722 f. Copying answers from another examinee, or intentionally allowing one's answers to be copied by another
- 1723 examinee during the administration of the examination.
- 1724 g. Having in one's possession during the administration of the examination, any books, notes, written or
- 1725 printed materials, or data of any kind, not supplied as part of, or required for, the test administration.
- 1726 h. Falsifying or misrepresenting information required for admission to the examination.
- 1727 i. Impersonating an examinee.
- 1728 j. Having an impersonator take the examination on one's behalf.
- 1729 k. Disrupting the test administration.
- 1730 l. Revealing the test questions or other information that would compromise the integrity of the examination.
- 1731 10. Any overt, conspicuous, or public act of a sexual or simulated sexual nature which is likely to be observed
- 1732 by others.
- 1733 11. Any willful and offensive exposure or exhibition of his or her sexual organs in public or on the private
- 1734 premises of another or so near thereto as to likely be seen except in any place provided or set apart for that purpose.
- 1735 12. Willful failure of the agency administrator to comply with Chapter 943, F.S., as it pertains to the Criminal
- 1736 Justice Standards and Training Commission or Commission rules.
- 1737 13. Intentional abuse of a Temporary Employment Authorization, pursuant to Section 943.131(1), F.S.
- 1738 14. Misuse of Electronic Database. Willfully and knowingly accessing an electronic database within the trust
- 1739 of an officer, by using said database to access restricted information for an illegitimate or personal purpose with bad
- 1740 intent. Bad intent may be evidenced by:
- 1741 a. A pattern of misuse that demonstrates improper accesses or violations.
- 1742 b. If the violation occurred after the officer received agency or Commission discipline for improperly
- 1743 accessing a computer database, or after the officer received formal training on the database(s) that includes
- 1744 provisions on the improper use of said database(s).
- 1745 c. The existence of a current or past non-amicable or otherwise contentious relationship between the officer
- 1746 and the subject of the query, or when the purpose of the query is to identify person(s) linked or associated to said
- 1747 relationship.
- 1748 d. Pre-textual queries based on age, race, sex, gender, or other personal identifying characteristics.
- 1749 e. Any additional action taken by the officer as a result of the information obtained from the query, for
- 1750 example, retaining, copying, or reproducing the information obtained from the query, or disseminating information
- 1751 not listed as confidential or exempt in Chapter 119, Florida Statutes, obtained as a result of the query.
- 1752

- 1753 15. Discriminatory Conduct:
- 1754 a. The perpetration by the officer of either a course of conduct or a single egregious act that evidences
1755 discriminatory conduct based on race, color, religion, sex, pregnancy, national origin, age, handicap, or sexual
1756 orientation, which does not involve an expression of public concern, and which causes a clear and substantial belief
1757 in the mind of a reasonable person that the officer cannot perform the duties of office in a fair and impartial manner,
1758 with respect for the rights of others and laws of the state and nation; or
- 1759 b. Knowingly, willfully, and actively participating in any activity committed with the intent to benefit,
1760 promote, or further the interests of a "hate group", as defined in Section 874.03(6), Florida Statutes.
- 1761 c. For the purposes of this section, an expression of public concern shall mean an expression by an individual
1762 as a citizen that relates to any matter of political, social, or other concern of the community. Expressions of public
1763 concern are determined by the content, form, and context of the given act or course of conduct, viewed by the
1764 totality of the record.
- 1765 (d) A certified officer's unlawful injection, ingestion, inhalation, or other introduction of any controlled
1766 substance, as defined in Section 893.03, F.S., into his or her body as evidenced by a drug test in accordance with
1767 Sections 112.0455, 440.102, or 944.474, F.S.
- 1768 (5) A certified officer's failure to maintain good moral character as defined in subsection (4) of this rule
1769 section by committing a violation involving perjury or false statement in a court proceeding, shall not include a
1770 statement which was recanted. If the violation involving perjury or false statement is alleged to have occurred in the
1771 performance of regularly required work duties or the course of an administrative or disciplinary investigation, a
1772 certified officer's failure to maintain good moral character as defined in subsection (4) of this rule section shall not
1773 include a statement in which the officer making the statement conceded such statement to be false prior to the
1774 employing agency's conclusion of the internal affairs investigation in which the false statement related to a material
1775 fact or within 10 calendar days of making the false statement, whichever occurs first. For purposes of this
1776 subsection, the employing agency's internal affairs investigation shall be deemed to be at a conclusion upon the
1777 investigator's execution of the statement required by Section 112.533(1)(a)2., F.S.
- 1778 (6) The employing agency shall forward to the Commission the agency's investigative report pursuant to
1779 procedures established in Rule 11B-27.003, F.A.C., when an allegation has been made that an officer has failed to
1780 maintain good moral character, as defined in subsection (4) of this rule section, and has been sustained by the
1781 employing agency, or an act of conduct by the officer has resulted in the officer's arrest. The report shall be
1782 forwarded immediately upon separation of the officer from employment, or, if the officer is not separated from
1783 employment, within 45 days from the date an allegation has been sustained, as set forth in this rule section.
- 1784 (7) Commission staff's decision to initiate presentation of a case for a Commission Probable Cause
1785 Determination shall be based upon the following conditions:
- 1786 (a) Whether the allegations against the officer constitute a violation of subsection (4) of this rule section or
1787 Section 943.13(4), F.S.;
- 1788 (b) Whether there is evidence of probable cause to support the filing of a complaint; and
- 1789 (c) Whether a Letter of Acknowledgment is warranted pursuant to subsections 11B-27.004(7)-(11), F.A.C.
- 1790 Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.13(7), 943.1395(7) FS. History-New 1-7-
1791 85. Formerly 11B-27.011, Amended 7-13-87, 10-25-88, 12-13-92, 9-5-93, 1-19-94, 8-7-94, 11-5-95, 1-2-97, 7-7-99,
1792 8-22-00, 11-5-02, 4-11-04, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 4-16-09, 6-3-10, 5-21-12, 3-13-13, 5-29-14,
1793 7-29-15, 9-4-16, 8-15-18, 5-5-20, 6-26-22._____.

1794 **11B-27.002 Certification, Employment or Appointment, Reactivation, and Terminating Employment or**
1795 **Appointment of Officers.**

1796 (1) Certification or Reactivation of Certification. Prior to submitting an application for certification or
1797 reactivation of certification for a law enforcement, correctional, or correctional probation officer, the employing
1798 agency shall collect and verify documents establishing that an applicant has complied with the requirements of
1799 Section 943.13, F.S. Verified documents shall be maintained in the officer's training file at the employing agency.
1800 The following documents are required for verification of an applicant's compliance with this rule section:

1801 (a) Evidence of the applicant's age and citizenship verified by any of the following documents:

- 1802 1. Copy of birth certificate; or
- 1803 2. Copy of court documentation that attests to birth; or
- 1804 3. Current and valid U.S. passport that indicates U.S. citizenship and birth date; or
- 1805 4. Report of Birth Abroad of a Citizen of the United States, issued by a U.S. Consular Office; or
- 1806 5. Certificate of Naturalization from the United States Department of Immigration and Naturalization.

1807 (b) Evidence that the applicant is a high school graduate or its equivalent pursuant to Rule 11B-27.0021,
1808 F.A.C.

1809 (c) Evidence that an applicant's fingerprints have been processed by the Federal Bureau of Investigation or the
1810 Florida Department of Law Enforcement, if identified as a single state offender or multi-state offender, pursuant to
1811 Rule 11B-27.0021, F.A.C.

1812 (d) A Physician's Assessment, form CJSTC-75, revised August 13, 2020, effective 5/2021 hereby incorporated
1813 by reference, <https://www.flrules.org/Gateway/reference.asp?No=Ref-14221>, or an equivalent form signed by a
1814 physician, certified advanced registered nurse practitioner, or physician assistant licensed in the United States or its
1815 territories, verifying the applicant's fitness to perform the duties of an officer pursuant to Section 943.13(6), F.S.
1816 Form CJSTC-75 can be obtained at the following FDLE Internet address:
1817 <http://www.fdl.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.
1818 A copy of the officer's position description shall be reviewed by the physician to ensure that the applicant can meet
1819 the physical standards required of the position. A Patient Information, form CJSTC-75A, revised November 8,
1820 2007, hereby incorporated by reference, may also be provided to the examining physician, certified advanced
1821 registered nurse practitioner, or physician assistant for reference. Form CJSTC-75A can be obtained at the following
1822 FDLE Internet address: <http://www.fdl.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission
1823 staff at (850) 410-8615. The CJSTC-75 form or equivalent, shall be completed with each new employment or
1824 appointment of an officer, and shall not be completed more than one year prior to an officer's employment or
1825 appointment. A CJSTC-75 form prepared for a specific employing agency shall not be used by any other employing
1826 agency.

1827 (e) Evidence, by verification of military records, that the individual has not received a dishonorable discharge
1828 from any of the Armed Forces of the United States, pursuant to paragraph 11B-27.0022(2)(c), F.A.C.

1829 (f) An Affidavit of Applicant, form CJSTC-68, revised August 13, 2020, effective 5/2021, hereby incorporated
1830 by reference <http://www.flrules.org/Gateway/reference.asp?No=Ref-13129>, executed by the applicant attesting that
1831 the applicant complies with the employment or appointment qualifications pursuant to Sections 943.13(1)-(10), F.S.
1832 Form CJSTC-68 can be obtained at the following FDLE Internet address:
1833 <http://www.fdl.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

1834 (g) Evidence that a thorough background investigation was conducted not more than one year prior to the date
1835 of employment or appointment as an officer or civilian officer trainee, pursuant to Rule 11B-27.0022, F.A.C. A
1836 thorough background investigation shall be conducted in conjunction with an officer's employment or appointment,
1837 regardless of existing evidence that a thorough background investigation of the officer was conducted for a previous
1838 employment or appointment.

1839

Rule 11B-27.002	50	Effective 7-23-23
Certification and Employment or Appointment:		
Certification, Employment or Appointment, Reactivation, and Terminating Employment or Appointment of Officers		

(h) Evidence that the applicant has successfully completed a Commission-approved Basic Recruit Training Program, pursuant to Rules 11B-35.002 and 11B-35.003, F.A.C., or is exempt, pursuant to rule 11B-35.009, F.A.C., and has achieved a passing score on the State Officer Certification Examination for the discipline for which certification is being sought pursuant to Section 943.13(10), F.S.

(2) The employing agency administrator is required, within 30 days of hire, to submit to Commission staff or electronically transmit through the Commission's Automated Training Management System (ATMS), and maintain on file a Registration of Employment Affidavit of Compliance, form CJSTC-60, revised August 13, 2020, effective 5/2021, hereby incorporated by reference <http://www.flrules.org/Gateway/reference.asp?No=Ref-13130>, attesting to compliance by the employing agency with the following requirements. Form CJSTC-60 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(a) For law enforcement, correctional, and correctional probation officer applicants who have not been previously certified and who have complied with the certification requirements pursuant to Sections 943.13(1)-(10), F.S., the employing agency shall certify to the Commission that the applicant is eligible for certification by submitting to Commission staff or electronically transmitting through the Commission's Automated Training Management System (ATMS), a completed Officer Certification Application, form CJSTC-59, revised August 13, 2020, effective 5/2021, hereby incorporated by reference <http://www.flrules.org/Gateway/reference.asp?No=Ref-13131>, within 30 days of the applicant's compliance with the certification requirements, notwithstanding whether the applicant is separated from employment. Upon receipt of an Officer Certification Application Deficiency Notification, form CJSTC-259, revised August 13, 2020, effective 5/2021, hereby incorporated by reference <http://www.flrules.org/Gateway/reference.asp?No=Ref-13132>, the employing agency shall maintain on file, a copy of form CJSTC-59 and any other employment documentation. Forms CJSTC-59 and CJSTC-259 can be obtained at the following FDLE Internet address: <http://www.flde.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615. The employing agency shall submit a copy of form CJSTC-259 and the missing or deficient documentation to Commission staff within 90 days of the date the form was signed and issued to the agency. Failure by the employing agency to submit missing or deficient documentation within the required 90 days may result in denial of an applicant's request for certification. An officer applicant shall not work as a sworn officer prior to meeting the requirements of Section 943.13, F.S., except as authorized pursuant to Section 943.131, F.S.

(b) Name changes shall be verified by the employing agency through verification of information on legal documents such as a marriage license or official name change documents. To document an officer's name change, a completed Name Change Application, form CJSTC-79, revised November 8, 2007, hereby incorporated by reference, and a copy of supporting documentation shall be submitted to Commission staff. Form CJSTC-79 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(3) Employment requirements pursuant to Sections 943.13, F.S., shall be documented on an Agency New Hire Report, form CJSTC-207, revised August 12, 2021, effective 6/2022, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-14226>. Form CJSTC-207 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(a) The files of newly hired officers are subject to an on-site inspection by Commission staff to ensure compliance with the requirements of Chapter 943, F.S., and Rule Chapter 11B-27, F.A.C. All documents collected in conjunction with the background investigation shall be available for review. The following documents shall be reviewed for completeness:

- 1885 1. A Registration of Employment Affidavit of Compliance form CJSTC-60.
- 1886 2. An Employment Background Investigative Report, form CJSTC-77, revised August 13, 2020, effective
1887 5/2021, hereby incorporated by reference <http://www.flrules.org/Gateway/reference.asp?No=Ref-13134>. Form
1888 CJSTC-77 can be obtained at the following FDLE Internet address:
1889 <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.
- 1890 3. An Affidavit of Applicant form CJSTC-68.
- 1891 4. A Temporary Employment Authorization Statement, form CJSTC-65, revised November 5, 2015, effective
1892 9/2016, hereby incorporated by reference <http://www.flrules.org/Gateway/reference.asp?No=Ref-07372>. Form
1893 CJSTC-65 can be obtained at the following FDLE Internet address:
1894 <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.
- 1895 5. Proof of age documentation.
- 1896 6. Proof of citizenship documentation.
- 1897 7. Legal document(s) for name change.
- 1898 8. High School Diploma, GED, and Equivalency of Foreign and Non-Public High School Curriculum
1899 pursuant to subsection 11B-27.0021(1), F.A.C.
- 1900 9. A copy of the most recently issued DD 214, or other official documents from the United States Military
1901 denoting the discharge status or copy of the officer's current military identification. Wording on the documentation
1902 shall indicate the discharge was any discharge other than dishonorable.
- 1903 10. An FBI Civil Applicant Response provided from a Live Scan device by the Florida Department of Law
1904 Enforcement (FDLE) Certified Mail Application, with the National Crime Information Center (NCIC) criminal
1905 history record attached, and an FDLE Customer Summary Report and Transaction Listing with the Florida Criminal
1906 Information Center (FCIC) criminal history record attached. If a Civil Applicant Response is not received by the
1907 agency, the FCIC Criminal History indicating no single state or multi-state offender criminal history record exists
1908 shall be proof the applicant's fingerprints have been processed.
- 1909 11. An Exemption-From-Training, form CJSTC-76, revised August 2, 2018, effective 7/2019, hereby
1910 incorporated by reference <http://www.flrules.org/Gateway/reference.asp?No=Ref-10751>, and an Exemption-From-
1911 Training Proficiency Demonstration, form CJSTC-76A, revised August 2, 2018, effective 7/2019, hereby
1912 incorporated by reference <http://www.flrules.org/Gateway/reference.asp?No=Ref-10752>, for previous Florida and
1913 out-of-state, federal, military officers, or special operations forces as defined in section 943.10(22), F.S., if the
1914 officer used this training option. Forms CJSTC-76 and CJSTC-76A can be obtained at the following FDLE Internet
1915 address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850)
1916 410-8615.
- 1917 12. Results of the State Officer Certification Examination for training completed after June 30, 1993.
- 1918 13. A Physician's Assessment form CJSTC-75 or equivalent.
- 1919 14. Drug screen results of at least a 7-panel test pursuant to paragraph 11B-27.00225(2)(d), F.A.C.
- 1920 15. An Affidavit of Separation, form CJSTC-61, revised August 18, 2022 effective 7/2023, hereby
1921 incorporated by reference, <https://www.flrules.org/Gateway/reference.asp?No=Ref-15516>, if the officer has
1922 separated employment with the agency. Form CJSTC-61 can be obtained at the following FDLE Internet address:
1923 <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.
- 1924

Rule 11B-27.002	52	Effective 7-23-23
Certification and Employment or Appointment:		
Certification, Employment or Appointment, Reactivation, and Terminating Employment or Appointment of Officers		

(b) Commission staff shall conduct a re-inspection of the noted deficiencies, which shall be recorded on the Agency New Hire Report form CJSTC-207, within 90 days of the initial inspection.

1. If the deficiency(s) has been resolved prior to the re-inspection, Commission staff shall record the correction on form CJSTC-207.

2. If the deficiency(s) has not been resolved on or before the re-inspection date, the agency administrator shall provide Commission staff with a timeline for resolution of the noted deficiency(s) in the officer's file.

3. If the deficiency(s) noted in the officer's file remains unresolved, the Criminal Justice Standards and Training Commission Chairman shall notify the agency administrator, in writing, that the Registration of Employment Affidavit of Compliance form CJSTC-60, that has been signed by the agency administrator or its designee, confirming agency compliance with Section 943.133(2), F.S., is in fact not in compliance, and as such, is in violation of subparagraph 11B-27.001(4)(c)12., F.A.C., and Section 837.06, F.S.

4. If the deficiency(s) noted in the officer's file remains uncorrected, the name of the agency and the deficiency(s) noted shall be included in the Commission's quarterly report for further action.

(4)(a) Within four years of the beginning date of a Commission-approved Basic Recruit Training Program, an individual shall successfully complete the program, achieve a passing score on the applicable State Officer Certification Examination, and gain employment, and certification as an officer.

(b) An individual who fails to comply with the requirements in paragraph (4)(a) of this rule section for the discipline in which the training was completed, within four years of the date of beginning such training, shall as a condition for obtaining employment, comply with the following:

1. Successfully complete a Commission-approved Basic Recruit Training Program pursuant to Rule 11B-35.002, F.A.C., or qualify for an exemption from a Commission-approved Basic Recruit Training Program, pursuant to Section 943.131(2), F.S., to include demonstration of proficiency in the High-Hazard Basic Recruit Training Courses pursuant to rule 11B-35.0024, F.A.C.; and, if applicable, completion of the Special Operations Forces Training Program, pursuant to rule 11B-35.009, F.A.C., and
 2. Achieve a passing score on the State Officer Certification Examination.

(5) Officer Separation from Employment or Appointment. An Affidavit of Separation form CJSTC-61, shall be completed by the employing agency and immediately transmitted via the Commission's ATMS or submitted to Commission staff. If the officer has met the requirements for certification, mandatory training, or firearms qualification at the time of separation the agency shall update the Commission's ATMS prior to separation. The certification of an officer shall become inactive upon separation from employment or appointment and will remain inactive until such time as the officer is employed or appointed by a criminal justice employing agency, provided the officer remains eligible for employment or appointment.

Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12(3), 943.13, 943.133, 943.139, 943.1395 FS. History—New 10-6-82, Amended 4-26-84, 1-7-85, Formerly 11B-27.02, Amended 9-3-87, 3-29-89, 5-14-92, 12-13-92, 9-5-93, 1-19-94, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 6-3-10, 5-21-12, 3-13-13, 5-29-14, 7-29-15, 9-4-16, 9-14-17, 8-15-18, 7-9-19, 5-5-20, 5-20-21, 6-26-22, 7-23-23.

- 1961 **11B-27.0021 High School Graduation or Equivalent.**
- 1962 (1) A high school graduate shall be an individual who has completed a secondary education program through a public school, private school, an equivalency diploma program, or home education program through an educational provider recognized by a public educational system within the United States or its territories, or received a foreign high school diploma.
- 1963 (2) Compliance with this rule section shall be documented by the employing agency and made available to
- 1964 Commission staff for review. Criteria for proof of compliance and authenticity of the diploma includes:
- 1965 (a) A high school diploma or high school equivalency diploma issued by a public school education program; or
- 1966 (b) A diploma issued by a private school.
- 1967 (c) A letter on the letterhead from a School Board District Office or high school principal verifying completion
- 1968 of a high school program and issuance of a high school diploma.
- 1969 (d) For individuals who have completed a home school program, documentation that the education program
- 1970 has met the requirements of Section 1002.41, F.S., or of the Department of Education from the state where the home
- 1971 school program was completed.
- 1972 (e) Proof that the diploma has been accepted by an accredited college or university, as defined in Section
- 1973 943.22(1), F.S., for entrance into a degree seeking program.
- 1974 (f) For individuals who have completed an education program in a foreign jurisdiction, documentation that the
- 1975 diploma or official school transcript, indicating the date of graduation or completion, is equivalent to the
- 1976 requirements for a U.S. High School Diploma or equivalency diploma. Documents shall be transcribed by a
- 1977 certified translator and notarized as true and correct.
- 1978 (3) In the absence of proof of successful high school graduation, the following shall be acceptable as meeting
- 1979 the minimum educational requirements:
- 1980 (a) Transcript verification of successful completion of one of the following educational requirements from an
- 1981 institution accredited by an accrediting body recognized by the United States Department of Education or licensed
- 1982 as a degree granting institution by the Commission for Independent Education, pursuant to Section 1005.02(7), F.S.,
- 1983 shall be acceptable as meeting the educational requirements of this rule section:
- 1984 1. At least 30 semester hours; or
- 1985 2. 45 quarter hours of college work; or
- 1986 3. An associate or higher degree.
- 1987 (b) A certificate issued by the United States Armed Forces Institute (U.S.A.F.I.) prior to December 31, 1974,
- 1988 showing successful completion of high school equivalency.
- 1989 Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.13(3) FS. History—New 10-6-82, Amended
- 1990 1-7-85, Formerly 11B-27.021, Amended 7-7-99, 7-29-01, 11-5-02, 11-30-04, 3-21-07, 6-9-08, 3-13-13.

11B-27.00211 Fingerprint Processing and Criminal Record Results. An employing agency shall maintain on file, at minimum, a Federal Bureau of Investigation Civil Applicant Response provided from a Live Scan device by the Florida Department of Law Enforcement (FDLE) Certified Mail Application, with the National Crime Information Center (NCIC) criminal history record attached, and an FDLE Customer Summary Report and Transaction Listing with the Florida Criminal Information Center (FCIC) criminal history record attached. If a Civil Applicant Response is not received by the agency, the FCIC Criminal History indicating no single state or multi-state offender criminal history record exists shall be proof the applicant's fingerprints have been processed.

(1) The employing agency shall submit for processing an applicant's fingerprints to the FDLE. The submission shall include one of the following references: "Law Enforcement Officer Applicant, Section 943.13, F.S.," or "Correctional Officer Applicant, Section 943.13, F.S.," or "Correctional Probation Officer Applicant, Section 943.13, F.S.," as the reason fingerprinted. An applicant's fingerprints shall be processed in conjunction with an officer's employment or appointment regardless if the officer has proof of the existence of processed fingerprints from a previous employment or appointment. The employing agency is required to use an electronic fingerprinting submission device authorized by FDLE for the submission of applicant fingerprints.

(2) Private Correctional Institutions and Jails.

(a) Private correctional institutions under contract with the Florida Department of Management Services (DMS) or the Florida Department of Children and Families (DCF) shall submit for processing an applicant's fingerprints to the FDLE. The private correctional institution is required to use an electronic fingerprinting submission device and is responsible for any cost associated with the fingerprint submission. The response to the fingerprint submission shall be electronically transmitted to the respective contract agency (DMS or DCF) for review for compliance with Section 943.13(4), F.S. The contract agency will complete the Fingerprint Notification, form CJSTC-62, revised August 12, 2021, effective 6/2022, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-14217>, or other written notice to document compliance with Section 943.13(4), F.S., and provide it to the private correctional institution. Form CJSTC-62 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(b) All other private correctional institutions and jails shall submit for processing an applicant's fingerprints to the FDLE. The private correctional institution is required to use an electronic fingerprinting submission device and is responsible for any cost associated with the fingerprint submission. The response to the fingerprint submission shall be electronically transmitted to the FDLE, Officer Records Section, for review for compliance with Section 943.13(4), F.S. The Officer Records Section will complete form CJSTC-62 and provide it to the private correctional institution or jail.

(3) The employing agency shall submit or electronically transmit to Commission staff through the Commission's ATMS, the date indicated on the electronic response documenting the processed fingerprints. The response from an applicant's processed fingerprints shall be maintained on file at the agency within one year of the officer's initial employment or appointment. An employing agency is not required to re-fingerprint an individual who has been continuously employed or appointed with the same agency and is seeking certification as a sworn officer with that agency.

(4) Training schools that offer a Commission-approved Basic Recruit Training Program for law enforcement, correctional, or correctional probation officers, or a selection center that provides applicant screening for a training school, shall conduct a criminal history background check of an applicant prior to entrance into such Basic Recruit Training Program. The employing agency shall provide the training school with documentation that an applicant's fingerprints have been processed, that the response is on file with the employing or appointing agency, and has been verified by the employing or appointing agency to contain no statutory disqualifiers. If the FBI has not returned the Civil Applicant Response to the employing or appointing agency, the agency shall notify the training school that the criminal history background check is incomplete. The employing or appointing agency shall notify the training school upon receipt of the results of the applicant's fingerprints, which shall be maintained in the student's file at the training school.

(5) An applicant's fingerprints that have been processed prior to employment or appointment, in conjunction with the agency's background investigation, and pursuant to Rule 11B-27.0022, F.A.C., shall be considered current when the officer's fingerprints are processed in conjunction with the new employment or appointment.

- 2045 (6) An officer's certification shall not be issued by the Commission until he or she is in compliance with the
2046 certification requirements pursuant to Sections 943.13(1)-(10), F.S., and documentation of legible processed
2047 applicant fingerprints are on file at the employing agency.
- 2048 (7) If an officer has been separated for lack of processed applicant fingerprints within one year of employment
2049 or appointment, the agency shall re-register the officer when the processed applicant fingerprint response is received
2050 from the FBI or FDLE. The re-registration date shall be the date that the FBI or FDLE processed the applicant
2051 fingerprints. An officer who has been separated for not having processed applicant fingerprints on file at the
2052 employing agency is not authorized to perform the duties of a sworn officer.
- 2053 (8) Employing agencies shall be notified by Commission staff when an applicant's file does not contain
2054 documentation of processed fingerprints.
- 2055 (9) An employing agency that does not receive processed fingerprint documentation from the FBI or FDLE
2056 within thirty days of submission of the fingerprints through an electronic fingerprinting submission device, shall
2057 fingerprint the applicant again and resubmit the fingerprints to FDLE and the FBI. If the FBI has processed the
2058 fingerprints, the letter from the FBI stating that the individual does not have a criminal history may be accepted as
2059 official documentation. The date the letter is postmarked shall be the date recorded as the fingerprint processed
2060 date.
- 2061 (10) Should an officer separate from employment prior to the employing agency's receipt of the officer's
2062 processed applicant fingerprints, and there is an indication that the officer would have failed to meet the
2063 employment qualifications pursuant to this rule chapter, the separating agency shall immediately notify Commission
2064 staff and provide a copy of all documentation that establishes non-compliance of the officer to meet the necessary
2065 qualifications.
- 2066 (11) If a criminal history record that could preclude employment pursuant to Section 943.13(4), F.S., is received
2067 from the FBI or FDLE, the agency shall obtain and maintain in the officer's file, supporting documentation from the
2068 court that the final disposition of the case has been resolved and the officer is eligible for employment, pursuant to
2069 Section 943.13(4), F.S.
- 2070 Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12(3), 943.13, 943.133, 943.139, 943.1395
2071 FS. History—New 11-5-02, 11-30-04, 6-9-08, 5-29-14, 9-14-17, 6-26-22.

2072 **11B-27.00212 Maintenance of Officer Certification.**

2073 (1) Full-time, part-time, or auxiliary officers shall successfully complete 40 hours of continuing education or
2074 training every four years. The expiration date of an officer's mandatory retraining shall be June 30th of the fourth
2075 year following the officer's certification.

2076 Example:

2077 Original Officer Certification Date	November 21, 1997
2078 Officer Four-year Anniversary Date	November 21, 2001
2079 Officer Continuing Education or Training Deadline	June 30, 2002

2080 (2) Elected or appointed officials whose mandatory retraining dates have expired on or before the expiration
2081 date, pursuant to subsection (1) of this rule section, shall complete the mandatory retraining requirements within
2082 four years of the date the individual no longer serves as an elected or appointed official.

2083 (3) Forty hours of continuing education is granted for three semester credit hours or four quarter credit hours of
2084 college course work upon successful completion of the course, and provided the credit hours are not used for the
2085 purpose of obtaining a degree, which would make the officer eligible for salary incentive payments.

2086 (4) Continuing education or training pursuant to Section 943.135, F.S. Upon an officer's completion of the
2087 required continuing education or training the employing agency shall submit or electronically transmit to
2088 Commission staff through the Commission's ATMS, and maintain in file a completed Mandatory Retraining Report,
2089 form CJSTC-74, revised August 18, 2022, effective 7/2023, hereby incorporated by reference
2090 <https://www.flrules.org/Gateway/reference.asp?No=Ref-15517>. Form CJSTC-74 can be obtained at the following
2091 FDLE Internet address: <http://www.fdlr.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission
2092 staff at (850) 410-8615. Criminal justice agencies shall not update an officer's mandatory training unless an officer
2093 is employed by the agency or has met the requirement for employment pursuant to subsection 11B-27.002(1),
2094 F.A.C.

2095 (5) Statutory mandated continuing training. The following training shall be included as a part of the officer's
2096 continuing training:

2097 (a) Domestic Violence Training for Law Enforcement Officers pursuant to Section 943.1701, F.S. Certified
2098 law enforcement officers who elect to instruct domestic violence training may substitute completion or instruction of
2099 domestic violence training to satisfy the officer's continuing training requirement.

2100 (b) Human Diversity Training pursuant to Section 943.1716, F.S. Certified officers who elect to instruct
2101 human diversity modules pursuant to Section 943.1716, F.S., may substitute completion or instruction of human
2102 diversity training to satisfy the officer's continuing training requirement.

2103 (c) Juvenile Sexual Offender Investigation Training for Law Enforcement Officers pursuant to Section
2104 943.17295, F.S. Certified law enforcement officers who elect to instruct the Juvenile Sexual Offender Investigation
2105 training may substitute completion or instruction of this training to satisfy the officer's continuing training
2106 requirement.

2107 (d) Discriminatory Profiling and Professional Traffic Stops pursuant to Section 943.1758, F.S. Certified law
2108 enforcement officers who elect to instruct Discriminatory Profiling and Professional Traffic Stops may substitute
2109 completion or instruction of this training to satisfy the officer's continuing training requirement. Completion or
2110 instruction of this training shall satisfy all or a portion of an officer's continuing training requirement for human
2111 diversity training.

2112 (e) Use of Electronic Databases pursuant to Section 943.17191, F.S. Certified law enforcement officers who
2113 elect to instruct Use of Electronic Databases training may substitute completion or instruction of this training to
2114 satisfy the officer's continuing training requirement.

2115

2116 (f) Officer Health and Wellness Principles pursuant to Section 943.1745(2), F.S., for law enforcement officers
2117 whose mandatory retraining cycle ends after July 1, 2023. Certified law enforcement officers who elect to instruct
2118 Officer Health and Wellness Principles training may substitute instruction for completion of this training to satisfy
2119 the officer's continuing training requirement.

2120 (6) Failure to comply with statutorily required continuing education or training. In the event that an officer
2121 fails to meet the continuing education or training requirements of Section 943.135, F.S., the officer's certificate shall
2122 become inactive until the employing agency provides documentation to Commission staff establishing that the
2123 continuing education or training requirements have been satisfied. The Commission's ATMS shall separate an
2124 officer from employment if the Mandatory Retraining Report form CJSTC-74, is not received by the June 30th
2125 deadline pursuant to subsection (1) of this rule section. Officers who have not satisfied their mandatory retraining
2126 requirement within six months of separation shall comply with the requirement of subsection 11B-27.002(1),
2127 F.A.C., prior to reemployment.

2128 (7) Individuals who have been separated from an employing agency as an officer for less than four years, and
2129 whose certification is inactive for failing to complete the required hours for mandatory training, shall complete the
2130 continuing education and training requirements prior to resuming active service with an agency. An officer who
2131 requests to claim continuing education and training that was completed during a period when the officer's
2132 certification was inactive, shall request approval from the agency administrator of the prospective employing agency
2133 and provide proof that the required continuing education and training was completed. The employing agency shall
2134 determine if the education or training requirements have been satisfied pursuant to Section 943.135, F.S., and shall
2135 submit to Commission staff, or electronically transmit through the Commission's ATMS, a completed Mandatory
2136 Retraining Report form CJSTC-74.

2137 (8) Continuing education or training completed pursuant to subsection (1) of this rule section shall not be
2138 eligible for salary incentive payments pursuant to Section 943.135(2), F.S.

2139 (9) Documentation supporting the required training shall be attached to the Mandatory Retraining Report form
2140 CJSTC-74, and maintained in the officer's file.

2141 (10) A certified officer who has not completed the required continuing education or training on or before the
2142 officer's mandatory training deadline, pursuant to subsection (1) of this rule section, shall not perform the duties of a
2143 sworn officer.

2144 (11) Inactive Certificate Status. The certificate of any certified officer who has separated from employment or
2145 appointment as an officer, and who is not re-employed or re-appointed as an officer by an employing agency in the
2146 same discipline within four years after the date of separation, shall become inactive.

2147 (12) Prerequisites for certificate reactivation and reemployment as an officer. To become eligible for
2148 reactivation of certification and reemployment in the discipline for which the officer has experienced a break-in-
2149 service, pursuant to subsection (11) of this rule section, the officer shall, on or after July 1, 1993, meet the following
2150 conditions:

2151 (a) If the break-in-service is between four years and eight years the officer shall:

2152 1. Successfully demonstrate proficiency in the High-Liability Basic Recruit Training Courses pursuant to
2153 Rule 11B-35.0024, F.A.C.

2154 2. Achieve a passing score on the applicable State Officer Certification Examination pursuant to procedures in
2155 Rule Chapter 11B-30, F.A.C., State Officer Certification Examination.

2156 3. Meet the minimum qualifications described in Rules 11B-27.002, 11B-27.0021, 11B-27.0022, and
2157 11B-27.00225, F.A.C., as evidenced by an employing agency's compliance with Section 943.133(2), F.S.

2158 (b) If the break-in-service is more than eight years, the officer shall:

2159 1. As a condition of employment or appointment, successfully complete a Commission-approved Basic
2160 Recruit Training Program pursuant to Rule 11B-35.002, F.A.C.

2161 2. Achieve a passing score on the applicable State Officer Certification Examination pursuant to Rule Chapter
2162 11B-30, F.A.C.

2163 3. Meet the minimum qualifications described in Rules 11B-27.002, 11B-27.0021, 11B-27.0022, and
2164 11B-27.00225, F.A.C., as evidenced by an employing agency's compliance with Section 943.133(2), F.S.

2165 (13) Use-of-Force training. An officer shall, as a part of the officer's 40-hour continuing education or training
2166 every four years, be required to complete the following Use-of-Force training.

2167 (a) Use-of-Force training shall include the following topics of instruction:

- 2168 1. Scenario-based Firearms Training.
- 2169 2. Physiological Response Dynamics Training.
- 2170 3. Less-lethal force options available within the agency.
- 2171 4. Agency policies on Use-of-Force training.
- 2172 5. Legal aspects regarding Use-of-Force training.

2173 (b) A law enforcement and correctional officer shall complete Use-of-Force training pursuant to subparagraphs
2174 (13)(a)1.-5., of this rule section.

2175 (c) A correctional probation officer shall complete Use-of-Force training pursuant to subparagraphs
2176 (13)(a)2.-5., of this rule section.

2177 (d) An officer's employing agency shall report the completion of Use-of-Force training to Commission staff,
2178 pursuant to (4) of this rule section.

2179 (e) An officer is permitted to substitute instruction of Use-of-Force training to satisfy the continuing education
2180 or training requirements for the officer's four-year mandatory retraining cycle.

2181 (14) Law Enforcement Officer Firearms Qualification Standard. Beginning July 1, 2006, a law enforcement
2182 officer shall be required to qualify on the Commission's approved course of fire with the proficiency skills
2183 documented on the Law Enforcement Officer Firearms Qualification Standard, form CJSTC-86A, revised
2184 ~~, effective August 8, 2019, effective 4/2020~~, hereby incorporated by reference
2185 <http://www.flrules.org/Gateway/reference.asp?No=Ref->
2186 <http://www.flrules.org/Gateway/reference.asp?No=Ref-11904>, and maintained in the officer's employment file.
2187 Form CJSTC-86A can be obtained at the following FDLE Internet address:
2188 <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

2189 (a) A law enforcement officer who fails to demonstrate proficiency skills on the required firearms qualification
2190 standard shall not perform the duties of a sworn officer.

2191 (b) Reporting of the compliance with this standard shall be June 30, 2008, and every two years thereafter.
2192 Documentation supporting the demonstration of proficiency skills shall be reported on the Law Enforcement Officer
2193 Firearms Qualification Standard, form CJSTC-86A, and maintained in the officer's file. Form CJSTC-86A can be
2194 obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by
2195 contacting Commission staff at (850) 410-8615. The employing agency shall submit or electronically transmit to
2196 Commission staff through the Commission's ATMS, the date of completion.

2197 (c) In the event a law enforcement officer fails to meet this standard by June 30 of each reporting year, the
2198 officer's certificate shall become inactive until the employing agency provides documentation to Commission staff
2199 establishing that the firearms qualification standard has been satisfied. Active officers who were separated from
2200 employment or appointment for not satisfying the firearms qualification standard, and do not meet the standard
2201 within six months of separation from employment or appointment, shall comply with the certification or reactivation
2202 of certification requirement(s) of subsection 11B-27.002(1), F.A.C., prior to reemployment.

2203 (d) The certificate of a law enforcement officer shall become inactive if the officer has separated from
2204 employment or appointment and is not reemployed or reappointed within the two-year reporting cycle. The officer
2205 will be required to comply with the firearms qualification standard upon employment or appointment.

2206

Commented [GJ16]:

11B-27.00212(14):

Description of the Revision: Incorporates the revised Law Enforcement Officer Firearms Qualification Standard, form CJSTC-86A.

Why the rule is being revised: Incorporates the revised Law Enforcement Officer Firearms Qualification Standard, form CJSTC-86A, to ensure more uniformity with the remaining high liability forms and reflect the updated requirement of demonstrating proficiency to comply with the firearms standard.

Revised by: Terry Baker

2207 (e) In the event a law enforcement officer is injured in the line of duty or has a chronic illness and fails to meet
2208 this standard by June 30 of a reporting year, the agency administrator or designee shall complete the Injury or Illness
2209 Exemption for the Firearms Law Enforcement Officer Qualification Standard form CJSTC-86B, revised August 13,
2210 2020, effective 5/2021, hereby incorporated by reference <http://www.flrules.org/Gateway/reference.asp?No=Ref-13135>. Form CJSTC-86B can be obtained at the following FDLE Internet address:
2211 <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.
2212 The agency shall submit form CJSTC-86B and the supporting medical documentation to Commission staff prior to
2213 the June 30 deadline to ensure the officer's certificate does not become inactive on the reporting deadline for that
2214 two-year reporting cycle. An additional form CJSTC-86B shall be submitted for each subsequent reporting cycle.
2215

2216 (15) Elder Abuse Training. As a part of basic recruit training or the officer's continuing education or training, a
2217 law enforcement officer shall be required to complete training on identifying and investigating elder abuse and
2218 neglect.

2219 (a) Certified law enforcement officers shall complete Elder Abuse Training on or before June 30, 2011
2220 pursuant to Section 943.17296, F.S.

2221 (b) The training shall include instruction on the identification of and appropriate responses for persons
2222 suffering from dementia and on identifying and investigating elder abuse and neglect.

2223 (c) Law enforcement officers who have successfully completed one of the following programs will have
2224 satisfied this training requirement:

2225 1. Any CJSTC approved law enforcement basic recruit training program entered into on or after 4/1/08.

2226 2. Any CJSTC Advanced Training Program course on elder abuse or investigation of crimes against the
2227 elderly entered into on or after 4/1/06.

2228 3. Elder Abuse Training for Law Enforcement course by the Department of Elder Affairs (Effective
2229 10/30/08).

2230 4. Any CJSTC Specialized Training Program course on elder abuse or investigation of crimes against the
2231 elderly entered into on or after 8/1/12.

2232 (d) An officer who fails to comply with the elder abuse and neglect training requirements pursuant to Section
2233 943.17296, F.S., shall become an inactive Florida officer. The officer's certification shall become reactivated when
2234 the officer's employing agency provides Commission staff with verification that the officer has met the continuing
2235 education or training requirement.

2236 (e) Upon an officer's completion of the required training the employing agency shall submit, or electronically
2237 transmit to Commission staff through the Commission's ATMS, the date of completion.

2238 (16) Identifying and Investigating Human Trafficking Training. As a part of an officer's continuing education or
2239 training, a law enforcement officer shall be required to complete four (4) hours of training on identifying and
2240 investigating human trafficking.

2241 (a) All law enforcement officers ~~who were certified on or before July 1, 2021~~, shall complete the ~~Commission~~
2242 approved four (4) hour course developed pursuant to s. 943.17297, F.S., on or before July 1, 2022 pursuant to s.
2243 943.17297, F.S. The course is published pursuant to Rule 11B-35.001(8), F.A.C.

2244 (b) All law enforcement officers who ~~complete a law enforcement basic recruit training program which began~~
2245 ~~were certified~~ on or after July 1, 2021, shall ~~have met this requirement, complete the Commission approved four (4)~~
2246 ~~hour course developed pursuant to s. 943.17297, F.S., within one (1) year after beginning employment pursuant to s.~~
2247 ~~943.17297, F.S. The course is published pursuant to Rule 11B-35.001(8), F.A.C.~~

2248 (c) Law enforcement ~~officers~~ who complete any Commission-approved course, which is developed ~~in~~
2249 compliance with s. 943.17297, F.S., shall have satisfied this training requirement.

2250 (d) The certification of an officer who fails to comply with the requirements pursuant to Section 943.17297.
2251 F.S., shall become inactive and shall remain inactive until the officer completes the required training and the
2252 officer's employing agency provides Commission staff with verification that the officer has completed the required
2253 training.

Commented [GJ17]:

11B-27.00212(16)(a):

Description of the Revision: Incorporates legislative changes to human trafficking training requirements.

Why the rule is being revised: Updates the training requirements to "Identifying and Investigating Human Trafficking Training" which resulted from the Florida Legislature's change to the underlying statute during the 2023 Legislative Session.

Revised by: Terry Baker

Commented [GJ18]:

11B-27.00212(16)(b):

Description of the Revision: Incorporates legislative changes to human trafficking training requirements.

Why the rule is being revised: Updates the training requirements to "Identifying and Investigating Human Trafficking Training" which resulted from the Florida Legislature's change to the underlying statute during the 2023 Legislative Session.

Revised by: Terry Baker

Commented [GJ19]:

11B-27.00212(16)(c):

Description of the Revision: Adds "officers" to the rule language.

Why the rule is being revised: Amends the rule language because the word "officers" was inadvertently omitted previously.

Revised by: Terry Baker

2253 (e) Upon an officer's completion of the required training, the employing agency shall submit, or electronically
2254 transmit to Commission staff through the Commission's ATMS, the date of completion.

2255 (17) Recognition of and Response to Head Trauma and Brain Injury in a Child Under 6 Years of Age. As a part
2256 of an officer's continuing education or training, a law enforcement officer shall be required to complete training in
2257 the recognition of and responses to head trauma and brain injury in a child under 6 years of age.

2258 (a) All law enforcement officers shall complete the Commission-approved course developed pursuant to s.
2259 943.17298, F.S., prior to July 1, 2022.

2260 (b) All law enforcement officers who complete a law enforcement basic recruit training program which began
2261 on or after July 1, 2021 shall have met this requirement.

2262 (c) The certification of a law enforcement officer who fails to comply with the requirements pursuant to s.
2263 943.17298, F.S., shall become inactive and shall remain inactive until the officer completes the required training and
2264 the officer's employing agency provides Commission staff with verification that the officer has completed the
2265 required training.

2266 (d) Upon an officer's completion of the required training, the employing agency shall submit, or electronically
2267 transmit to Commission staff through the Commission's ATMS, the date of completion.

2268 (18) Sexual Assault Investigation. As a part of an officer's continuing education or training, a law enforcement
2269 officer shall be required to complete training on sexual assault, with an emphasis on culturally responsive, trauma-
2270 informed training on interviewing sexual assault victims and investigations of incidents of sexual assault.

2271 (a) All law enforcement officers shall complete the Commission-approved course developed pursuant to s.
2272 943.1724, F.S., prior to July 1, 2024.

2273 (b) All law enforcement officers who complete a law enforcement basic recruit training program which began
2274 on or after July 1, 2022 shall have met this requirement.

2275 (c) The certification of a law enforcement officer who fails to comply with the requirements pursuant to s.
2276 943.17298, F.S., shall become inactive and shall remain inactive until the officer completes the required training and
2277 the officer's employing agency provides Commission staff with verification that the officer has completed the
2278 required training.

2279 (d) Upon an officer's completion of the required training, the employing agency shall submit, or electronically
2280 transmit to Commission staff through the Commission's ATMS, the date of completion.

2281 Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12, 943.13(11), 943.135, 943.1395(3),
2282 943.1701, 943.1715, 943.1716, 943.253 FS. History-New, 11-5-02. Amended 12-3-03, 11-30-04, 3-27-06, 3-21-
2283 07, 6-9-08, 4-16-09, 9-28-09, 6-3-10, 5-21-12, 3-13-13, 9-4-16, 8-15-18, 5-5-20, 5-20-21, 6-26-22, 7-23-23,
2284 . Editorial Note: See 11B-27.0023, F.A.C.
2285

2286 **11B-27.00213 Temporary Employment Authorization.** A Certificate of Compliance shall not be issued to
2287 officers employed on a Temporary Employment Authorization (TEA) prior to meeting the requirements of Sections
2288 943.13(1)-(10), F.S.

2289 (1) A TEA shall only be issued pursuant to Section 943.131, F.S. Individuals hired on a TEA shall comply
2290 with the firearms training program established by Section 943.17(1)(a), F.S.

2291 (a) Pre-Training TEA. Individuals employed or appointed on a pre-training TEA shall:

2292 1. Begin a Commission-approved Basic Recruit Training Program within 180 days of being placed on a TEA.

2293 2. Successfully complete eight hours of firearms training, which shall include demonstration of proficiency in
2294 the presence of a Commission-certified firearms instructor.

2295 3. Successfully complete a Commission-approved Basic Recruit Training Program within 18 months of
2296 beginning the training program.

2297 4. Achieve a passing score on the State Officer Certification Examination (SOCE) within 180 days from the
2298 date that basic recruit training was completed.

2299 5. To employ or appoint an individual on a TEA, who has not completed a Commission-approved Basic
2300 Recruit Training Program, the employing agency shall document circumstances for the critical need to employ or
2301 appoint such individual on a Temporary Employment Authorization Statement form CJSTC-65, which shall be
2302 maintained in the officer's file at the employing agency.

2303 (b) Post-training TEA. Individuals employed or appointed on a post-training TEA shall:

2304 1. Have completed a Commission-approved Basic Recruit Training Program and is waiting to take the next
2305 scheduled SOCE.

2306 2. Have 180 days from the completion date of the Basic Recruit Training Program or commencement of
2307 employment, whichever is later, to achieve a passing score on the SOCE.

2308 (c) A TEA shall terminate if a basic recruit student fails to pass the Basic Recruit Training Program.

2309 1. If a basic recruit student fails a course in the Basic Recruit Training Program, the student shall be permitted
2310 to remain on the TEA while retaking the failed course; and

2311 2. Shall be required to enroll in the next available course to complete the Basic Recruit Training Program.

2312 (2) An officer employed on a TEA, shall be excused from the firearms training requirement upon placement of
2313 a statement in the officer's file at the employing agency. The statement shall be signed by the agency administrator
2314 confirming that the TEA-appointed officer shall not be permitted to carry a firearm until the following classroom
2315 training requirements have been fulfilled:

2316 (a) Classroom Training:

1.	Range Safety Rules	1 Hour
2.	Legal Aspects of Firearms	2 Hours
3.	Introduction to Primary Service Weapon	2 Hours
4.	Chemical Agents	1 Hour
5.	Introduction to Alternate Service Weapon	2 Hours
Total Hours		8 Hours

2317 (b) Firearms Range Training. The trainee's proficiency demonstration shall be documented on a Handgun
2318 Performance Evaluation, form CJSTC-4, revised August 18, 2022, effective 7/2023, hereby incorporated by
2319 reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-15509>, and maintained in the trainee's file at the
2320 employing agency. Form CJSTC-4 can be obtained at the following FDLE Internet address:
2321 <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.
2322 The instructor shall qualify the trainee with a semi-automatic pistol using the Commission's Basic Recruit Training
2323 Firearms Proficiency Skills, pursuant to form CJSTC-4, and the form shall be maintained in the trainee's file at the
2324 employing agency.

2325 (3) The Commission shall separate an officer from employment, through the Commission's ATMS, if the
2326 officer's TEA exceeds 180 days without enrollment in a Commission-approved Basic Recruit Training Program,
2327 fails to complete a Commission-approved Basic Recruit Training Program within 18 months, or the officer has
2328 failed to achieve a passing score on the SOCE within 180 consecutive days after successful completion of a Basic
2329 Recruit Training Program.

2330 (4) Agencies applying to temporarily employ or appoint an individual who has had a previous TEA registered
2331 with the Commission in the same discipline, may do so only if:

2332 (a) The individual was previously certified as a full-time or part-time officer; or

2333 (b) The individual has not been employed on TEA in the same discipline more than two times within any four-
2334 year period.

2335 (5) Individuals employed on a TEA, pursuant to Section 943.131, F.S., are subject to disciplinary action by the
2336 Commission.

2337 Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12(3), 943.13, 943.131, 943.133, 943.139,
2338 943.1395, 943.17(1)(a) FS. History-New, 11-5-02. Amended 11-30-04, 3-27-06, 6-9-08, 9-28-09, 6-3-10, 5-21-12,
2339 3-13-13, 9-4-16, 6-26-22, 7-23-23.

2340 **11B-27.0022 Background Investigations.**

2341 (1) Pursuant to Section 943.133, F.S., and Rule 11B-27.0011, F.A.C., the employing agency shall conduct a
2342 thorough background investigation of each applicant. The employing agency shall provide evidence that a complete
2343 background investigation was conducted, pursuant to the requirements on the Employment Background
2344 Investigative Report form CJSTC-77, not more than one year prior to the date of employment or appointment as an
2345 officer or civilian officer trainee, pursuant to Rule 11B-27.0022, F.A.C. A complete background investigation shall
2346 be conducted in conjunction with an officer's employment or appointment, regardless of existing evidence that a
2347 thorough background investigation of the officer was conducted for a previous employment or appointment. The
2348 agency shall maintain in the applicant's file at the employing agency a summary of the background investigation
2349 findings, signed and dated by the investigator and the agency administrator or designee. The summary shall verify
2350 the following information:

2351 (a) Prior criminal justice employments of the applicant and the facts and reasons for any prior separations of
2352 employment. An officer applicant's prior criminal justice employments shall be verified, including an applicant
2353 with no previous Florida employment as an officer.

2354 (b) Processed applicant fingerprint responses on file reflecting state and national criminal history record
2355 checks. If the processed applicant fingerprint response has not yet been received, the agency shall maintain on file
2356 the FCIC/NCIC criminal history and wanted person responses.

2357 (c) Evidence that a urine sample furnished by the applicant was analyzed for the presence of controlled
2358 substances, or evidence thereof, pursuant to Rule 11B-27.00225, F.A.C. In cases where an applicant's urine sample
2359 is found to contain a controlled substance or evidence thereof, upon the completion of the analysis procedures
2360 pursuant to Rule 11B-27.00225, F.A.C., the employing agency shall, if requested by the applicant, permit the
2361 applicant to provide to the employing agency evidence that the applicant lawfully used or ingested the said
2362 controlled substance.

2363 (d) The applicant is of good moral character.

2364 (2) The employing agency shall, at a minimum, use the following background investigation procedures:

2365 (a) Obtain previous employment data from prior employers. Criminal justice agencies conducting background
2366 investigations have the option of using the Authority for Release of Information, form CJSTC-58, revised August
2367 13, 2020, effective 5/2021, hereby incorporated by reference to
2368 <http://www.flrules.org/Gateway/reference.asp?No=Ref-13137>, pursuant to Sections 943.134(2) and (4), F.S. Form
2369 CJSTC-58 can be obtained at the following FDLE Internet address:
2370 <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

2371 (b) Research military records. A copy of the most recently issued DD 214, or other official separation
2372 document(s) from the United States Military denoting the discharge status or a copy of the officer's current military
2373 identification, shall be maintained in the officer's file at the employing agency. The agency shall document contact
2374 with the applicant's commanding officer or designee if the applicant is currently serving on active duty or military
2375 reserve to ensure the applicant is compliant with military regulations. Wording on the documentation shall indicate
2376 the discharge was any discharge other than dishonorable. A military discharge that is other than an honorable
2377 discharge, shall be investigated by the agency. The agency shall submit a Request Pertaining to Military Record,
2378 form OMB No. 3095-0029.

2379 (c) Verify the applicant's response regarding prior history of unlawful conduct through a Florida Crime
2380 Information Center and National Crime Information Center records and warrants check.

2381 (d) Verify the applicant's response regarding unlawful drug use pursuant to subsection 11B-27.0011(2), F.A.C.

2382 (3) The employing agency shall submit or electronically transmit to Commission staff through the
2383 Commission's ATMS, a Registration of Employment Affidavit of Compliance form CJSTC-60. The agency shall
2384 also submit to Commission staff a completed Employment Background Investigative Report form CJSTC-77, for
2385 each officer employed or appointed. The original form CJSTC-77 that has been signed and dated by the investigator
2386 and the agency administrator or designee shall be retained in the applicant's file.

2388 (4) If an officer is separated from an agency and is subsequently reemployed or reappointed through a
2389 grievance process, regardless of the conditions set by a hearing officer or by an agreement between the agency and
2390 the officer, the employing agency shall, at a minimum, use the following background investigation procedures prior
2391 to reemploying or reappointing the officer:

- 2392 (a) Conduct a fingerprint background check, pursuant to the procedures in Rule 11B-27.00211, F.A.C.
2393 (b) Have the officer tested for controlled substance use, pursuant to Rule 11B-27.00225, F.A.C.
2394 (c) Verify the officer complies with maintenance of officer certification requirements, pursuant to Rule 11B-
2395 27.00212, F.A.C.

2396 Rulemaking Authority 943.03(4) 943.12(1), 943.133(3) FS. Law Implemented 943.133, 943.139 FS. History—New
2397 10-6-82, Amended 1-7-85, Formerly 11B-27.022, Amended 7-13-87, 10-17-90, 5-13-92, 5-14-92, 12-13-92, 9-5-93,
2398 8-7-94, 1-2-97, 7-7-99, 8-22-00, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 6-3-10, 3-13-13, 5-5-20, 5-20-21.

2399 **11B-27.00225 Controlled Substance Testing Procedures.**

2400 (1) The employing agency is required to conduct a background investigation upon each applicant for
2401 certification, or employment or appointment, which shall include the analysis of a urine sample furnished by the
2402 applicant for the presence of controlled substances or metabolites, which shall be consistent with the procedures for
2403 drug testing pursuant to Section 112.0455, F.S. and Rule Chapter 59A-24, F.A.C., which have been adopted by the
2404 Agency for Health Care Administration. A new urine sample shall be submitted for analysis following any break-
2405 in-service.

2406 (2) The employing agency shall verify the following requirements for the collection and analysis of urine
2407 samples:

2408 (a) The procedures for collection sites and specimen collection complies with the requirements of Rule
2409 59A-24.005, F.A.C.

2410 (b) Each applicant gave written consent prior to giving the sample for collection, analysis for evidence of
2411 controlled substances, and disclosure of the analysis results to the employing agency and to the Commission.

2412 (c) The procedures for analyzing and reporting the urine sample were consistent with Rule 59A-24.006, F.A.C.

2413 (d) The laboratory performing the analysis did analyze the urine sample for the presence of the following seven
2414 substances:

- 2415 1. Amphetamines (amphetamine and methamphetamine).
- 2416 2. Cannabis or Cannabinoids.
- 2417 3. Cocaine or Cocaine Metabolite.
- 2418 4. Phencyclidine.
- 2419 5. Opiates (codeine and morphine).
- 2420 6. Barbiturates.
- 2421 7. Benzodiazepines.

2422 Specific Authority 943.03(4), 943.12(1) FS. Law Implemented 943.13(7), 943.133, 943.1395 FS. History—New
2423 7-13-87, Amended 1-2-97, 7-7-99, 8-22-00, 11-5-02, 11-30-04.

2424 **11B-27.003 Duty to Report, Investigations, Procedures.**

2425 (1) Pursuant to Section 943.1395(5), F.S., an employing agency shall conduct an investigation when having
2426 cause to suspect that an officer it employs or employed at the time of the alleged violation, or employed on a
2427 Temporary Employment Authorization (TEA) pursuant to Section 943.131, F.S., does not comply with Section
2428 943.13(4) or (7), F.S., or subsection 11B-27.0011(4), F.A.C. An investigation shall be conducted and concluded
2429 when the employing agency has cause to suspect that an officer is in violation of Section 943.13(4) or (7), F.S., or
2430 subsection 11B-27.0011(4), F.A.C. The agency's investigation shall contain an official disposition, which shall be
2431 reported to Commission staff pursuant to subsection (2) of this rule section.

2432 (2) Upon concluding the investigation:

2433 (a) If the allegations are sustained, the employing agency shall complete an Internal Investigation Report, form
2434 CJSTC-78, revised August 13, 2020, effective 5/2021, hereby incorporated by reference,
2435 <http://www.flrules.org/Gateway/reference.asp?No=Ref-13138>, regardless of whether any civil service appeal,
2436 arbitration, employment hearing, administrative, civil, or criminal action is pending or contemplated. Form CJSTC-
2437 78 can be obtained at the following FDLE Internet address:
2438 <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850)410-8615.

2439 (b) If the allegations are sustained, and are a violation of Section 943.13(4) or (7), F.S., or subsection
2440 11B-27.0011(4), F.A.C., the employing agency shall forward to Commission staff the complete investigative
2441 package, which shall include the following, no later than 45 days after the allegations are sustained:

- 2442 1. A completed Internal Investigation Report form CJSTC-78.
- 2443 2. The allegations.
- 2444 3. A summary of the facts.
- 2445 4. Names of witnesses.
- 2446 5. Witness statements and depositions.
- 2447 6. Certified court documents.
- 2448 7. Any other supportive documentation or information.

2449 (c) If the allegations are not sustained, unfounded, or the officer has been exonerated, or the allegations that are
2450 sustained are only violations of the employing agency's policies, and are not violations of Section 943.13(4) or (7),
2451 F.S., or subsection 11B-27.0011(4), F.A.C., the employing agency shall complete form CJSTC-78 and maintain the
2452 form on file at the agency.

2453 Specific Authority 943.03(4), 943.12(1) FS. Law Implemented 943.1395(5) FS. History-New 10-6-82, Amended
2454 1-7-85, Formerly 11B-27.03, Amended 12-13-92, 9-5-93, 7-7-99, 8-22-00, 11-5-02, 11-30-04, 6-9-08, 9-14-17, 8-
2455 15-18, 5-20-21.

2456 **11B-27.004 Probable Cause Determination.** At the conclusion of the preliminary investigation and when the
2457 reports and documents are received as directed by Sections 943.139 and 943.1395, F.S., a determination of probable
2458 cause shall be made before the Commission initiates proceedings to take disciplinary action against the certification
2459 of an officer.

2460 (1) For the purpose of probable cause determinations, the chairperson of the Commission or designee shall
2461 appoint Probable Cause Panels of three Commission members and one alternate member, to hold Probable Cause
2462 Determination Hearings for terms specified in their appointment. The Commission Chairperson or designee shall
2463 appoint a chairperson for each panel, and the panels shall meet as necessary.

2464 (2) A Probable Cause Determination Hearing is the conclusion of the preliminary investigation, and is not a
2465 hearing pursuant to Sections 120.569 and 120.57, F.S.

2466 (3) Each Probable Cause Determination Hearing shall be noticed in the Florida Administrative Weekly
2467 pursuant to Section 120.525, F.S. The respondent shall be mailed a prior notice of the Probable Cause
2468 Determination Hearing and a subsequent notification of whether or not probable cause was determined by the panel.

2469 (4) After considering all evidence, a majority vote of the Probable Cause Panel shall determine whether or not
2470 probable cause exists to file an administrative complaint pursuant to Section 120.60(5), F.S., charging a violation of
2471 Chapter 943, F.S., or Rule Chapter 11B-27, F.A.C. If the case is presented for imposition of a penalty, the Panel is
2472 authorized to make a penalty recommendation to the Commission, or to direct Commission staff to offer a
2473 settlement agreement in the case.

2474 (5) The panel is authorized to issue a Letter of Guidance to the officer when the panel determines that it is not
2475 practical to initiate proceedings against an officer's certification. A copy of the Letter of Guidance shall be retained
2476 in the officer's file within the Criminal Justice Professionalism Program, Bureau of Standards.

2477 (6) The Probable Cause Panel is authorized to offer the respondent the opportunity to enter into an Intervention
2478 Program if there would otherwise be a finding of probable cause but the Panel finds that there are significant
2479 mitigating circumstances or that the violation is not egregious. The terms and conditions of the Probable Cause
2480 Panel's Intervention Programs may include the following:

- 2481 (a) Successful completion of training or retraining deemed appropriate by the panel.
- 2482 (b) Participation in psychological, occupational, or substance abuse counseling.
- 2483 (c) Furnishing blood, breath, or urine samples, and consent to the release of analysis results of such random or
2484 scheduled tests.
- 2485 (d) Payment of restitution for damages or loss created by the officer's misconduct.
- 2486 (e) Any other such rehabilitative terms and conditions.

2487 (f) As a standard condition of the Intervention Program, the respondent shall refrain from any violation of
2488 Sections 943.13(4) and (7), F.S., and subsections 11B-27.0011(2) and (4), F.A.C. For the Intervention Program to
2489 be a viable alternative in consideration of probable cause, the respondent shall agree to all terms and conditions
2490 recommended by the panel. The respondent shall be responsible for successfully completing the terms and
2491 conditions of the Intervention Program within a specified period. Once the respondent has reported the successful
2492 completion of the terms and conditions to Commission staff, the matter shall be presented to a Probable Cause
2493 Panel. The panel shall then issue a Letter of Guidance in lieu of a finding of probable cause, pursuant with
2494 subsection (5) of this rule section. Failure of the respondent to either agree to or successfully complete the terms
2495 and conditions of the Intervention Program within the specified time frame, shall result in the matter being returned
2496 to the Probable Cause Panel for a finding of probable cause and the issuance of an Administrative Complaint.

2497 (7) When Commission staff determines that the respondent has been retained by the employing agency,
2498 Commission staff shall issue a Letter of Acknowledgment of agency action in these cases, provided the employing
2499 agency shall have taken significant agency action as defined in subsections 11B-27.005(1)-(2), F.A.C.

Rule 11B-27.004	68	Effective 7-9-19
Certification and Employment or Appointment:		
Probable Cause Determination		

- 2501 (8) Commission staff:
- 2502 (a) Shall not issue a Letter of Acknowledgment to a respondent who has been issued a Letter of
2503 Acknowledgment within three years prior to the date of receipt of the information described in paragraph
2504 11B-27.003(2)(b), F.A.C.
- 2505 (b) Shall not issue a Letter of Acknowledgment to a respondent who has been issued a Letter of Guidance
2506 within five years prior to the date of receipt of the information described in paragraph 11B-27.003(2)(b), F.A.C.
- 2507 (c) Shall not issue a Letter of Acknowledgment to a respondent who has been disciplined by the Commission
2508 within eight years prior to the date of receipt of the information described in paragraph 11B-27.003(2)(b), F.A.C.
- 2509 (d) Shall not issue a Letter of Acknowledgement to a respondent if the penalty guidelines of subsection
2510 11B-27.005(5), F.A.C., specify prospective suspension to revocation as the guideline penalty for the offense.
- 2511 (9) In cases where the respondent has been terminated or disciplined and is seeking review of that termination
2512 or discipline through the administrative or judicial process, the respondent and employing agency shall notify
2513 Commission staff of such review. Pending final resolution, Commission staff shall hold such cases in abeyance.
- 2514 (10)(a) If administrative or judicial review results in a final disposition of the respondent's termination or
2515 discipline, the case shall no longer be held in abeyance and Commission staff shall review the case for the issuance
2516 of a Letter of Acknowledgment, if applicable, or for presentation to the Commission for Commission action.
- 2517 (b) In cases in which administrative or judicial review results in a final reversal of discipline imposed by the
2518 employing agency relating to the alleged misconduct that is subject to review by the Commission, or criminal
2519 proceedings that result in the respondent's acquittal on all charges subject to review by the Commission after a trial,
2520 Commission staff shall take no further action, provided that Commission staff may present the case to a Probable
2521 Cause Panel upon Commission staff's specific showing that the findings of fact in the collateral proceedings were
2522 based upon inclusion or exclusion of evidence, or that the testimony was a departure from the essential requirements
2523 of law, the findings of fact in the collateral proceedings were not supported by competent and substantial evidence,
2524 or were clearly contrary to the evidence presented.
- 2525 (11)(a) In cases in which the facts presented to Commission staff are inconclusive, lack reliability, are
2526 insufficient to permit a reasonable determination of what occurred, or fail to demonstrate that the alleged misconduct
2527 meets the statutory criteria for Commission action, Commission staff shall "no cause" the case. Commission staff
2528 shall reopen a case that has been "no cause" if new evidence or witnesses become available to Commission staff.
2529 However, Commission staff shall "no cause" a violation of paragraph 11B-27.0011(4)(b) or (c), F.A.C., if the officer
2530 is alleged to have committed the violation more than eight years prior to the case being presented at a Probable
2531 Cause Determination Hearing.
- 2532 (b) Commission staff's characterization of misconduct based upon the facts as presented shall control
2533 processing of misconduct cases under the rules of the Commission.
- 2534 (12) When the Probable Cause Panel has insufficient information to determine the existence of probable cause,
2535 but in good faith believes that Commission staff can obtain the information necessary to reach a decision, the panel
2536 shall enter a finding of "Insufficient Information." The case shall be continued until reasonable efforts by
2537 Commission staff have been concluded to obtain the additional information requested by the panel, at which time
2538 the case shall be scheduled before a Probable Cause Panel for further review.
- 2539 Rulemaking Authority 943.03(4), 943.12(1), 943.1395 FS. Law Implemented 943.1395 FS. History-New
2540 12-13-92, Amended 1-19-94, 11-5-95, 1-2-97, 7-7-99, 8-22-00, 11-5-02, 4-11-04, 11-30-04, 6-9-08, 6-3-10,
2541 5-29-14, 9-4-16, 7-9-19.

2542 **11B-27.005 Revocation or Disciplinary Actions; Disciplinary Guidelines; Range of Penalties; Aggravating**
2543 **and Mitigating Circumstances.**

2544 (1) For the purpose of implementing the provisions of Rule 11B-27.004, F.A.C., “significant agency action” is
2545 defined as follows:

2546 (a) For an offense that would be sanctioned by suspension of certification under these guidelines herein:
2547 Suspension from duty without pay for at least one day, or any change in assignment or duties that results in
2548 reduction in compensation.

2549 (b) For an offense that would be sanctioned by probation of certification under these guidelines herein: Any
2550 documented or written formal action, any change in assignment or duties that results in reduction in compensation.

2551 (2) Additionally, for an offense that requires retraining, in addition to suspension or probation, “significant
2552 agency action” shall include agency certification of in-service retraining by a qualified instructor. For an offense
2553 that requires counseling, in addition to suspension or probation, there shall be agency certification of counseling by a
2554 qualified counselor.

2555 (3) Pursuant to the provisions of Section 943.1395(8), F.S., disciplinary proceedings shall be conducted as
2556 prescribed in Chapter 120, F.S., Administrative Procedures Act, and Rule Chapter 28 F.A.C., Uniform Rules of
2557 Procedures, when there is a determination of probable cause that a certificate holder, hereinafter referred to as a
2558 “certified officer,” has failed to maintain compliance with:

2559 (a) Sections 943.13(4) or (7), F.S.; or

2560 (b) An order of the Commission previously issued during a disciplinary hearing; or

2561 (c) The Temporary Employment Authorization (TEA) requirements pursuant to Section 943.131, F.S.

2562 (4)(a) The Commission sets forth in paragraphs (5)(a)-(d) of this rule section, a range of disciplinary guidelines
2563 from which disciplinary penalties shall be imposed upon certified officers who have been found by the Commission
2564 to have violated Section 943.13(7), F.S. The purpose of the disciplinary guidelines is to give notice to certified
2565 officers of the range of penalties or prescribed penalties that shall be imposed for particular violations of Section
2566 943.13(7), F.S., absent aggravating or mitigating circumstances, as provided in subsection (6) of this rule section.
2567 The disciplinary guidelines are based upon a “single count violation” of each provision listed. All penalties at the
2568 upper range of the sanctions set forth in the guidelines (i.e., suspension or revocation), include lesser penalties (i.e.,
2569 reprimand, remedial training, or probation), that may be included in the final penalty at the Commission’s discretion.

2570 (b) In determining a penalty that may be imposed by the Commission, when a penalty guideline
2571 recommendation includes “suspension,” the Commission is authorized to consider the number of days of
2572 employment suspension imposed upon the officer by the employing agency for retroactive or parallel inclusion in
2573 the length of a certification suspension imposed by the Commission. When a penalty guideline recommendation
2574 includes “prospective suspension,” no such inclusion is authorized.

2575 (5) When the Commission finds that a certified officer has committed an act that violates Section 943.13(7),
2576 F.S., the Commission shall issue a final order imposing penalties within the ranges recommended in the following
2577 disciplinary guidelines:

2578 (a) For the perpetration by the officer of an act that would constitute any felony offense, pursuant to paragraph
2579 11B-27.0011(4)(a), F.A.C., but where there was not a violation of Section 943.13(4), F.S., the action of the
2580 Commission shall be to impose a penalty ranging from suspension of certification to revocation. Specific violations
2581 and penalties that shall be imposed, absent mitigating circumstances, include the following:

	Violation	Recommended Penalty Range
1.	Felony assault (Sections 784.021, 784.07, F.S.)	Prospective suspension to revocation
2.	Felony battery (Sections 784.041, 784.045, 784.07, F.S.)	Prospective suspension to revocation
3.	Possession, sale of controlled substance (Section 893.13, F.S.)	Revocation
4.	Tampering with evidence (Section 918.13, F.S.)	Revocation

5.	Introduction of contraband into a jail or prison involving a firearm, concealed weapon, controlled substance, currency, or a tool or implement useful in an attempt to escape from custody (Sections 843.11, 944.47, 951.22, F.S.)	Revocation
6.	Other introduction of contraband into a jail or prison (Sections 944.47, 951.22, F.S.)	Suspension to revocation
6.7.	False Statements (Sections 837.02, 837.021, 837.05(2), 838.022, 839.13(2), F.S.)	Prospective Suspension to revocation
7.8.	Felony stalking, Sexual Cyberharassment (Section 784.048, 784.049(3)(b), F.S.)	Revocation
8.9.	Sexual battery, unlawful sexual activity with a minor (Sections 794.011, 794.05, F.S.)	Revocation
9.10.	Lewd or lascivious offense, child under 16 (Section 800.04, F.S.)	Revocation
10.11.	Child abuse (Section 827.03, 827.071, F.S.)	Prospective suspension to revocation
11.12.	Aggravated child abuse with violence (Section 827.03, F.S.)	Revocation
12.13.	Resisting an officer with violence (Section 843.01, F.S.)	Prospective suspension to revocation
13.14.	Felony controlled substance violation (Sections 893.13, 893.135, 893.147, 893.149, F.S.)	Revocation
14.15.	Bribery (Section 838.015, F.S.)	Revocation
15.16.	Unlawful compensation or reward for official behavior (Section 838.016, F.S.)	Revocation
16.17.	Video Voyeurism	Prospective suspension and probation with counseling to revocation
17.18.	Felony threats (Section 836.12(3), F.S.)	Revocation
18.19.	Sexual Misconduct (944.35(3)(b)(2) F.S.)	Revocation
19.20.	Possession of Certain Drugs without Prescriptions with the intent to sell, dispense, or deliver (Section 499.03, F.S.)	Prospective suspension to revocation
20.21.	Obscenity (Section 847.011(1)(c), 847.011(5), 847.0135, 847.0145, F.S.)	Prospective suspension to revocation

Commented [GJ17]:

11B-27.005(5)(a)6.-21.:

Description of the Revision: Renumbers the modified list of violations and penalties that constitute felony offenses by removing the felony charge of "other introduction of contraband" into a jail or prison".

Why the rule is being revised: Modifies and renumbers the list of violations and penalties that constitute felony offenses by removing the felony charge of "other introduction of contraband" into both state prisons and county correctional facilities.

Revised by: Stacy Lehman/Erica Gaines

Commented [GJ18]:

11B-27.005(5)(a)6.:

Description of the Revision: Removes the enumerated penalty guidelines for felony charges of "other introduction of contraband" for both state prisons and county correctional facilities.

Why the rule is being revised: Amends the enumerated penalty guidelines to remove felony charges of "other introduction of contraband" for both state prisons and county correctional facilities.

Revised by: Stacy Lehman/Erica Gaines

2582 (b) For the perpetration by the officer of an act that would constitute any of the misdemeanor offenses,
 2583 pursuant to paragraph 11B-27.0011(4)(b), F.A.C., but where there was not a violation of Section 943.13(4), F.S.,
 2584 the action of the Commission shall be to impose a penalty ranging from probation of certification to suspension of
 2585 certification. Specific violations and penalties that shall be imposed, absent aggravating or mitigating
 2586 circumstances, include the following:

	Violation	Recommended Penalty Range
1.	Assault (Section 784.011, F.S.)	Suspension
2.	Battery; Malicious Battery (Section 784.03, 944.35(3)(a)(1), F.S.)	Suspension
3.	Petit Theft (Section 812.014, F.S.)	Suspension to revocation

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4.	False reports and statements (Sections 817.49, 837.012, 837.05(1), 837.055, 837.06, 839.13(1), 901.36, 944.35(4)(b), F.S.).	Prospective suspension to revocation
5.	Improper exhibition of a weapon (Section 790.10, F.S.)	Probation with training
6.	Discharging a firearm in public (Section 790.15, F.S.)	Suspension
7.	Passing a worthless check (Section 832.05, F.S.)	Probation
8.	Prostitution or lewdness; voyeurism; video voyeurism (Sections 796.07, 810.14, 810.145, F.S.)	Prospective suspension, and probation with counseling to revocation
9.	Indecent exposure (Section 800.03, F.S.)	Suspension, and probation with counseling to revocation
10.	Driving or boating under the influence-(Sections 316.193 and 327.35, F.S.)	Probation with substance abuse counseling
	Driving or boating under the influence-Second Offense	Prospective suspension with substance abuse counseling to revocation
	Driving or boating under the influence with property damage or injury	Prospective suspension with substance abuse counseling to revocation
	Driving or boating under the influence -blood-alcohol level or breath-alcohol level of 0.15 or higher	Prospective suspension with substance abuse counseling to revocation
	Driving or boating under the influence while accompanied in the vehicle by a person under the age of 18 years	Prospective suspension with substance abuse counseling to revocation
11.	Possess or delivery without consideration, and not more than 20 grams of Cannabis (Section 893.13, F.S.)	Revocation
12.	Neglect or refusal to aid (Section 843.06, F.S.)	Suspension to revocation
13.	Second violation of domestic violence or other protective injunction (Sections 741.31, 784.047, F.S.)	Prospective suspension to revocation
14.	Stalking (Section 784.048, F.S.)	Prospective suspension to revocation
15.	Battery involving domestic violence with slight or moderate victim physical injury (Sections 741.28, 784.03, F.S.)	Prospective suspension to revocation
16.	Threats (836.12(2), F.S.)	Prospective suspension to revocation
17.	Sexual Cyberharassment, (Section 784.049(3)(a), F.S.)	Prospective suspension and probation with counseling to revocation
18.	Second refusal to submit to a physical test of breath, blood, or urine (316.1939, F.S.)	Prospective suspension with substance abuse counseling to revocation
19.	Installation of tracking devices or applications (Section 934.425, F.S.)	Suspension to revocation
20.	Possession of certain drugs without prescriptions (Section 499.03, F.S.)	Suspension to revocation
21.	Obscenity (847.011(5), F.S.)	Prospective suspension to revocation
22.	Introduction of Contraband (Sections 944.47 and 951.22, F.S.)	Suspension to revocation

Commented [GJ19]:

11B-27.005(5)(b)22.:

Description of the Revision: Adds the enumerated penalty guideline for the misdemeanor moral character violation of "introduction of contraband".

Why the rule is being revised: Adds the enumerated penalty guideline for the misdemeanor moral character violation of "introduction of contraband".

Revised by: Stacy Lehman/Erica Gaines

2590 (c) For the perpetration by the officer of an act or conduct, as described in paragraph 11B-27.0011(4)(c),
 2591 F.A.C., if such act or conduct does not constitute a crime described in paragraphs (5)(a)-(b) of this rule section, the
 2592 action of the Commission shall be to impose the following penalties, absent aggravating or mitigating
 2593 circumstances:

Violation	Recommended Penalty Range
1. Excessive use of force under the color of authority	Suspension to revocation
2. Sexual harassment involving physical contact or misuse of position	Probation with training to suspension with training.
3. Misuse of official position	Suspension to revocation
4. Engaging in sex while on duty, or at any time the officer is acting under the color of authority as a Commission-certified officer	Suspension to revocation
5. Unprofessional relationship with an inmate, detainee, probationer or parolee, or community controlee that subsequently impairs the officer's ability to perform necessary duties and responsibilities fairly and objectively or that jeopardizes the security of the correctional institution	Revocation
6. Other unprofessional relationship with an inmate, detainee, probationer or parolee, or community controllee	Probation of certification with training to suspension with training
7. False statements during the employment application process	Suspension to revocation
8. Conduct that subverts or attempts to subvert the State Officer Certification Examination process pursuant to subsection 11B-30.009(1), F.A.C.	Revocation
9. Subverting Commission-approved training or employing agency promotional examination process	Suspension to revocation
10. Any overt, conspicuous, or public act of a sexual or simulated sexual nature which is likely to be observed by others	Suspension to revocation
11. Willful failure of the agency administrator to comply with Chapter 943, F.S., as it pertains to the Commission or Commission rules	Suspension to revocation
12. Conduct that subverts or attempts to subvert the Basic Abilities Test process pursuant to subsection 11B-35.0011(1), F.A.C.	Revocation
13. Misuse of Electronic Database	Probation to suspension
14. Intentional Abuse of a Temporary Employment Authorization	Suspension to revocation
15. Any willful and offensive exposure or exhibition of his or her sexual organs in public or on the private premises of another or so near thereto as to likely be seen except in any place provided or set apart for that purpose.	Suspension to revocation

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16.	Discriminatory conduct specified in sub-paragraph 11B-27.0011(4)(c)15.a., F.A.C.	Written reprimand to revocation
17.	Discriminatory conduct specified in sub-paragraph 11B-27.0011(4)(c)15.b., F.A.C.	Revocation

2596 (d) Notwithstanding subsection (4) of this rule section, for the unlawful use by a certified officer of any
 2597 controlled substances specified in Section 893.13, F.S., or Rule 11B-27.00225, F.A.C., pursuant to paragraph
 2598 11B-27.0011(4)(d), F.A.C., the action of the Commission, absent clear and convincing evidence of complete
 2599 rehabilitation and substantial mitigating circumstances, shall be to impose a penalty ranging from prospective
 2600 suspension to revocation.

2601 (6) The Commission shall be entitled to deviate from the disciplinary guidelines in this rule section, upon a
 2602 showing of aggravating or mitigating circumstances by evidence presented to the Commission, if pursuant to
 2603 Section 120.57(2), F.S., or to an Administrative Law Judge, if pursuant to Section 120.57(1), F.S., prior to the
 2604 imposition of a final penalty. The Commission shall base a deviation from the disciplinary guidelines upon a
 2605 finding of one or more of the following:

2606 (a) Aggravating circumstances:

- 2607 1. Whether the certified officer used official authority to facilitate the misconduct.
- 2608 2. Whether the misconduct was committed while the certified officer was performing other duties.
- 2609 3. The number of violations found by the Commission.
- 2610 4. The number and severity of prior disciplinary actions taken against the certified officer by the Commission,
 2611 provided the officer was previously disciplined by the Commission within the preceding eight years or received a
 2612 Letter of Guidance within the preceding five years.
- 2613 5. The severity of the misconduct.
- 2614 6. The danger to the public.
- 2615 7. The actual damage, physical or otherwise, caused by the misconduct.
- 2616 8. The lack of deterrent effect of the penalty imposed by the employing agency.
- 2617 9. The pecuniary benefit or self-gain to the officer realized by the misconduct.
- 2618 10. Whether the misconduct was motivated by unlawful discrimination.
- 2619 11. Any behavior constituting "domestic violence" defined by Section 741.28(1), F.S.
- 2620 12. Whether the certified officer has previously received a Letter of Acknowledgment within the preceding
 2621 three years.
- 2622 13. The certified officer has not filed any answer to the Administrative Complaint or otherwise responded to
 2623 the allegations of misconduct alleged by the Commission.

2624 (b) Mitigating circumstances:

- 2625 1. The officer's employment status in a position requiring Commission certification at the time of the final
 2626 hearing before the Commission.
- 2627 2. The recommendations of character or employment references.
- 2628 3. The lack of severity of the misconduct.
- 2629 4. The length of time the officer has been certified by the Commission.
- 2630 5. Any effort of rehabilitation by the certified officer.

- 2632 6. The effect of disciplinary or remedial action taken by the employing agency or recommendations of the
2633 employing agency administrator.
- 2634 7. The recommendation of a Probable Cause Panel to impose a penalty below the penalty guideline.
- 2635 8. Effort of the officer to retract a false statement prior to the close of the disciplinary or criminal
2636 investigation.
- 2637 (7) The Commission shall impose one or more of the following penalties, listed in increasing order of severity:
- 2638 (a) The issuance of a reprimand.
- 2639 (b) Successful completion by the certified officer of a Basic Recruit Training Program, Advanced Training
2640 Program, or Career Development Training Program, or such retraining deemed appropriate by the Commission.
- 2641 (c) Placement on a probationary status for a period not to exceed two years and subject to the terms and
2642 conditions imposed by the Commission. The Commission may impose one or more of the following terms and
2643 conditions of probation:
- 2644 1. Periodic reports from the officer, supervisor, or counselor, or indirect or direct supervision by a
2645 Commission-approved supervisor.
- 2646 2. Furnishing urine samples and consents to the release of analysis results of random or scheduled urine drug
2647 tests at the officer's expense.
- 2648 3. Participation in psychological, occupational, or substance abuse counseling.
- 2649 4. Successful completion of training or retraining specified in paragraphs (5)(b)-(c) of this rule section.
- 2650 5. Refraining from violations of Sections 943.13(4) and (7), F.S.
- 2651 6. The payment of restitution for damages or loss created by the certified officer's misconduct.
- 2652 7. The effective date of any period of probation imposed on a respondent by the Commission shall begin
2653 fifteen days from the filing date of the Final Order, unless such probation is to follow a period of prospective
2654 suspension. Commission staff shall monitor the probation status of each officer to ensure compliance with the
2655 conditions of probation. Commission staff shall report to the Commission satisfactory completion of probation, as
2656 well as any violations of the conditions of probation. If the officer violates any of the conditions of probation,
2657 Commission staff shall report the violations to the Commission for consideration of further disciplinary action,
2658 pursuant to subsection (3) of this rule section and Section 943.1395(7)(c), F.S.
- 2659 (d) Suspension of certification and the privilege of employment as an officer for a period not to exceed two
2660 years.
- 2661 (e) Revocation of certification.
- 2662 (8)(a) The provisions of subsections (1)-(7) of this rule section are not intended and shall not be construed to
2663 limit the ability of the Commission to pursue or recommend collateral, civil, or criminal actions when appropriate.
- 2664 (b) The provisions of subsections (1)-(7) of this rule section are not intended and shall not be construed to limit
2665 the ability of the Commission to informally dispose of disciplinary actions by stipulation, agreed settlement, or
2666 consent order, pursuant to Section 120.57(4), F.S.
- 2667 (9) Action by the Commission disciplining an officer's certification shall concurrently discipline all other
2668 certifications of any nature issued to that officer by the Criminal Justice Standards and Training Commission
2669 pursuant to Sections 943.1395(1) and 943.12(3), F.S., and Rules 11B-20.001 and 11B-27.002, F.A.C.
- 2670 (10) Temporary Employment Authorization (TEA). Individuals employed on a TEA, pursuant to Section
2671 943.131, F.S., who are retained by the employing agency, are subject to the following discipline by the Commission
2672 when found to have committed an act or acts establishing a "lack of good moral character," defined in subsection
2673 11B-27.0011(4), F.A.C.:
- 2674 (a) If the Commission issues a probationary period to an individual employed on a TEA, such individual shall
2675 be eligible for certification pending successful completion of the terms and conditions of the probationary period.

2676 (b) If the Commission issues a suspension period to an individual employed on a TEA, such individual shall
2677 not be eligible for certification until the completion of the suspension period.

2678 (c) If an individual commits a revocable offense the Commission shall deny the individual's request for
2679 certification.

2680 (11) Individuals employed on a TEA who are found to have committed an act or acts establishing a "lack of
2681 good moral character," defined in subsection 11B-27.0011(4), F.A.C., and are terminated from employment prior to
2682 certification are subject to the following discipline by the Commission. Upon a finding of probable cause by a panel
2683 of the Commission, the Commission shall: declare the individual ineligible to apply for certification in any
2684 discipline for a period of two years pursuant to Section 943.13(7), F.S., regarding good moral character for
2685 employment or appointment as an officer.

2686 (12) If an individual employed on a TEA, pursuant to Section 943.131, F.S., is found to have committed an act
2687 or acts establishing a "lack of good moral character," defined in subsection 11B-27.0011(4), F.A.C.: becomes
2688 certified at any time during the Commission's preliminary investigation or disciplinary process, the individual will
2689 no longer be subject to the actions of subsection (10) or (11), but will instead be subject to discipline as defined in
2690 Rule 11B-27.005, F.A.C.

2691 Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12(3), 943.1395(8) FS. History-New
2692 10-6-82, Amended 1-7-85, Formerly 11B-27.05, Amended 3-29-89, 12-13-92, 2-17-93, 1-19-94, 8-7-94, 11-5-95,
2693 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 4-11-04, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 6-3-10, 5-21-12, 5-29-14,
2694 9-4-16, 8-15-18, 5-5-20, 5-20-21, 6-26-22.

2695 **11B-27.007 Denial of Certification.** Should the Commission find that an applicant for certification fails to
2696 meet the qualifications established pursuant to Section 943.13(1) through (10), F.S., or any rules promulgated
2697 thereunder, the Commission shall notify the applicant by forwarding a statement of denial, and shall forward a copy
2698 to the agency that submitted the application for certification. The statement of denial shall specify the basis for
2699 Commission action, and shall be forwarded to the applicant pursuant to the procedures of Rule Chapter 120, F.S.,
2700 Administrative Procedure Act, and the Uniform Rules of Procedure, Chapter 28, F.A.C.
2701 Specific Authority 943.03(4), 943.12(1) FS. Law Implemented 120.60, 120.62, 943.1395 FS. History—New
2702 10-6-82, Amended 1-7-85, Formerly 11B-27.07, Amended 7-7-99, 8-22-00.

2703 **11B-27.013 Canine Team Certification.**

2704 (1) Definitions.

2705 (a) "Canine team" shall refer to a certified officer and a specific canine working together in the performance of
2706 law enforcement or correctional duties. "Handler" refers to the certified officer who trains and controls the canine.
2707 This definition does not include canines used by certified officers exclusively for tracking and trailing or specific
2708 detection, which are excluded from the certification process.

2709 (b) "Canine evaluator" shall refer to a person who is authorized by the Commission to administer the canine
2710 team performance evaluation to canine teams and to attest to the proficiency of the canine team pursuant with the
2711 performance evaluation. The evaluator shall determine if training submitted by an agency that is requesting
2712 certification is equivalent to the 480-hour Canine Team Training Course number 1198. The canine team evaluator
2713 applicant requesting approval of the Commission shall be required to possess the minimum training and experience
2714 pursuant to subsection (7) of this rule section, and documented in a request to Commission staff. A Commission-
2715 approved evaluator shall not verify equivalent training that he or she delivered.

2716 (c) "Equivalent Training" shall refer to the Canine Team Training Course number 1198 not delivered at a
2717 Commission-certified training school, or any canine team training course other than the Commission-approved
2718 Canine Team Training Course number 1198. Equivalent training shall be a minimum of 480 hours and shall comply
2719 with the goals and objectives of the Canine Team Training Course number 1198. For a previously Commission-
2720 certified handler assigned a new canine, equivalent training shall refer to the 80-hour minimum training requirement.

2721 (2) Canine team certification requirements. Commission certification of a canine team is not required. If a
2722 canine team seeks Commission certification, the canine team shall meet the following requirements:

2723 (a) A canine team shall successfully complete the Canine Team Training Course number 1198, or equivalent
2724 training as defined in subsection (1) of this rule section, at a minimum of 480 hours before applying for certification,
2725 or

2726 (b) A canine team that has successfully completed the Canine Team Training Course number 1112, or
2727 equivalent training, at a minimum of 400 hours prior to the retirement of that course on November 6, 2013, shall
2728 become certified by October 31, 2015. Failure to become certified by that date shall require the canine team to
2729 successfully complete Canine Team Training Course number 1198, or equivalent training, at a minimum of 480
2730 hours.

2731 (c) A canine team shall successfully demonstrate proficiency skills pursuant to paragraph (3)(c) of this rule
2732 section.

2733 (d) A previously Commission-certified handler assigned a new canine shall comply with the training goals and
2734 objectives in the Canine Team Training Course number 1198, with the exception of the academic block of
2735 instruction. The canine team shall train for a minimum of 80 hours, which shall be verified by a Commission-
2736 approved evaluator as equivalent training, and successfully demonstrate the required proficiency skills.

2737 (e) A canine team shall provide documentation of the canine team's compliance with certification requirements
2738 and submit a Canine Team Certification Application, form CJSTC-70, revised August 12, 2021, effective 6/2022,
2739 hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-14218>. Form CJSTC-70
2740 can be obtained at the following FDLE Internet address:
2741 <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

2742 (3) Required documentation for certification of a canine team. Documentation of compliance for Commission
2743 certification of canine teams shall include:

2744 (a) A completed Canine Team Certification Application form CJSTC-70. Prior to submitting a form
2745 CJSTC-70, the agency employing the canine team shall collect, verify, and have on file documents establishing
2746 compliance with the requirements of this rule section, regardless of where canine training takes place.

2747 (b) Documentation of successful completion of canine team training shall include the following:

2748 1. Certificate of successful completion of the Canine Team Training Course number 1198 delivered at a
2749 Commission-certified training school and taught by Commission-certified Canine Instructors; or

2750 2. Successful completion of the equivalent training shall be documented on the Canine Course Equivalency
2751 Checklist form CJSTC-70A, revised November 5, 2015, effective 9/2016, hereby incorporated by reference
2752 <http://www.flrules.org/Gateway/reference.asp?No=Ref-07378>. Form CJSTC-70A can be obtained at the following
2753 FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission
2754 staff at (850) 410-8615.

2755 a. Canine Team Training Course number 1198 not delivered at a Commission-certified training school shall
2756 be deemed as equivalent training by a Commission-approved evaluator.

2757 b. Any canine team training course other than the Commission-approved Canine Team Training Course
2758 number 1198 shall be deemed equivalent training by a Commission-approved evaluator if the course is a minimum
2759 of 480 hours and complies with the objectives of the Canine Team Training Course number 1198.

2760 3. The employing agency submitting form CJSTC-70 shall provide documentation of training to the
2761 Commission-approved evaluator. The evaluator shall review and document of the training on form CJSTC-70A.

2762 (c) A completed Canine Team Performance Evaluation form CJSTC-83, revised November 6, 2014, effective
2763 7/2015, hereby incorporated by reference <http://www.flrules.org/Gateway/reference.asp?No=Ref-05655>, shall be
2764 verified by evaluator(s) to ensure the canine team completed the proficiency requirements. Form CJSTC-83 can be
2765 obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by
2766 contacting Commission staff at (850) 410-8615.

2767 1. Successful completion of the canine team performance evaluation shall be administered by two
2768 Commission-approved canine team evaluators and documented on form CJSTC-83. A Commission-approved
2769 canine team evaluator conducting the initial training of a canine team shall not participate in the initial certification
2770 of that team. One of the Commission-approved canine team evaluators shall not be affiliated with the employing
2771 agency of the canine team being examined for certification. A Commission-approved canine team evaluator shall
2772 not administer a performance evaluation to a canine that is assigned as the evaluator's work partner.

2773 2. The canine team proficiency topics are permitted to be administered in random order by the evaluator or
2774 concurrently by the evaluator.

2775 3. During the initial evaluation the canine team shall test in all topics of the performance evaluation. If a
2776 canine team fails to successfully demonstrate proficiency on one specific topic during the initial evaluation, one
2777 re-evaluation is permitted to be given for the specific topic during the initial evaluation. The handler shall be
2778 allowed to remediate with the canine prior to declaring intent to repeat the specific topic. If a canine team fails to
2779 complete the specific topic or any additional topics, the canine team shall be deemed to have failed the performance
2780 evaluation. Remediation is defined as the handler working with the canine to resolve the topic of deficiency
2781 specified in form CJSTC-83 in the "Re-examination and Remediation Process" section.

2782 4. If a canine team fails to successfully demonstrate proficiency for any topic(s) during the first performance
2783 evaluation, the handler shall remediate the canine team in the topic(s). The canine team shall retest after a minimum
2784 of 24 hours from the date of the first failure and successfully demonstrate proficiency in the specific failed topic(s)
2785 under the supervision of two Commission-approved evaluators. One evaluator shall be an original evaluator
2786 involved in the initial proficiency failure. The handler shall provide documentation, to include lesson plans and
2787 signed attendance rosters, of the remedial training to the Commission-approved evaluators prior to the
2788 administration of the re-evaluation.

2789 5. If a canine team fails to successfully demonstrate proficiency in the specific failed topic(s) during the
2790 second attempt, the handler shall remediate with the same canine in the specific failed topic outlined in the Canine
2791 Team Training Course number 1198. The canine team shall retest after a minimum of 30 days from the date of the
2792 second failure. The canine team shall repeat the performance evaluation in its entirety under the supervision of two
2793 Commission-approved evaluators. One evaluator shall be an evaluator who was involved in the initial proficiency
2794 failure for that canine team. The handler shall provide documentation, to include lesson plans and signed attendance
2795 rosters, of the remedial training to the Commission-approved evaluators prior to the administration of the re-
2796 evaluation.

2797

2798 6. A canine team that has failed a third attempt to pass a Canine Team Performance Evaluation shall be
2799 deemed to have failed the certification process, and shall complete the Canine Team Training Course number 1198
2800 or equivalent training prior to submitting an application for certification. Form CJSTC-83 shall be used to document
2801 the third failure of the canine team and submitted by one of the canine team evaluators to the Florida Department of
2802 Law Enforcement, Criminal Justice Professionalism, Post Office Box 1489, Tallahassee, Florida 32302.

2803 7. Documentation of the training shall be made available to the Commission-approved evaluators prior to the
2804 administration of a subsequent canine team performance evaluation.

2805 (4) Renewal of Certification.

2806 (a) A Canine Team Certification shall lapse if it is not renewed on or before October 31 of the year following
2807 the initial certification.

2808 (b) If the canine team handler applying for recertification has not changed canines or the canine team
2809 certification has not expired, the employing agency requesting renewal of the certification shall complete the
2810 applicable sections and submit form CJSTC-70 marked "Renewal," and document the canine team proficiency on
2811 form CJSTC-83, in compliance with the requirements of subsection (3) of this rule section.

2812 (c) If the canine team certification has expired, the employing agency requesting renewal of the certification
2813 shall complete the applicable sections and submit form CJSTC-70 marked "Renewal," and document the canine
2814 team proficiency on form CJSTC-83, in compliance with the requirements of subsection (3) of this rule section.

2815 (5) Change of assigned canine team. If a Commission-certified canine handler or canine ceases to be assigned
2816 as part of a canine team by the employing agency, the certification shall lapse.

2817 (a) Notification of changes in a canine team assignment shall be submitted to Commission staff in writing to
2818 the Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Post Office Box 1489,
2819 Tallahassee, Florida 32302, provided the handler is not assigned a new canine.

2820 (b) A Commission-certified canine handler who has been assigned a new canine, shall submit form CJSTC-70,
2821 marked "New" and "Canine Team Change" after complying with the requirements of this rule section.

2822 (6) Inspection of canine team applicant files.

2823 (a) Upon determination of an unfavorable inspection by Commission staff, the deficiencies shall be
2824 documented on a Canine Team Certification Deficiency Notification form CJSTC-270, revised November 6, 2014,
2825 effective 7/2015, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-05660>.
2826 Form CJSTC-270 can be obtained at the following FDLE Internet address:
2827 http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx, or by contacting Commission staff at (850) 410-8615.

2828 (b) The employing agency shall satisfy the deficiency(ies) by submitting the required documentation to
2829 Commission staff within 90 days of the receipt of the Canine Team Certification Deficiency Notification form
2830 CJSTC-270. The Commission has the authority to deny the employing agency's request for canine team
2831 certification for failure to meet the 90-day requirement. Upon denial of the application, the employing agency may
2832 reapply for canine team certification.

2833 (7) Canine Team Evaluators.

2834 (a) Prior to being approved by the Commission as a canine team evaluator, the evaluator applicant shall provide
2835 documentation verifying the evaluator applicant has complied with the following requirements:

2836 1. Documentation of one year of experience as a Commission-certified canine team instructor.

2837 2. Documentation on form CJSTC-70 that the evaluator applicant has taught the Canine Team Training
2838 Course number 1198; or the Canine Team Training Course number 1112 (retired 11/6/2013); or equivalent training
2839 in its entirety to a minimum of six canine teams that have successfully completed the canine team certification
2840 process. Canine teams trained exclusively for tracking and trailing or specific detection shall not be included in this
2841 total.

2842 3. Verification that the evaluator applicant has evaluated a minimum of twelve canine teams under the
2843 supervision of Commission-approved evaluators, which shall be documented on form CJSTC-83. Canine teams
2844 trained exclusively for tracking and trailing or specific detection shall not be included in this total.

2845 4. A letter of recommendation for the evaluator applicant from a training center director, agency
2846 administrator, or designee.

2847 5. Request for evaluator status. A letter from the evaluator applicant requesting approval from the
2848 Commission as a “canine team evaluator” shall be forwarded to the Florida Department of Law Enforcement,
2849 Criminal Justice Professionalism Program, P.O. Box 1489, Tallahassee, Florida 32302, Attention Bureau Chief of
2850 the Bureau of Standards, for the initial request for approval as a canine team evaluator. The letter shall include the
2851 evaluator’s full name, the last four digits of the evaluator’s social security number, complete address, and
2852 documentation of compliance with the standards set forth in this rule section.

2853 (b) Approval of canine team evaluator status. Upon a review of the documents and determination that the
2854 evaluator applicant has complied with the requirements set forth in this rule section, a letter acknowledging approval
2855 by the Commission shall be forwarded to the evaluator applicant.

2856 (c) Maintenance of canine team evaluator status. Commission-approved evaluators shall be required to
2857 submit a request for continuance as an evaluator, to the address in paragraph (7)(a) of this rule section within four
2858 years of the date of approval, with documentation that verifies the evaluator has completed a minimum of four
2859 canine team performance evaluations within the four-year period. The verifying documentation shall be copies of
2860 form CJSTC-70 attesting that the performance evaluation was administered by the evaluator. A canine team
2861 evaluator’s “approval status” shall expire four years following the date approved by the Commission. If the
2862 Commission-approved evaluator’s “approval status” expires, the evaluator shall comply with the maintenance
2863 requirements in this rule section as an evaluator applicant under the supervision of two Commission-approved
2864 canine team evaluators and shall document the evaluation skills on form CJSTC-83. Canine team evaluators with an
2865 expired status shall submit for approval a “request for evaluator status” and comply with the requirements in
2866 paragraph (7)(a) of this rule section.

2867 Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12(16) FS. History-New 3-29-89,
2868 Amended 12-13-92, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09,
2869 6-3-10, 3-13-13, 5-29-14, 5-29-14, 7-29-15, 9-4-16, 6-26-22.

2870 **11B-27.014 Implementation of the Federal Law Enforcement Officers Safety Act of 2004.**

2871 (1) Requirements to demonstrate the firearms proficiency requirements under the federal Law Enforcement
2872 Officers Safety Act of 2004 (18 U.S.C.A. § 926C) in Florida.

2873 (a) To carry a concealed firearm under the Federal Law Enforcement Officers Safety Act of 2004 ("Act"), a
2874 qualified retired law enforcement ("retiree"), as defined in 18 U.S.C.A. § 926C, shall show that he or she has
2875 demonstrated the firearms proficiency required by the Act within the past twelve months of the time he or she
2876 possesses a concealed firearm.

2877 (b) The Act provides the following two methods for a retiree to demonstrate firearms proficiency:

2878 1. One method allows the retiree to return to the agency from which he or she retired to meet the agency's
2879 firearms proficiency standards as applied to the agency's active officers. Under the Act, an agency has the option to
2880 offer this alternative.

2881 2. The second method allows the retiree to meet the minimum firearms standards applied to active law
2882 enforcement officers by the state of the retiree's residence.

2883 (c) For retirees who reside in Florida, the option to meet the state's minimum firearms standards shall be
2884 demonstrated using the Commission's approved minimum firearms proficiency course of fire ("course of fire"),
2885 conducted in a manner specified in paragraph (2)(c) of this rule section, pursuant to the Law Enforcement Officer
2886 Firearms Qualification Standard on form CJSTC-86A incorporated by reference in subsection 11B-27.00212(14),
2887 F.A.C.

2888 (d) Pursuant to s. 790.052(1)(b) and (c), F.S., all persons holding an active certification or who held an active
2889 certification before separating from service under the conditions set forth in 18 U.S.C.A. 926C(c), as a law
2890 enforcement or correctional officer as defined in s. 943.10(1), (2), (6), (7), (8), or (9), F.S. meet the definition of
2891 "qualified law enforcement officer" or "qualified retired law enforcement officer."

2892 (2) Requirements for administering the course of fire are as follows:

2893 (a) The range master conducting the course of fire shall be an active Commission-certified firearms instructor
2894 pursuant to paragraphs 11B-20.0014(2)(c) or (d), F.A.C.

2895 (b) The range master shall issue a Commission-approved Firearms Proficiency Verification Card, form
2896 CJSTC-600, created on July 9, 2007, and revised on August 8, 2019, effective 4/2020, hereby incorporated by
2897 reference <http://www.flrules.org/Gateway/reference.asp?No=Ref-11907>, to each retiree who successfully completes
2898 the course of fire as required on form CJSTC-86A using a revolver or a semi-automatic handgun.

2899 (c) The range master shall maintain the following documentation that is related to the completion of the course
2900 of fire for each retiree who successfully completes the course, and the retained documentation shall be subject to
2901 audit during regular business hours upon a two-day written notice by Commission staff:

2902 1. Full name of the retiree completing the course of fire.

2903 2. Address of the retiree completing the course of fire.

2904 3. The Course of Fire Proficiency Score. A passing score is a minimum score of 80%, which is 32 of 40
2905 rounds in the scoring area using a commercially produced B-21E target or equivalent Pride Enterprises (P.R.I.D.E.)
2906 target. The scoring shall be any hit that is inside or touches the exterior scoring line of the four and five zone of the
2907 B-21E target.

2908 4. Date the course of fire was completed.

2909 5. Location where the course of fire was conducted.

2910 6. The specific number imprinted on the CJSTC-600 form issued to the retiree who completed the course of
2911 fire.

2912 7. Type(s) of firearm(s).

2913

2914 (3) Firing Range Requirements.
2915 (a) The course of fire shall be conducted on any public or private range that meets the shooting distance
2916 requirements on form CJSTC-86A.
2917 (b) The owner of a firing range is not required to administer the course of fire on the owner's firing range.
2918 (c) The retiree shall be responsible for any fee associated with the course of fire.
2919 (4) Issuance and Maintenance of form CJSTC-600.
2920 (a) A request for form CJSTC-600 shall be made in writing to the Florida Department of Law Enforcement,
2921 Criminal Justice Professionalism Program, Post Office Box 1489, Tallahassee, Florida 32302, Attention: Officer
2922 Records Section.
2923 1. A Commission-certified firearms instructor is allowed to receive up to 50 each of the CJSTC-600 form
2924 with each written request, and the request shall include the firearm instructor's full name, mailing address and
2925 physical address if different from the mailing address, telephone number, and the name of the Commission-certified
2926 training school, defined as "training school" in subsection 11B-18.003(23), F.A.C., affiliation or criminal justice
2927 agency affiliation.
2928 2. A training school is allowed to receive up to 200 each of the CJSTC-600 form with each written request,
2929 and the request shall be made on the training school's letterhead signed by the training center director or designee.
2930 3. If a retiree loses form CJSTC-600, a replacement card shall not be reissued. The retiree shall be required to
2931 complete the course of fire, again, and be issued a new CJSTC-600 form.
2932 (b) A Commission-certified firearms instructor shall only issue a CJSTC-600 form for successful completion
2933 of the course of fire. Each CJSTC-600 form shall be issued with a specific number imprinted on the form and the
2934 firearms instructor shall maintain documentation for a period of two years indicating to whom the CJSTC-600 was
2935 issued, which shall be subject to audit by Commission staff during regular business hours upon a two-day written
2936 notice by Commission staff.
2937 (c) The CJSTC-600 form shall expire one year from the date the retiree completed the course of fire.
2938 (5) Admission to a range to attempt to complete the course of fire shall be under the terms and conditions of
2939 the range master, and solely at the range master's discretion. Neither state law nor the Act provide a retiree with a
2940 right to demand access to a range or an opportunity to attempt the course of fire.
2941 (6) It is not the responsibility of the Commission, any Commission certified firearms instructor, a training
2942 school, or any other entity operating a firearms range, at the time of the firearms qualification, to verify or certify
2943 that a retiree meets any of the additional requirements of a "qualified retired law enforcement officer" under the Act.
2944 Meeting the Act's qualifications is solely the responsibility of the retiree. The range master is not required to
2945 otherwise verify a retiree's status under the Act at the time of the firearms qualification.
2946 Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12, 943.132 FS. History-New 3-3-08,
2947 Amended 6-3-10, 3-13-13, 7-9-19, 5-5-20.

2948	State Officer Certification Examination	<u>Chapter 11B-30</u>
2949	RULE TITLES:	RULE NOS.:
2950	1. State Officer Certification Examination General Eligibility Requirements.	<u>11B-30.006</u>
2951	2. State Officer Certification Examination Assignment and Retake Eligibility Requirements.	<u>11B-30.0062</u>
2952	3. Application for the State Officer Certification Examination and Notification Process.	<u>11B-30.007</u>
2953	4. Examination Accommodations for Applicants with Disabilities.	<u>11B-30.0071</u>
2954	5. State Officer Certification Examination Site Administration.	<u>11B-30.008</u>
2955	6. Applicant Conduct at Test Site and Notice of Protection of Program Privileges.	<u>11B-30.009</u>
2956	7. Applicants Charged with Violations; Right of Hearing.	<u>11B-30.010</u>
2957	8. Examination Scoring and Grade Notification.	<u>11B-30.011</u>
2958	9. Post Examination Review of Missed Questions, Answers, and Grading Key.	<u>11B-30.012</u>
2959	10. Challenge to Examination Results; Right of Hearing.	<u>11B-30.013</u>

2960 **11B-30.006 State Officer Certification Examination General Eligibility Requirements.**

2961 (1) For the purposes of this rule chapter, the terms "successfully completed" and "successfully complete" are
 2962 defined as being denoted with a "Pass," pursuant to subsection 11B-35.001(10), F.A.C., on the completed Training
 2963 Report, form CJSTC-67, revised November 5, 2015, effective 9/2016, hereby incorporated by reference,
 2964 <http://www.flrules.org/Gateway/reference.asp?No=Ref-07375>. Form CJSTC-67 can be obtained at the following
 2965 FDLE Internet address: <http://www.fdlc.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission
 2966 staff at (850) 410-8615.

2967 (2) The following individuals are eligible to take the State Officer Certification Examination (SOCE) for the
 2968 requested criminal justice discipline:

2969 (a) Individuals who, within four years of beginning basic recruit training, have successfully completed a
 2970 Commission-approved Basic Recruit Training Program, pursuant to paragraphs 11B-35.002, F.A.C.

2971 (b) Inactive Florida law enforcement, correctional, and correctional probation officers, defined in Section
 2972 943.1395(3), F.S., who comply with paragraph 11B-27.00212(12)(a), and Rule 11B-35.009, F.A.C., shall pass the
 2973 SOCE within one year of notification of approval of the Exemption-From-Training, form CJSTC-76, revised August
 2974 2, 2018, effective 7/2019, hereby incorporated by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-10753>. Form CJSTC-76 can be obtained at the following FDLE Internet address:
 2975 <http://www.fdlc.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

2977 (c) Out-of-state, military, and federal law enforcement, correctional, and correctional probation officers or
 2978 members of the special operations forces who comply with Rule 11B-35.009, F.A.C., shall pass the SOCE within
 2979 one year of notification of approval of the Exemption-From-Training form CJSTC-76.

2980 Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12(17), 943.131(2), 943.1397 FS. History—
 2981 New 1-10-94, Amended 8-7-94, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08,
 2982 6-3-10, 5-21-12, 5-29-14, 7-29-15, 9-4-16, 7-19-17, 8-15-18, 7-9-19.

2983 **11B-30.0062 State Officer Certification Examination Assignment and Retake Eligibility Requirements.**

2984 (1) Individuals who have successfully completed a Commission-approved Basic Recruit Training Program or
2985 are exempt from a Basic Recruit Training Program, pursuant to subsection 11B-30.006(2), F.A.C., shall be allowed
2986 to apply for and take the State Officer Certification Examination (SOCE) corresponding to the specific law
2987 enforcement, correctional, or correctional probation discipline and curriculum for which training was completed or
2988 exempted. Individuals completing a Basic Recruit Training Program shall pass the SOCE within four years of the
2989 beginning date of training pursuant to subsection 11B-27.002(4), F.A.C. Individuals exempt from a Basic Recruit
2990 Training Program shall pass the SOCE within one year of receiving the exemption pursuant to Section 943.131, F.S.

2991 (2) Should an individual fail to achieve an overall passing score on the SOCE, the individual shall be permitted
2992 two opportunities to reapply and retake the examination.

2993 Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12(17), 943.13(10), 943.1397 FS. History -
2994 New, 7-29-01, Amended 11-5-02, 11-30-04, 6-9-08, 5-21-12, 3-13-13, 7-19-17.

2995

Rule 11B-30.0062	85	Effective 7-19-17
State Officer Certification Examination:		
State Officer Certification Examination Assignment and Retake Eligibility Requirements		

2996 **11B-30.007 Application for the State Officer Certification Examination and Notification Process.**
2997 (1) Application to take the State Officer Certification Examination (SOCE) shall be made by submitting an
2998 application online per the instructions available on the following FDLE website,
2999 <http://www.fdle.state.fl.us/CJSTC/Officer-Requirements/How-to-Become-an-Officer.aspx>. All applications shall be
3000 accompanied by payment of the \$100 examination fee using a credit card or debit card:
3001 (2) If a mechanical fault, natural event, or other problem associated with the administration of the SOCE
3002 occurs, the applicant shall be permitted to reschedule the examination with the test site without submitting an
3003 additional application or examination fee to the Florida Department of Law Enforcement. Re-scheduling of the
3004 SOCE shall not constitute a re-examination.
3005 Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12(17), 943.1397(3) FS. History—New
3006 1-10-94, Amended 1-2-97, 7-7-99, 7-29-01, 11-5-02, 11-30-04, 3-21-07, 6-9-08, 9-28-09, 5-21-12, 5-29-14,
3007 7-19-17.
3008

Rule 11B-30.007	86	Effective 7-19-17
State Officer Certification Examination:		
Application for the State Officer Certification Examination and Notification Process		

3009 **11B-30.0071 Examination Accommodations for Applicants with Disabilities.**

3010 (1) In compliance with the Americans with Disabilities Act (ADA) of 1990, the Department shall provide
3011 reasonable and appropriate accommodations to individuals with physical, mental, or specific learning disabilities to
3012 the extent such accommodations do not create an undue cost, administration restraints, security considerations, and
3013 availability of resources. Accommodations made will vary depending upon the nature and the severity of the
3014 disability. Each case shall be dealt with on an individual basis with the limits prescribed herein. Reference
3015 information and guidelines regarding the process for documenting disabilities are contained in the "Request for Test
3016 Accommodations for Examinees with Disabilities," document, which may be obtained via the following web
3017 address: <http://www.fdle.state.fl.us/CJSTC/Documents/Exam/SpecialAccommodationsManual-1.aspx> or by writing
3018 to the Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Certification
3019 Examination Section, Post Office Box 1489, Tallahassee, Florida 32302-1489, Attention: ADA Coordinator, or by
3020 calling (Voice): (850)410-8600, (TDD): (850)410-7948.

3021 (2) An applicant requesting special accommodations shall submit an Application for Individuals Requesting
3022 Special Test Accommodations, form CJSTC-502, revised November 8, 2007, hereby incorporated by reference.
3023 Commission staff shall notify the applicant of the approval or denial of accommodations within forty-five calendar
3024 days of receipt of form CJSTC-502. Form CJSTC-502 can be obtained at the following FDLE Internet address:
3025 <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850)410-8615.
3026 The individual shall provide documentation of the disability by an appropriate professional, pursuant to paragraph
3027 (7)(e) of this rule section, when the disability and the requested accommodations are not obvious. Form CJSTC-502
3028 may be obtained by writing to the Florida Department of Law Enforcement, Criminal Justice Professionalism
3029 Program, Certification Examination Section, Post Office Box 1489, Tallahassee, Florida 32302-1489, Attention:
3030 ADA Coordinator, or by calling (Voice): (850)410-8602, (TDD): (850)410-7958.

3031 (3) Accommodations to take the SOCE shall be provided for qualifying individuals pursuant to (2) of this rule
3032 section. All accommodations shall be directly linked to the amelioration of the identified functional limitations
3033 caused by the asserted disability and must be reasonable and effective. Permissible accommodations include:

3034 (a) Flexible Time. Individuals requiring extra time to take the SOCE shall submit a recommendation of such
3035 from an appropriate professional, pursuant to paragraph (7)(e) of this rule section. Approved accommodations for
3036 extra time shall be limited to one and a half times the regularly allowed time to complete the examination. Untimed
3037 certification examinations shall not be provided.

3038 (b) Flexible Setting. Individual and small group settings for administration of the SOCE shall be made
3039 available to individuals when such a service is recommended by an appropriate professional, however, flexible
3040 settings are subject to test site capabilities.

3041 (4) Accommodations that are not permissible. A reader shall not be allowed for applicants taking the SOCE or
3042 Basic Abilities Test (BAT). These examinations utilize diagrams, tables, or statutory reference materials to measure
3043 an applicant's ability to apply these professional tools to solve problems and answer questions.

3044 (5) Commission staff shall request further evidence for the necessity of the accommodation when the evidence
3045 substantiating the need for the accommodation is incomplete, inconclusive, unclear, or does not substantiate the
3046 need for the requested accommodation.

3047 (6) In no case shall any modifications authorized herein be interpreted or construed as an authorization to
3048 provide an individual with assistance in determining the answer to any test item. No accommodation or modification
3049 shall be made that adversely affects the integrity of the SOCE.

3050

- 3051 (7) Definition of Terms.
- 3052 (a) Person with disabilities means any person who:
- 3053 1. Has a physical, mental, or specific learning disability, which presently substantially limits one or more
3054 major life activities;
- 3055 2. Has a record of such disability; or
- 3056 3. Is regarded as having such disability.
- 3057 (b) Major life activities are activities that an average person can perform with little or no difficulty, for
3058 example walking, talking, hearing, breathing, learning, working, caring for one's self, and performing manual tasks.
- 3059 (c) A person with a physical disability means any person who has a permanent or temporary physical or
3060 psychomotor disability. Examples, pursuant to this rule section, include individuals with a hearing or sight disability,
3061 or those who may need special accommodation to move about.
- 3062 (d) A person with a learning disability means any person who has a permanent or temporary mental disability,
3063 such as brain damage, brain dysfunction, dyslexia, or a perceptual disorder.
- 3064 (e) For purposes of this rule, "an appropriate professional" is a person licensed, pursuant to Chapters 460
3065 (Chiropractic), 490 (Psychological Services), 458 (Medical Practice), 459 (Osteopathy), 461 (Podiatric Medicine),
3066 463 (Optometry), 468, Part I (Speech-Language Pathology and Audiology), or 490 (Psychological Services or
3067 certified as a School Psychologist by the Florida Department of Education), F.S., or is licensed in the state in which
3068 the certification of disability was performed. Any certification, documentation, or recommendation relating to the
3069 individual's disability provided by an appropriate professional, and pursuant to the requirements of this rule, shall
3070 not be extended beyond the scope permitted by the law for that professional or that which the professional knows or
3071 has reason to know that he or she is not competent to perform.
- 3072 Rulemaking Authority 943.03(4), 943.12(1), 943.1397 FS. Law Implemented 943.12(17), 943.1397 FS. History—
3073 New 7-29-01, Amended 11-5-02, 11-30-04, 3-21-07, 6-9-08, 5-21-12, 7-19-17.

3074 **11B-30.008 State Officer Certification Examination Site Administration.**

3075 (1) Administration of the State Officer Certification Examination (SOCE) shall be limited to test sites
3076 authorized by the Commission and located within the State of Florida. To be eligible to administer the SOCE, a test
3077 site must be:

3078 (a) A test center exclusively dedicated to the administration of academic and/or professional certification or
3079 licensure examinations and operated or contracted by a Commission-approved criminal justice training center or its
3080 parent organization; or

3081 (b) A computer lab located at a Commission-approved criminal justice training school.

3082 Rulemaking Authority 943.03(4), 943.12(1), (17) FS. Law Implemented 943.12(17), 943.131(2) FS. History—New
3083 1-10-94, Amended 8-7-94, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-21-07, 6-9-08,
3084 5-21-12, 5-29-14, 7-19-17.

11B-30.009 Applicant Conduct at Test Site and Notice of Protection of Program Privileges.

Any violation of the provisions of this subsection shall be documented in writing to the Program Director of the Criminal Justice Professionalism Program.

(1) The applicant shall not engage in conduct that subverts or attempts to subvert the State Officer Certification Examination (SOCE) process. An applicant engaging in conduct intended to subvert the SOCE process shall be dismissed from the SOCE administration. Conduct that subverts or attempts to subvert the SOCE process includes:

- (a) Removing from the examination room any of the SOCE materials.
 - (b) Reproducing or reconstructing any portion of the SOCE.
 - (c) Aiding by any means in the reproduction of any portion of the SOCE.
 - (d) Selling, distributing, buying, receiving, or having unauthorized possession of any portion of a past, current, or future SOCE.
 - (e) Revealing test questions or other information that would compromise the integrity of the SOCE.
 - (f) Communication with any other applicant during the administration of the SOCE.
 - (g) Copying answers from another applicant, or intentionally allowing one's answers to be copied by another applicant during the administration of the SOCE.
 - (h) Having in one's possession during the administration of the SOCE, any books, notes, written, or printed materials or data of any kind.
 - (i) Failing to comply with the SOCE administrator's instructions with the intent to subvert the SOCE process.
 - (j) Falsifying or misrepresenting information required for admission to the SOCE.
 - (k) Impersonating an applicant.
 - (l) Having an impersonator take the SOCE on one's behalf.
 - (m) Disrupting the test administration.

(2) An applicant, who engages in conduct in subsection (1) of this rule section, shall be denied access to take the SOCE until the Commission's disciplinary process has been completed, pursuant to subsection (3) of this rule section.

(3) When the Commission finds that an applicant has committed an act that violates subsection (1) of this rule section, the Commission shall impose one or more of the following sanctions:

 - (a) Declare the applicant has failed the SOCE.
 - (b) Require the applicant to forfeit the application fee.
 - (c) Declare the applicant ineligible to apply to take the SOCE in any discipline for a period of five years pursuant to Section 943.13(7), F.S., regarding good moral character for employment or appointment as an officer.
 - (d) Deny certification by the Commission as a law enforcement, correctional, or correctional probation officer, pursuant to Rule 11B-27.007, F.A.C.

(4) The applicant shall not engage in conduct that violates the standards of the SOCE Administration. An applicant has violated the standards of the SOCE administration by:

 - (a) Failing to comply with the SOCE administrator's instructions at the test site.
 - (b) Possession of anything other than the personal identification at the test site for the SOCE.

(5) When an applicant has committed an act that violates subsection (4) of this rule section, the applicant shall be subject to the following sanctions:

 - (a) Dismiss the applicant from the SOCE test administration; and

3126 (b) Declare the applicant has failed the SOCE and is ineligible to participate in the review process outlined in
3127 Rule 11B-30.0012, F.A.C.; and

3128 (c) Require the applicant to forfeit the application fee.

3129 (6) When an applicant holds a Commission certification and has committed an act that violates subsection (1)
3130 of this rule section, the applicant's certification(s) shall be subject to disciplinary action pursuant to Rule
3131 11B-27.0011 and subsection 11B-27.005(5), F.A.C.

3132 Rulemaking Authority 943.03(4), 943.12(1), (17), 943.173(3) FS. Law Implemented 943.12(17), 943.13(7),
3133 943.1397(1), (3), 943.173 FS. History—New 1-10-94, Amended 1-2-97, 7-7-99, 7-29-01, 11-5-02, 11-30-04, 3-27-
3134 06, 3-21-07, 5-21-12, 7-19-17.

3135 **11B-30.010 Applicants Charged with Violations; Right of Hearing.** Should the Commission find that an
3136 applicant has violated the provisions of subsection 11B-30.009(2), F.A.C., the Commission shall notify the applicant
3137 of the violation by submitting a statement invalidating the applicant's State Officer Certification Examination
3138 (SOCE). The statement invalidating the applicant's SOCE shall specify the basis for the Commission's action and
3139 shall be forwarded to the applicant. The applicant shall be entitled to a hearing pursuant to the Administrative
3140 Procedures Act set forth in Chapter 120, F.S., and the Uniform Rules of Procedures, Chapter 28-106, F.A.C.
3141 Specific Authority 943.03(4), 943.12(1) FS. Law Implemented 120, 943.12(17) FS. History-New 1-10-94,
3142 Amended 7-7-99, 8-22-00, 7-29-01, 11-5-02.

3143 11B-30.011 Examination Scoring and Grade Notification.

3144 Individuals who graduate from a Commission-approved Basic Recruit Training Program shall be required to achieve
3145 a passing score on the State Officer Certification Examination (SOCE) with an overall scale score equal to or higher
3146 than the established cut-off score. Official examination results shall only be stored in, and retrieved from, the
3147 Commission's Automated Training Management System (ATMS). The applicant shall receive an unofficial grade
3148 notification at the conclusion of the examination.

3149 Rulemaking Authority 943.03(4), 943.12(1), (17) FS. Law Implemented 943.12(17), 943.1397(1) FS. History-New
3150 1-10-94, Amended 1-2-97, 7-7-99, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 5-21-12, 5-29-14, 7-19-17.

3151

3152 **11B-30.012 Post Examination Review of Missed Questions, Answers, and Grading Key.**

3153 (1) Individuals who have failed the State Officer Certification Examination (SOCE) shall have the right to
3154 review their missed examination questions and corresponding grading key at a post-examination review. The post-
3155 examination review shall be scheduled and conducted by Commission staff or their authorized agent. The post-
3156 examination review shall be limited to one-half the time regularly allowed for the corresponding SOCE. Individuals
3157 reviewing the SOCE shall schedule their review via the Commission's test administration vendor.

3158 (2) The SOCE post-examination reviews shall be conducted in the presence of Commission staff or the
3159 Commission's authorized agents.

3160 (3) Individuals shall review their SOCE grades within 120 calendar days of the individual's SOCE date.

3161 (a) Individuals who fail to attend a post-examination review session within 120 days of their SOCE shall not
3162 be allowed to challenge questions on the SOCE, but shall be allowed to review their missed questions, their chosen
3163 answer, and the correct answer. Participants in the post-examination review session shall be permitted to review
3164 only one examination during each session and shall only review each examination once. Individuals shall not be
3165 permitted to review their SOCE after the expiration of their examination eligibility pursuant to Rule 11B-30.006,
3166 F.A.C.

3167 (b) All individuals at a post-examination review session shall acknowledge these rules and affirm to abide by
3168 all such rules for the SOCE.

3169 (4) Individuals shall be prohibited from bringing materials into or removing materials from a post-examination
3170 review session, except that individuals shall be permitted to bring one copy of the official curriculum corresponding
3171 to the examination reviewed.

3172 (5) The provisions and sanctions of Rule 11B-30.009, F.A.C., shall apply to individuals in a post-examination
3173 review session, and any individual who violates the standards in Rule 11B-30.009, F.A.C., shall be dismissed from
3174 the review session.

3175 (6) Individuals submitting challenges to questions shall be notified in writing, within thirty working days of the
3176 post-examination review session of the Commission's response to the challenges submitted during the post-
3177 examination review session. Submitted challenges shall not be processed should an individual retake and pass the
3178 examination before receiving the Commission's response to the challenges submitted.

3179 Rulemaking Authority 943.03(4), 943.12(1), (17) FS. Law Implemented 943.12(17), 943.173 FS. History—New
3180 1-10-94, Amended 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 5-21-12,
3181 5-29-14, 7-29-15, 9-4-16, 7-19-17, 8-15-18.

Rule 11B-30.012 State Officer Certification Examination: Post Review of Examination Questions, Answers, Papers, Grades, and Grading Key	94	Effective 8-15-18
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11B-30.013 Challenge to Examination Results; Right of Hearing. Should the Commission deny an individual's State Officer Certification Examination (SOCE) grade review challenge, the Commission shall notify the individual by submitting a statement denying the challenge. The statement shall specify the basis for the Commission's denial and shall be forwarded to the individual. The individual shall be entitled to a hearing pursuant to the Administrative Procedures Act set forth in Chapter 120, F.S., and the Uniform Rules of Procedure, Rule Chapter 28, F.A.C.

3188 Rulemaking Authority 943.03(4), 943.12(1), (17) FS. Law Implemented 120, 943.12(17) FS. History-New 1-10-94,
3189 Amended 1-2-97, 7-7-99, 8-22-00, 7-29-01, 5-21-12, 7-19-17.

Rule 11B-30.013 95
State Officer Certification Examination:
Challenge to Examination Results; Right of Hearing

Effective 7-19-17

3190	Training Programs	Chapter 11B-35
3191	RULE TITLES:	RULE NOS.:
3192	1. General Training Programs; Requirements and Specifications.	<u>11B-35.001</u>
3193	2. eLearning Instruction	<u>11B-35.0010</u>
3194	3. Basic Abilities Test Requirements for Applicant Admission into a Law Enforcement and	<u>11B-35.0011</u>
3195	Correctional Basic Recruit Training Program.	
3196	4. Basic Recruit Training Programs for Law Enforcement, Correctional,	<u>11B-35.002</u>
3197	and Correctional Probation.	
3198	5. Courses and Requirements for Basic Recruit Training, Advanced, and	<u>11B-35.0021</u>
3199	Instructor Training Requiring Proficiency Demonstration.	
3200	6. Student Transfers within Basic Recruit Training Programs.	<u>11B-35.0023</u>
3201	7. Student Performance in Commission-approved High-Liability Basic Recruit	<u>11B-35.0024</u>
3202	Training Courses, Instructor Training Courses, and Specialized and Advanced Training	
3203	Program Courses Requiring Proficiency Demonstration.	
3204	8. Basic Recruit Training Programs for Law Enforcement, Correctional,	<u>11B-35.003</u>
3205	and Correctional Probation Auxiliary Training.	
3206	9. Career Development Training Program.	<u>11B-35.005</u>
3207	10. Advanced Training Program.	<u>11B-35.006</u>
3208	11. Specialized Training Program.	<u>11B-35.007</u>
3209	12. Criminal Justice Training School Requirements for Local Administration	<u>11B-35.0085</u>
3210	and Security of Examinations for Training Courses.	
3211	13. Exemption from Basic Recruit Training.	<u>11B-35.009</u>

3212 **11B-35.001 General Training Programs; Requirements and Specifications.**

3213 (1) Throughout this rule chapter “training programs,” “courses,” “instructors,” and “training schools” refer to
 3214 Commission-approved training programs, courses, instructors, and training schools. Commission-approved Basic
 3215 Recruit, Advanced, and Specialized Training Programs are intended to provide job-related training to law
 3216 enforcement, correctional, and correctional probation officers. The training programs are:

3217 (a) Basic Recruit Training Programs that provide for the acquisition of employment skills necessary for officer
 3218 certification and employment; and

3219 (b) Special Operations Forces Training Programs that provide training for special operations forces members
 3220 seeking officer certification.

3221 (c) Advanced Training Programs that maintain officer certification, enhance officer knowledge, skills, and
 3222 abilities, and assist in an officer’s promotion to a higher rank.

3223 (d) Specialized Training Programs that provide for officer post-basic or in-service training that enhance an
 3224 officer’s knowledge, skills, and abilities in a specific area.

3225 (2) Notification of scheduled courses. The training center director or designee shall notify the assigned local
 3226 Commission field specialist of scheduled, rescheduled, or cancelled Commission-related training courses. This
 3227 notification shall be at least 30 days in advance, or immediately upon scheduling, rescheduling, or cancellation of
 3228 the course when under 30 days. Notification shall include at a minimum:

3229

- 3230 (a) Date(s) of course(s).
3231 (b) Location of course(s).
3232 (c) Title of course(s).
3233 (d) Time of course(s).
- 3234 (3) Instructors who teach Commission-approved Basic Recruit, Advanced, Specialized, and Special Operations
3235 Forces Training Program Courses at a training school shall:
- 3236 (a) Be a Commission-certified General Instructor pursuant to subsection 11B-20.001(3), F.A.C., or be exempt
3237 from certification pursuant to subsection 11B-20.001(4), F.A.C.
- 3238 (b) Be required to hold additional certifications for specified areas of instruction in Commission courses
3239 pursuant to Rule 11B-20.0014, F.A.C. Commission-certified defensive tactics instructors who instruct defensive
3240 tactics courses on or after July 1, 2020, must have completed the Defensive Tactics Instructor Course, effective May
3241 2, 2019, as a part of their initial defensive tactics instructor certification or have completed the Defensive Tactics
3242 Instructor Update Course effective April 1, 2018.
- 3243 (c) Be required to hold additional certifications for specified areas of instruction in Commission-approved
3244 courses pursuant to Rule 11B-20.0014, F.A.C. Commission-certified firearms instructors who instruct Basic Recruit
3245 Firearms courses on or after July 1, 2023, must have completed the Firearms Instructor Course, effective July 1,
3246 2023, as a part of their initial firearms instructor certification or have completed the Firearms Instructor Update
3247 Course, effective August 18, 2022. All Commission-certified firearms instructors must have completed the Firearms
3248 Instructor Course, effective July 1, 2023, as a part of their initial firearms instructor certification or have completed
3249 the Firearms Instructor Update Course, effective August 18, 2022, before June 30, 2024, or their firearms instructor
3250 certification will be deactivated.
- 3251 (d) Be required to hold additional certifications for specified areas of instruction in Commission-approved
3252 courses pursuant to Rule 11B-20.0014, F.A.C. Commission-certified first aid instructors who instruct Basic Recruit
3253 First Aid courses on or after July 1, 2023, must have completed the First Aid Instructor Course, effective February
3254 16, 2023, as a part of their initial first aid instructor certification or have completed the First Aid Instructor Update
3255 Course, effective August 18, 2022. All Commission-certified first aid instructors must have completed the First Aid
3256 Instructor Course, effective February 16, 2023, as a part of their initial first aid instructor certification or have
3257 completed the First Aid Instructor Update Course, effective August 18, 2022, before June 30, 2024, or their first aid
3258 instructor certification will be deactivated.
- 3259 (4) Commission-approved training shall be made available to the following:
- 3260 (a) Students who enroll in a Commission-approved Basic Recruit Training Program to become certified law
3261 enforcement, correctional, or correctional probation officers. Prior to enrolling in a Commission-approved Basic
3262 Recruit Training Program, students must comply with s. 943.13(2), Florida Statutes.
- 3263 (b) Students who enroll in a Commission-approved Advanced or Specialized Training Program Course and are
3264 Commission-certified law enforcement, correctional, or correctional probation officers.
- 3265 (c) Criminal justice officers and support personnel, defined in Section 943.10(11), F.S., are authorized to
3266 expend Officer Training Monies to attend Commission-approved Advanced and Specialized Training Program
3267 Courses delivered through a training school. The Commission has further authorized support personnel to attend
3268 training courses funded with Officer Training Monies, as defined in paragraph 11B-18.0053(3)(a), F.A.C.
- 3269 (5) The training center director shall ensure that each student is provided with a paper copy of the
3270 Commission's currently approved Basic Recruit Training Curriculum applicable to the student's enrollment prior to
3271 or at the beginning of the program.
- 3272 (6) Training center directors shall ensure that instructors are delivering the current Commission-approved
3273 training programs in compliance with Commission rules.
- 3274 (7) The Commission shall approve new and revised curricula in the CJSTC basic recruit, advanced, specialized
3275 training programs pursuant to Section 943.17, F.S., and the Special Operations Forces Training Program, pursuant to
3276 Section 943.131(3), F.S.

3277 (8) The Commission shall publish on the Active CJSTC Curricula web page the official list of approved and
3278 active Commission courses and programs for Basic Recruit, Advanced, Specialized, and the Special Operations
3279 Forces Training Programs. The Active CJSTC Curricula web page can be accessed at the following FDLE Internet
3280 address: <http://www.fdle.state.fl.us/CJSTC/Curriculum/Active-Courses.aspx>.

3281 (9) Maintenance of training curricula.

3282 (a) Training curricula shall be maintained for Commission approved Basic Recruit, Advanced, Specialized,
3283 and the Special Operations Forces Training Programs within the Florida Department of Law Enforcement.

3284 (b) Upon approval of new or revised curricula, the Commission shall establish an effective date for
3285 implementation.

3286 (c) A course description of approved new or revised curricula shall be published on the Active CJSTC
3287 Curricula web page within 10 days of Commission approval.

3288 (d) Each course description shall include, at a minimum, the course code, name, hours, and effective date.
3289 Each basic recruit program description shall include, at a minimum, an outline of courses by name, course number,
3290 and hours.

3291 (10) Student academic performance in courses.

3292 (a) Each training center director shall make available to its students and Commission staff a written copy of its
3293 performance standards.

3294 (b) The terms “successfully completed” and “successfully complete” are denoted with a “Pass” on the completed
3295 Training Report form CJSTC-67 and are defined as follows: A student enrolled in a Commission-
3296 approved Basic Recruit Training Program or a Special Operations Forces Training Program shall achieve a score of
3297 no less than 80% on each of the written end-of-course examinations, exclusive of demonstration of proficiency skills
3298 in the Basic Recruit Training Courses. A student enrolled in a Commission-approved Advanced or Specialized
3299 Training Program Course pursuant to paragraph (10)(d) of this rule section shall achieve a score of no less than 80%
3300 on the written end-of-course examination. A student enrolled in a Specialized Instructor Training Course shall
3301 achieve a score of no less than 85% on the written end-of-course examination, exclusive of demonstration of any
3302 proficiency skills.

3303 (c) The training center director or designee is responsible for the development, maintenance, and
3304 administration of comprehensive end-of-course examinations. The training center director or designee is authorized
3305 to develop, maintain, and administer additional academic tests for courses and is not limited to only the utilization of
3306 a comprehensive end-of-course examination. Training schools shall maintain examinations for Commission-
3307 approved Basic Recruit, Special Operations Forces, Advanced, Specialized Instructor Training, and Specialized
3308 Training Program Courses, pursuant to paragraph (10)(d) of this rule section and in compliance with the
3309 administration, confidentiality, and security requirements of subsections 11B-35.0085(2)-(5), F.A.C.

3310 (d) The Commission shall designate on the Active CJSTC Curricula web page the Specialized Instructor
3311 Courses and Specialized Training Program Courses that require an end-of-course examination.

3312 (e) End-of-course examinations shall be developed and administered for each course in a basic recruit training
3313 program and the Special Operations Forces Training Programs based on the learning objectives in each course, with
3314 the exception of the physical fitness officer wellness courses, and proficiency demonstration courses, pursuant to
3315 Rule 11B-35.009(8), F.A.C.

3316 (11) Reporting requirements for Commission-approved Basic Recruit, Advanced, Specialized, and Special
3317 Operations Forces Training Program Courses are as follows:

3318 (a) The training center director or designee shall determine the beginning and ending dates of each Basic
3319 Recruit Training Program and Special Operations Forces Training Program, and within thirty days following the
3320 class starting date shall forward a Training Report, form CJSTC-67, revised November 5, 2015, effective 9/2016,
3321 hereby incorporated by reference <http://www.flrules.org/Gateway/reference.asp?No=Ref-07376>, to Commission
3322 staff through the Commission’s Automated Training Management System (ATMS). Form CJSTC-67 can be
3323 obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by
3324 contacting Commission staff at (850) 410-8615.

(b) Following the completion of a Commission-approved Basic Recruit Training Program, Advanced Training Program Course, Special Operations Forces Training Program, or Specialized Training Program Course outlined in subsection 11B-35.007(1), F.A.C., the training center director or designee shall, within thirty days of the program or course completion date, electronically transmit a completed Training Report form CJSTC-67, or transmit an updated CJSTC-67 form through the Commission's ATMS. Submission of the Academy Physical Fitness Standards Report, form CJSTC-67A, revised August 4, 2016, effective 7/2017, hereby incorporated by reference <http://www.flrules.org/Gateway/reference.asp?No=Ref-08440>, is required for Law Enforcement, Correctional Probation, and Correctional Basic Recruit Training Programs within thirty days of the course completion. Submission of form CJSTC-67A is not required for the Law Enforcement Auxiliary and Cross-Over Basic Recruit Training Programs. Form CJSTC-67A can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(c) The training center director or designee shall ensure that the records for Commission-approved Basic Recruit, Advanced, Specialized, and Special Operations Forces Training Program Courses are maintained in the course file within the training school. Each course shall be subject to audit by Commission staff. Such records shall, at a minimum, include:

1. Course outline(s) and daily schedule(s).
 2. Course(s) name and contact person.
 3. Date(s) of course(s).
 4. Full legal name of all attending students.
 5. Test scores and test materials shall be made available for review by Commission staff upon request, pursuant to Section 11B-35.0085, F.A.C.
 6. The number of course electives for all courses delivered using Commission-approved Specialized Goals Objectives.
 7. Applicable proficiency checklists and performance reports.
 8. List of course instructor(s) to include full name and a copy of the instructor's current ATMS Global Profile sheet filed alphabetically in a master file, or maintained in the course file, or completion of Instructor Exemption, Form CJSTC-82, revised August 13, 2020, effective 5/2021, hereby incorporated by reference <http://www.flrules.org/Gateway/reference.asp?No=Ref-13140>, if applicable. Form CJSTC-82 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.
 9. Student daily attendance records, to include documentation of excused absences, pursuant to subsection (1) of this rule section.
 10. Documentation of student makeup work, pursuant to subsection (11) of this rule section.
 11. Documentation on transfer students, pursuant to Section 11B-35.0023, F.A.C.
 12. Completed Training Report form CJSTC-67.
 13. Form CJSTC-67A for Basic recruit Training Programs pursuant to subsection 11B-35.001(13), F.A.C.
 14. For Basic Recruit Training Programs, proof of compliance with Sections 943.13(2), 943.14(7) and 943.17(1)(g), F.S., and paragraph 11B-35.001(15)(b), F.A.C., which includes a completed Physician's Assessment, Form CJSTC-75, revised August 13, 2020, effective 5/2021, hereby incorporated by reference <http://www.flrules.org/Gateway/reference.asp?No=Ref-13139>. Form CJSTC-75 can be obtained at the following

FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

15. A training school re-examination policy and documented justification for each student re-examination administered.
16. A list of expenditures from the Criminal Justice Standards and Training Trust Fund Officer Training Monies for Commission approved Advanced and Specialized Training Programs/Courses when Officer Training

Programs for Professional Approved Advanced and Specialized Training Program Trainers which Sector Training Monies are used to fund the course.

Rule 11B-35.001 **99** **Effective 7-23-23**
Training Programs: General Training Programs;
Requirements and Specifications

(12) Student attendance requirements for Commission-approved Basic Recruit Training Programs outlined in subsection 11B-35.002, F.A.C., Specialized Training Programs outlined in subsection 11B-35.007(1), F.A.C., and Advanced Training Program Courses outlined in paragraph 11B-35.006(1), F.A.C., and the Special Operations Forces Training Program outlined in subsection 11B-35.009, F.A.C.

(a) The training center director or designee shall maintain daily student attendance records or login records or electronic records of participation for each training course. A training school shall have a written copy of its attendance policy available for review by students and Commission staff.

(b) Each student shall attend or login and complete all sessions of a training course except for absences approved by the training center director or designee. Documentation specifying the reason for the excused absence or non-completion of login activity or non-completion of student assignments shall be maintained in the course file at the training school. Students shall be responsible for class work missed during absences. The training center director or designee shall determine the content and quantity of makeup work. Documentation of the student's make-up work shall be signed by the training center director or designee and maintained in the student or course file at the training school.

(c) Competency-Based Instruction. The Commission approves competency-based instruction in the delivery of basic recruit training programs, specialized training program courses, specialized instructor training courses, the Special Operations Forces Training Program, and courses created from specialized goals and objectives, defined in subparagraph (12)(c)1. of this rule section.

1. Competency-based instruction is defined as “curriculum that uses specific objectives and performance-based learning to achieve performance standards, in lieu of established contact hours” in a delivery format that ensures that the training school delivers all curriculum materials.

2. Training schools are permitted to use competency-based instruction for courses within the basic recruit training programs except for the physical fitness and officer wellness courses and within the Special Operations Forces Training Program. The delivery of basic recruit training programs and the Special Operations Forces Training Program shall adhere to total program hours.

3. Training schools are permitted to use eLearning instruction for Commission-approved Specialized Training Program Courses, Specialized Instructor Courses, and Specialized Goals and Objectives, pursuant to Rule 11B-35.0010, F.A.C.

(13) Student Re-examination Policy for Commission-approved Basic Recruit Training Program Courses.

(a) A student shall achieve a passing score, pursuant to subsection 11B-35.001(10), F.A.C., on all end-of-course examinations in a Commission-approved Basic Recruit Training Program or a Special Operations Forces Training Program to successfully complete a program. A student who has failed a written end-of-course examination may be granted a re-examination by the training center director if:

1. There is technical difficulty in the administration of the test.

2. A condition of the student adversely impacts the student's ability to achieve a passing score on an end-of-course examination.

3 The end-of-course testing instrument is shown to be invalid

(b) Exclusive of the Commission's Basic Recruit Training Courses or the Special Operations Forces Training Program courses requiring proficiency demonstration and re-examinations in paragraph (13)(a) of this rule section, a student may be granted one written end-of-course re-examination during a single Basic Recruit Training Program or Special Operations Forces Training Program. Students, who have failed the written end-of-course examination after a second attempt, shall be deemed to have failed the course.

(c) The training center director is authorized to approve a student's request for re-examination.

(14) Student re-examination policy for Commission-approved Advanced and Specialized Training Program Courses. A student who has failed a written end-of-course examination in a Commission-approved Advanced or Specialized Training Program Course may be granted a re-examination of the course by the training center director as set forth in paragraph (13)(a) of this rule section. Each training school shall develop its own administrative procedures for processing a student's request for a re-examination as set forth in subsection (11) of this rule section.

3420 Training school procedures for processing student requests for re-examination shall be documented and maintained
3421 on file at the training school for review by Commission staff and the student.

3422 (15) Basic Recruit Student Physical Fitness Program.

3423 (a) Commission-certified training schools are responsible for developing a physical fitness program and shall
3424 provide a copy to Commission staff. The physical fitness program shall be designed to improve the student's overall
3425 physical fitness, improve the student's performance on the second physical fitness test, and provide a foundation for
3426 lifelong fitness.

3427 (b) Basic Recruit Student Physical Fitness Test and Chemical Agent Exposure. Prior to beginning a Basic
3428 Recruit Training Program, a student shall receive a physical examination and complete the Physician's Assessment,
3429 form CJSTC-75, which shall be maintained in the student or course file at the training school. A physical
3430 examination is not required for cross-over basic recruit training programs.

3431 (c) A student shall complete the physical fitness program to successfully complete a Commission-approved
3432 Basic Recruit Training Program. The student shall complete the physical fitness test within the first two weeks of
3433 beginning a basic recruit training program and complete a second physical fitness test within the final two weeks of
3434 a basic recruit training program. The physical fitness tests are not required for cross-over or auxiliary basic recruit
3435 training programs.

3436 (16) Proof of course completion. A training school shall, within thirty days following the completion of a
3437 Commission-approved Basic Recruit, Advanced, Specialized, or Special Operations Forces Training Program
3438 Course, provide to a student who has successfully completed the program, a certificate, which shall contain at a
3439 minimum, the name of the training school, the student's name, the dates of the program or course, the number of
3440 program or course hours, the title of the Basic Recruit, Advanced, Specialized, or Special Operations Forces
3441 Training Program Course, and the current training center director's signature. Basic Recruit Training Completion
3442 Certificates shall contain the Curriculum Version Number for the course taught. The training school shall provide a
3443 certificate to a student who has successfully completed a Commission-approved Basic Recruit Training Program,
3444 and the student shall be required to pass the State Officer Certification Examination.

3445 Rulemaking Authority 943.03(4), 943.12(1), (2), 943.17 FS. Law Implemented 943.12, 943.17 FS.
3446 History—New 12-13-92, Amended 8-7-94, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07,
3447 6-9-08, 9-28-09, 6-3-10, 5-21-12, 3-13-13, 5-29-14, 7-29-15, 9-4-16, 7-19-17, 8-15-18, 7-9-19, 5-5-20, 5-20-21,
3448 6-23-22, 7-23-23.

3449

3450 **11B-35.0010 eLearning Instruction.**

3451 (1) Training schools are permitted to use eLearning instruction for Commission-approved Specialized Training
3452 Program Courses and Specialized Instructor Courses, and courses created from Specialized Goals and Objectives.

3453 (2) eLearning Instruction is defined as a broad set of applications and processes that are facilitated and
3454 supported by information and communications technology (ICT) that includes, but are not limited to web-based
3455 learning, computer-based learning, virtual classrooms, digital media, internet learning, intranet learning, satellite
3456 broadcast, interactive TV, and CD-ROM.

3457 (3) Courses developed from Specialized Goals and Objectives and Specialized Training Program Courses shall
3458 receive full credit for the number of Officer Training Units (OTU) established for delivery of a course. "Officer
3459 Training Unit" is defined as "the number of seat hours determined to deliver a course through classroom
3460 instruction."

3461 (4) Training schools are permitted to expend Criminal Justice Standards and Training Trust Fund Officer
3462 Training Monies for conducting eLearning instruction for Commission-approved Specialized Training Program
3463 Courses and Specialized Instructor Courses, and courses created from Specialized Goals and Objectives, provided
3464 the courses are delivered using a learning management system, are instructor led, and the courses meet minimum
3465 standards pursuant to (4)(b) of this rule section. Officer Training monies shall be expended pursuant to the
3466 requirements of Rule Chapter 11B-18, F.A.C.

3467 (a) "Learning Management System" (LMS) is defined as a web-based software application for the
3468 administration, documentation, tracking, and reporting of training programs, classroom and on-line events,
3469 eLearning programs, and training content. The LMS shall facilitate:

- 3470 1. Management of users, roles, courses, and instructors.
- 3471 2. Manager approval.
- 3472 3. Student messaging and notifications.
- 3473 4. Assembly and delivery of learning resources utilizing the Shareable Content Object Reference Model
3474 (SCORM).
- 3475 5. Navigation of course sequence.
- 3476 6. Collaborative learning (e.g., application sharing, discussion threads).
- 3477 7. On-line assessment.
- 3478 8. Display of scores and transcripts.
- 3479 9. Grading of coursework and roster processing.
- 3480 10. Collection and preservation of student activity and performance data.

3481 11. Web-based or blended course delivery (web-based and classroom combined) accessible via internet
3482 enabled computing and/or mobile platforms.

3483 (b) eLearning courses shall conform to the minimum standards and criteria established and shall be
3484 documented on the eLearning Course Minimum Standards, Form CJSTC-18, Commission-approved December 16,
3485 2010, (effective 3/2013), hereby incorporated by reference, prior to delivery of the course and maintained in the
3486 course file. An electronic copy of the corresponding course shall be maintained for a minimum of five years, and
3487 upon request shall be made available for review by Commission staff. Form CJSTC-18 can be obtained at the
3488 following FDLE Internet address: <http://www.fdlle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting
3489 Commission staff at (850) 410-8615.

3490 Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.175, 943.25 FS. History—New 3-13-13,
3491 7-19-17.

3492

3493 **11B-35.0011 Basic Abilities Test Requirements for Applicant Admission into a Law Enforcement and**
3494 **Correctional Basic Recruit Training Program.**

3495 (1) Basic Abilities Test. To comply with Section 943.17(1)(g), F.S., applicants who apply for entry into a
3496 Commission-approved Basic Recruit Training Program after January 1, 2002, shall obtain a passing score on a
3497 Commission-approved Basic Abilities Test (BAT) for the law enforcement or correctional disciplines, prior to
3498 entering a program. However, a person is not required to take the BAT before entering a law enforcement officer
3499 Basic Recruit Training Program if he or she is a veteran as defined in Section 1.01 (14), F.S., or holds an associate
3500 degree or higher from an accredited college or university if applying on or after July 1, 2022. The BAT shall be
3501 administered in the State of Florida.

3502 (a) The applicant shall not take the BAT more than three total times in each discipline during any twelve-
3503 month period. Any subsequent results on the provider's test in each discipline within this period will be invalid.

3504 (b) BAT providers shall restrict access to the BAT to those applicants who produce valid photo identification.
3505 Providers shall validate the name, date of birth, gender, and social security number of each applicant to ensure that
3506 the information given by the applicant is consistent with the applicant's driver license and social security record.

3507 (c) The applicant shall not engage in conduct that subverts or attempts to subvert the BAT process. Conduct
3508 that subverts or attempts to subvert the BAT process includes:

- 3509 1. Removing BAT materials from the examination room.
- 3510 2. Reproducing or reconstructing any portion of the BAT.
- 3511 3. Aiding by any means in the reproduction of any portion of the BAT.
- 3512 4. Selling, distributing, buying, receiving, or having unauthorized possession of any portion of a past, current,
3513 or future BAT.
- 3514 5. Revealing test questions or other information that would compromise the integrity of the BAT.
- 3515 6. Possession of altered BAT official documents including student performance reports.

3516 (d) The applicant shall not violate the standards of the BAT test administration. Violations of test
3517 administration include:

- 3518 1. Communication with any other applicant during the administration of the BAT.
- 3519 2. Copying answers from another applicant or intentionally allowing one's answers to be copied by another
3520 applicant during the administration of the BAT.
- 3521 3. Having in one's possession during the administration of the BAT, any books, notes, written, or printed
3522 materials or data of any kind.
- 3523 4. Failing to comply with the BAT administrator's instructions.

3524 (e) The applicant shall not violate the applicant identification process. Conduct that violates the applicant
3525 identification process is as follows:

- 3526 1. Falsifying or misrepresenting information required for admission to the BAT.
- 3527 2. Impersonating an applicant.
- 3528 3. Having an impersonator take the BAT on one's behalf.
- 3529 4. Disrupting the test administration.

3530 (f) Any violation of the provisions of this rule section shall be documented in writing and submitted to
3531 Commission staff within seven days to the Florida Department of Law Enforcement, Criminal Justice
3532 Professionalism Program, Post Office Box 1489, Tallahassee, Florida 32302.

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3534 (g) When the Commission finds that an applicant has committed an act that violates paragraphs (1)(c)-(e) of
3535 this rule section, the Commission shall impose one or more of the following sanctions:

- 3536 1. Declare the applicant has failed the BAT;
3537 2. Require the applicant to forfeit the application fee;
3538 3. Declare the applicant ineligible to apply to take the BAT in any discipline for a period of five years;
3539 4. Deny certification by the Commission pursuant to Rule 11B-27.007, F.A.C.;
3540 5. Take action against any currently held Commission certification pursuant to Rule 11B-27.0011 and
3541 subsection 11B-27.005(5), F.A.C.

3542 (h) A passing score on a Commission-approved Basic Abilities Test is valid four years from the date of the
3543 test.

3544 (2) Requests for accommodations pursuant to the American with Disabilities Act shall be governed by
3545 subsection 11B-30.0071(4), F.A.C. Determinations as to eligibility for accommodations shall be made by the BAT
3546 provider on a case-by-case basis.

3547 (3) Refunds for the BAT shall not be provided should an individual take the BAT that was exempt pursuant to
3548 Rule 11B-35.0011(1), F.A.C.

3549 Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.17 FS. History-New 7-29-01.
3550 Amended 11-5-02, 11-30-04, 3-21-07, 6-9-08, 5-21-12, 3-13-13, 5-29-14, 9-4-16, 8-15-18, 5-5-20, 7-23-23.

3551

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Training Programs: Requirements for Applicant Admission into a Law Enforcement, Correctional, and Correctional Probation Basic Recruit Training Program		

3552 **11B-35.002 Basic Recruit Training Programs for Law Enforcement, Correctional, and Correctional**
3553 **Probation.**

3554 (1) There are established by the Criminal Justice Standards and Training Commission, Basic Recruit Training
3555 Programs (BRTP) that provide the minimum required knowledge and proficiency skills necessary for officer
3556 employment and certification pursuant to Sections 943.10(1)-(3), (6)-(9), (18), (19), F.S. Individuals who apply for
3557 employment as a Florida law enforcement, correctional, or correctional probation officer, shall successfully
3558 complete one of the Commission-approved Basic Recruit Training Programs active at the time of enrollment, or be
3559 exempt pursuant to Section 943.131(2), F.S.

3560 (2) Individuals who are requesting employment as an officer, and have not had previous basic recruit training
3561 or have not been certified as an officer in the discipline for which certification is sought, and have met the
3562 requirements of Sections 943.13(1)-(8) and (11), 943.14(7), and 943.17(1)(g), F.S., shall successfully complete an
3563 active Commission-approved Basic Recruit Training Program pursuant to this rule section.

3564 (3) The Commission has established basic recruit cross-over training programs to provide lateral movement of
3565 officers between criminal justice disciplines. Officers requesting cross-over training in another discipline must
3566 comply with Sections 943.14(7) and 943.17(1)(g), F.S.

3567 (a) To be eligible to attend a cross-over training program the applicant shall:

3568 1. Be an active certified officer in the discipline the officer is moving from; or

3569 2. Have not been separated from employment in the discipline the officer is moving from for more than four
3570 years; or

3571 3. Within four years of the beginning date of the Commission-approved Basic Recruit Training Program or
3572 training required pursuant to Rules 11B-35.009(7) or (8), F.A.C., for the discipline the officer is moving from, have
3573 successfully completed the Commission-approved Basic Recruit Training Program or training required pursuant to
3574 Rules 11B-35.009(7) or (8), passed the State Officer Certification Examination (SOCE), and started the basic recruit
3575 cross-over training program.

3576 (4) Each training school that offers a Commission-approved Basic Recruit Training Program, pursuant to this
3577 rule section, shall deliver all course materials included in the program. Delivery of the course materials shall
3578 comply with the requirements set forth in the Commission's approved Basic Recruit Training Curriculum.

3579 (5) A basic recruit student shall successfully complete all courses in a Commission-approved Basic Recruit
3580 Training Program for the discipline in which certification is being requested to be eligible to take the applicable
3581 State Officer Certification Examination pursuant to Rule 11B-30.0062, F.A.C.

3582 (6)(a) Within four years of the beginning date of a Commission-approved Basic Recruit Training Program, an
3583 individual shall successfully complete the program, achieve a passing score on the applicable State Officer
3584 Certification Examination (SOCE) pursuant to Rule 11B-30.0062, F.A.C., and gain employment and certification as
3585 an officer.

3586 (b) An individual who fails to comply with the requirements in paragraph (6)(a) of this rule section for the
3587 discipline in which the training was completed, within four years of the date of beginning such training, shall as a
3588 condition for obtaining employment comply with the following:

3589 1. Successfully complete the applicable Commission-approved Basic Recruit Training Program pursuant to
3590 Rule 11B-35.002, F.A.C.; and

3591 2. Achieve a passing score on the applicable State Officer Certification Examination pursuant to Rule
3592 11B-30.0062, F.A.C.

3593

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- 3594 (c) Students who entered into a basic recruit training program and have not completed it at the time that it is
3595 retired, remain eligible to complete the program, provided they complete the training within four years of the
3596 beginning date, pursuant to this rule section. Retired programs eligible for completion are:
- 3597 1. Florida Law Enforcement Academy Basic Recruit Training Program number 2000 (Retired June 30, 2021).
3598 Eligible until June 30, 2025.
- 3599 2. Law Enforcement Auxiliary Officer Basic Recruit Training Program number 3006 (Retired June 30, 2021).
3600 Eligible until June 30, 2025.
- 3601 3. Florida Correctional Probation Officer Basic Recruit Training Program number 3000, (Retired June 30,
3602 2021). Eligible until June 30, 2025.
- 3603 4. Correctional Officer Cross-Over Training to Florida Law Enforcement Academy number 3002 (Retired
3604 June 30, 2021). Eligible until June 30, 2025.
- 3605 5. Correctional Officer Cross-over Training to Correctional Probation Officer Training number 3003 (Retired
3606 June 30, 2021). Eligible until June 30, 2025.
- 3607 6. Correctional Probation Officer Cross-Over Training to Florida Law Enforcement Academy number 3005
3608 (Retired June 30, 2021). Eligible until June 30, 2025.
- 3609 7. Law Enforcement Basic Recruit Training for Special Operations Forces Recruits Program number 3007
3610 (Retired June 30, 2021). Eligible until June 30, 2025.
- 3611 8. Correctional Probation Basic Recruit Training for Special Operations Forces Recruits Program number
3612 3009 (Retired June 30, 2021). Eligible until June 30, 2025.
- 3613 Rulemaking Authority 943.03(4), 943.12(1), (2), 943.17 FS. Law Implemented 943.12, 943.17 FS. History—New
3614 12-13-92, Amended 1-10-94, 8-7-94, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07,
3615 6-9-08, 9-28-09, 5-21-12, 3-13-13, 5-29-14, 7-29-15, 9-4-16, 7-19-17, 8-15-18, 5-5-20, 5-20-21, 6-23-22.

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3616 **11B-35.0021 Courses and Requirements for Basic Recruit Training, Advanced, Specialized, and**
3617 **Instructor Training Requiring Proficiency Demonstration.**

3618 (1) High-Liability Basic Recruit Training Program Courses:

3619 (a) Criminal Justice Firearms.

3620 (b) Law Enforcement Vehicle Operations.

3621 (c) Criminal Justice Defensive Tactics.

3622 (d) First Aid for Criminal Justice Officers.

3623 (2) DUI Traffic Stops.

3624 (3) High-Liability Instructor Training Courses:

3625 (a) Firearms Instructor Course, number 801.

3626 (b) Vehicle Operations Instructor Course, number 800.

3627 (c) Defensive Tactics Instructor Course, number 802.

3628 (d) First Aid Instructor Course, number 1114.

3629 (4) Specialized Instructor [Courses]:

3630 (a) Speed Measurement Instructor Course, number 1159.

3631 (b) Breath Test Instructor Course, number 1110.

3632 (c) Breath Test Instructor Course-Intoxilyzer 9000, number 1117.

3633 (d)(e) Breath Test Instructor Renewal Course, number 1111.

3634 (e) Breath Test Instructor Renewal Course-Intoxilyzer 9000, number 1118.

3635 (f)(d) Canine Team Training Instructor Course, number 1199.

3636 (5) Advanced Training Program Courses:

3637 (a) Speed Measurement Course, number 1158.

3638 (b) Underwater Police Science and Technology course, number 077.

3639 (6) Specialized Training Program [Courses]:

3640 (a) Breath Test Operator Course, number 851.

3641 (b) Breath Test Operator Course-Intoxilyzer 9000, number 852.

3642 (c) Breath Test Operator Renewal Course, number 951.

3643 (d) Breath Test Operator Renewal Course-Intoxilyzer 9000, number 952.

3644 (e) Agency Inspector Course, number 850.

3645 (f) Agency Inspector Course-Intoxilyzer 9000, number 853.

3646 (g) Agency Inspector Renewal Course, number 950.

3647 (h) Agency Inspector Renewal Course-Intoxilyzer 9000, number 953.

3648 (i)(a) Canine Team Training Course, number 1198.

3649 (b) Safe Handling of Firearms course, number 2007.

3650

Commented [GJ20]:

11B-35.0021(4):

Description of the Revision: Reforms Rule 11B-35.0021(4), F.A.C., to add Breath Test Instructor Course-Intoxilyzer 9000, number 1117; and Breath Test Instructor Renewal Course-Intoxilyzer 9000, number 1118.

Why the rule is being revised: Reforms Rule 11B-35.0021(4), F.A.C., to add Breath Test Instructor Course-Intoxilyzer 9000, number 1117; and Breath Test Instructor Renewal Course-Intoxilyzer 9000, number 1118, to the list of specialized instructor courses.

Revised by: Shayla Pratt

Commented [GJ21]: 11B-35.0021(4)(c)-(e):

Description of the Revision: Adds Breath Test Instructor Course-Intoxilyzer 9000, number 1117; and Breath Test Instructor Renewal Course-Intoxilyzer 9000, number 1118.

Why the rule is being revised: Adds the Breath Test Instructor Course-Intoxilyzer 9000, number 1117; and the Breath Test Instructor Renewal Course-Intoxilyzer 9000, number 1118, as Commission-approved specialized instructor courses, pursuant to the implementation of CMI Inc., Intoxilyzer 9000.

Revised by: Shayla Pratt

Commented [GJ22]:

11B-35.0021(6):

Description of the Revision: Reforms Rule 11B-35.0021(6), F.A.C., because of the removal of the retired Safe Handling of Firearms course, number 2007, and the addition of Intoxilyzer 9000 courses and Intoxilyzer 8000 courses.

Why the rule is being revised: Reforms Rule 11B-35.0021(6), F.A.C., because of the removal of the retired Safe Handling of Firearms course, number 2007, and the addition of Intoxilyzer 9000 courses and Intoxilyzer 8000 courses.

Revised by: Terry Baker and Shayla Platt

Commented [GJ23]:

11B-35.0021(6)(a)-(i):

Description of the Revision: Adds Intoxilyzer 9000 courses and Intoxilyzer 8000 courses to the list of Specialized Training Program Courses.

Why the rule is being revised: Updates the list of Specialized Training Program Courses by adding the following Intoxilyzer 9000 courses and Intoxilyzer 8000 courses, pursuant to the implementation of CMI Inc., Intoxilyzer 9000: Breath Test Operator Course, number 851; Breath Test Operator Course-Intoxilyzer 9000, number 852; Breath Test Operator Renewal Course, number 951; Breath Test Operator Renewal Course-Intoxilyzer 9000, number 952; Agency Inspector Course, number 850; Agency Inspector Course-Intoxilyzer 9000, number 853; Agency Inspector Renewal Course, number 950; and Agency Inspector Renewal Course-Intoxilyzer 9000, number 953.

Revised by: Terry Baker and Shayla Platt

Commented [GJ24]:

11B-35.0021(6)(b):

Description of the Revision: Retires and removes the Safe Handling of Firearms course, number 2007.

Why the rule is being revised: Retires and removes the Safe Handling of Firearms course, number 2007, since all disciplines must take the current/new firearms curriculum.

Revised by: Terry Baker

3651 (7) Applicants shall complete the training requirements set forth in subsections 11B-20.0014(2)-(3), F.A.C., to
3652 become certified by the Commission to instruct in the topics of firearms, vehicle operations, defensive tactics, first
3653 aid, speed measurement, canine, diving, and breath test.

3654 (8) Instructor to student ratios for instruction of proficiency skills in High-Liability Basic Recruit Training
3655 Program Courses, DUI Traffic Stops, High-Liability Instructor Training Courses, Specialized Instructor Courses,
3656 Advanced Training Program Courses, and Specialized Training Program Courses, requiring proficiency
3657 demonstration.

3658 (a) For instruction of the Criminal Justice Firearms Course and ~~Firearms Instructor Course, or Safe Handling~~
3659 ~~of Firearms course~~, there shall be no more than six students actively engaged on a firearms range for each
3660 Commission-certified firearms instructor. One rangemaster shall supervise all range activity while training is
3661 actively engaged. The rangemaster shall be a Commission-certified firearms instructor and shall not be included as
3662 an instructor to comply with the instructor to student ratio requirements. Discretionary course of fire shall be
3663 conducted with a one-to-one instructor to student ratio. Actively engaged is defined as "a student on the firing range
3664 handling a weapon."

3665 (b) For instruction of the Law Enforcement Vehicle Operations Course or Vehicle Operations Instructor
3666 Course, there shall be at least one Commission-certified vehicle operations instructor for each vehicle actively
3667 engaged on a driving range. One rangemaster shall supervise all range activity while training is actively engaged.
3668 Actively engaged is defined as "a vehicle that is at the point between the start and end of an exercise." Returning
3669 from or being in route to a driving range or course shall not be considered as actively engaged. The rangemaster
3670 shall be a Commission-certified vehicle operations instructor and shall not be included as an instructor to comply
3671 with the instructor to vehicle ratio requirements.

3672 (c) For instruction of the Criminal Justice Defensive Tactics Course or Defensive Tactics Instructor Course,
3673 there shall be one lead defensive tactics instructor that shall be counted in the instructor to student ratio of one
3674 Commission-certified defensive tactics instructor for every eight students actively engaged in defensive tactics.
3675 Actively engaged is defined as "a student engaged in the practical performance of any one of the approved defensive
3676 tactics techniques."

3677 (d) For instruction of the First Aid for Criminal Justice Officers Course and First Aid Instructor Course, at least
3678 one Commission-certified First Aid Instructor shall be required for every ten students actively engaged in the
3679 practical and performance areas of the training. Actively engaged is defined as "a student involved in the practical
3680 performance of any first aid skills training." CPR instructors, who possess an active CPR instructor certification
3681 from the American Heart Association (AHA), American Red Cross (ARC), American Safety & Health Institute
3682 (ASHI), or other entity referenced in Rule 64J-1.022, F.A.C., are permitted to instruct CPR only in the First Aid for
3683 Criminal Justice Officers Course and may be used to meet the required instructor to student ratio for demonstration
3684 of CPR proficiency skills only in the First Aid for Criminal Justice Officers Course. A copy of the Instructor
3685 Exemption Application form CJSTC-82 and a copy of the CPR instructor's active CPR Instructor Certification shall
3686 be maintained in the course file. Form CJSTC-82 can be obtained by contacting Commission staff at (850) 410-
3687 8615 or at the following FDLE Internet address <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>.

3688 (e) For instruction of the Speed Measurement Course or the Speed Measurement Instructor Course, there shall
3689 be one Commission-certified Speed Measurement Instructor for each class. Speed Measurement Device Operators
3690 are authorized to instruct the practical exercises in the Speed Measurement Course or the Speed Measurement
3691 Instructor Course under the supervision of a certified Speed Measurement Instructor. A copy of the Instructor
3692 Exemption form CJSTC-82 shall be maintained in the course file.

3693 (f) For instruction of the Breath Test Instructor Course, there shall be at least one Commission-certified Breath
3694 Test Instructor, who shall also be Alcohol Testing Program staff, for each class. An individual, who has a
3695 professional or technical certification or three years of experience in the specified subject matter to be instructed,
3696 shall be authorized to instruct the relevant topic under the supervision of the FDLE Alcohol Testing Program
3697 Commission-certified instructor. A copy of the Instructor Exemption form CJSTC-82 shall be maintained in the
3698 course file.

3699

Commented [GJ25]:

11B-35.0021(8)(a):

Description of the Revision: Removes the retired Safe Handling of Firearms course, number 2007.

Why the rule is being revised: Removes the retired Safe Handling of Firearms course, number 2007, since all disciplines must take the current/new firearms curriculum.

Revised by: Terry Baker

3700 (g) For instruction of the Breath Test Instructor Renewal Course, there shall be at least one Commission-
3701 certified Breath Test Instructor, who shall also be Alcohol Testing Program staff, for each class. An individual, who
3702 has a professional or technical certification or three years of experience in the specified subject matter to be
3703 instructed, shall be authorized to instruct the relevant topic under the supervision of the Commission-certified Breath
3704 Test Instructor. A copy of the Instructor Exemption form CJSTC-82 shall be maintained in the course file.

3705 (h) For instruction of the Underwater Police Science and Technology course, there shall be at least one
3706 Commission-certified Criminal Justice Diving Instructor for each eight students actively engaged in water activities.
3707 Training centers are permitted to use qualified safety divers in assisting the instructor with water exercises. For each
3708 qualified safety diver, two additional students are permitted to actively engage in water activities. A maximum of
3709 two qualified safety divers are permitted per instructor. Qualified safety divers shall not be enrolled as students in
3710 the course in which they are assisting and shall not be included as an instructor to comply with the instructor to
3711 student ratio requirements. Actively engaged is defined as "a student in the water participating in the practical
3712 performance of any dive activities." Qualified safety diver is defined as "an individual who possesses a current
3713 Advanced Open Water Dive Certification, is an active or former member of a criminal justice dive team, and is
3714 approved by the training center director or designee to assist the instructor with water exercises." A copy of the
3715 Instructor Exemption form CJSTC-82 shall be maintained in the course file.

3716 (i) For instruction of the Canine Team Training Course number 1198, there shall be at least one Commission-
3717 certified instructor for eight student canine teams while actively engaged in canine team activities. Individuals with
3718 three years of documented experience working with canines and approved by the training center director or designee
3719 are allowed to assist the instructor during practical exercises and shall not be included as an instructor to comply
3720 with the instructor to student ratio requirements. Actively engaged is defined as a student canine team actively
3721 working and performing practical exercises. A copy of the Instructor Exemption form CJSTC-82 shall be
3722 maintained in the course file.

3723 (j) For instruction of the Canine Team Training Instructor Course number 1199, there shall be at least one
3724 Commission-certified instructor for eight student canine teams while actively engaged in canine team activities.
3725 Individuals approved by the training center director or designee are allowed to assist the instructor during practical
3726 exercises and shall not be included as an instructor to comply with the instructor to student ratio requirements.
3727 Actively engaged is defined as a student canine team actively working and performing practical exercises. A copy
3728 of the Instructor Exemption form CJSTC-82 shall be maintained in the course file.

3729 Rulemaking Authority 943.03(4), 943.12(1), (2), 943.14(3), 943.17 FS. Law Implemented 943.12(5), 943.17 FS.
3730 History—New 12-13-92, Amended 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-21-07, 6-9-08,
3731 9-28-09, 3-13-13, 5-29-14, 7-29-15, 9-4-16, 7-19-17_____.

3778 **11B-35.0024 Student Performance in Commission-approved High-Liability Basic Recruit Training**
3779 **Courses, Instructor Training Courses, and Specialized and Advanced Training Program Courses Requiring**
3780 **Proficiency Demonstration.**

3781 (1) Students enrolled in a Commission-approved Basic Recruit Training Program, Instructor Training Course,
3782 or Specialized or Advanced Training Course shall qualify through demonstration of proficiency skill(s) in the
3783 applicable course(s) and pass a written end-of-course examination.

3784 (2)(a) A basic recruit student shall be given the opportunity for one additional attempt at the required
3785 demonstration of proficiency skill(s), or one re-examination of required written end-of-course examination in DUI
3786 Traffic Stops and each of the four high-liability topics of firearms, vehicle operations, defensive tactics, and first aid.
3787 A basic recruit student, who has failed to pass the written end-of-course examination or the required demonstration
3788 of the proficiency skill(s) after a second attempt, shall be deemed to have failed the training course.

3789 (b) An instructor student shall pass a written end-of-course examination and demonstrate proficiency skill(s)
3790 during the first attempt. An instructor student, who has failed to pass the written end-of-course examination or
3791 successfully demonstrated the proficiency skill(s) during the first attempt, shall be deemed to have failed the
3792 instructor training course. An instructor student who has failed a written end-of-course examination or the
3793 proficiency skill(s) during the first attempt, shall be granted a reexamination by the training center director if:

- 3794 1. There is technical difficulty in the administration of the test, such as a power failure or evacuation of the
3795 building; or
- 3796 2. A condition of the student adversely impacts the student's ability to achieve a passing score on an end-of-
3797 course examination. A condition of the student that adversely impacts the student's ability could include illness or
3798 death of a family member; or
- 3799 3. The end-of-course testing instrument is determined to be invalid by the training school.

3800 (3) Successful completion and demonstration of proficiency skills is required for each of the following [high-
3801 liability courses: Criminal Justice Defensive Tactics Course, Defensive Tactics Instructor Course, Criminal Justice
3802 Firearms Course, Firearms Instructor Course, ~~Safe Handling of Firearms~~—course, Law Enforcement Vehicle
3803 Operations Course, Vehicle Operations Instructor Course, First Aid for Criminal Justice Officers Course, and First
3804 Aid Instructor Course.

3805 (a) Criminal Justice Defensive Tactics Course.

3806 1. The Criminal Justice Defensive Tactics Course shall be delivered to students enrolled in a Commission-
3807 approved Basic Recruit Training Program.

3808 2. A basic recruit student shall achieve a score of no less than 80% on the required written end-of-course
3809 examination and demonstrate at 100% proficiency, defensive tactics skills taught by a training school, with the
3810 results recorded on the required Defensive Tactics Performance Evaluation, form CJSTC-6, revised August 18,
3811 2022, effective 7/2023, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-15513>. Form CJSTC-6 can be obtained at the following FDLE Internet address:
3812 http://www.fdlc.state.fl.us/CJSTC/Publications/Forms.aspx, or by contacting Commission staff at (850) 410-8615.
3813 Form CJSTC-6 shall be maintained in the student or course file.

3815 3. A basic recruit student shall be subject to chemical agent contamination as described in the Criminal Justice
3816 Defensive Tactics Course. Prior to beginning a Law Enforcement, Correctional, or Correctional Probation Basic
3817 Recruit Training Program, a student shall complete the Physician's Assessment, form CJSTC-75. This form verifies
3818 that there are no known medical conditions that would prevent a student from participating in chemical agent
3819 contamination.

3820

Commented [GJ26]:

11B-35.0024(3):

Description of the Revision: Removes the retired Safe Handling of Firearms course, number 2007.

Why the rule is being revised: Removes the retired Safe Handling of Firearms course, number 2007, since all disciplines must take the current/new firearms curriculum.

Revised by: Terry Baker

- 3821 (b) Defensive Tactics Instructor Course.
- 3822 1. An instructor student shall complete the Defensive Tactics Instructor requirements pursuant to Rule
3823 11B-20.0014, F.A.C., to instruct the following courses: The Criminal Justice Defensive Tactics Course in a
3824 Commission-approved Basic Recruit Training Program or the Defensive Tactics Instructor Course.
- 3825 2. A defensive tactics instructor student shall achieve a score of no less than 85% on the required written end-
3826 of-course examination and demonstrate all Defensive Tactics High-Liability Proficiency Skills, at 100% for all
3827 proficiency skills, with the results recorded on the required CJSTC-6 form. A copy of the completed form CJSTC-6
3828 shall be provided to the student and the original form CJSTC-6 shall be maintained in the student or course file.
- 3829 (c) Criminal Justice Firearms Course.
- 3830 1. The Criminal Justice Firearms Course shall be delivered to students enrolled in a Commission-approved
3831 Basic Recruit Training Program.
- 3832 2. A basic recruit student shall achieve a score of 80% on the required written end-of-course examination and
3833 demonstrate the required Handgun Proficiency Skills with a semi-automatic pistol, using a commercially produced
3834 B-21E or equivalent target. The results shall be recorded on the required Handgun Performance Evaluation form
3835 CJSTC-4, revised August 18, 2022, effective 7/2023, hereby incorporated by reference
3836 <https://www.flrules.org/Gateway/reference.asp?No=Ref-15510>. Form CJSTC-4 can be obtained at the following
3837 FDLE Internet address: <http://www.fdlle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission
3838 staff at (850)410-8615. Form CJSTC-4 shall be maintained in the student or course file.
- 3839 (d) Firearms Instructor Course.
- 3840 1. An instructor student shall complete the Firearms Instructor requirements pursuant to Rule 11B-20.0014,
3841 F.A.C., to instruct the following courses: The Criminal Justice Firearms Course in a Commission-approved Basic
3842 Recruit Training Program or Firearms Instructor Course.
- 3843 2. A firearms instructor student shall achieve a score of no less than 85% on the required written end-of-
3844 course examination and demonstrate the required Handgun Proficiency Skills with a semi-automatic pistol, using a
3845 commercially produced B-21E or equivalent target. The results shall be recorded on the required Firearms Instructor
3846 Performance Evaluation form CJSTC-4I, created August 18, 2022, effective 7/2023, hereby incorporated by
3847 reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-15511>. Form CJSTC-4I can be obtained at the
3848 following FDLE Internet address: <http://www.fdlle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting
3849 Commission staff at (850) 410-8615. A copy of the completed form CJSTC-4I shall be provided to the student and
3850 the original form CJSTC-4I shall be maintained in the student or course file.
- 3851 (e) ~~Safe Handling of Firearms course. A student enrolled in the Safe Handling of Firearms course shall achieve
3852 a score of 80% on the required written end-of-course examination. Students shall demonstrate all Firearms Handling
3853 Proficiency Skills for the safe handling of handguns (both revolver and semiautomatic pistol) and long guns (both
3854 shotgun and semiautomatic rifle/carbine) at 100%. The results shall be recorded on the required Firearms Handling
3855 Performance Evaluation form CJSTC-21, created November 6, 2014, effective 7/2015, hereby incorporated by
3856 reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-05627>. Form CJSTC-21 can be obtained at the
3857 following FDLE Internet address: <http://www.fdlle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting
3858 Commission staff at (850) 410-8615. Form CJSTC-21 shall be maintained in the student or course file.~~

Commented [GJ27]:

11B-35.0024(3)(e):

Description of the Revision: Removes the retired Safe Handling of Firearms course, number 2007; and repeals the Firearms Handling Performance Evaluation, form CJSTC-21.

Why the rule is being revised: Removes the retired Safe Handling of Firearms course, number 2007, since all disciplines must take the current/new firearms curriculum; and repeals the Firearms Handling Performance Evaluation, form CJSTC-21, because it is only used with the Safe Handling of Firearms Course, number 2007.

Revised by: Terry Baker

3860 **(e)(4)** First Aid for Criminal Justice Officers Course.

3861 1. The First Aid for Criminal Justice Officers Course shall be delivered to students enrolled in a Commission-
3862 approved Basic Recruit Training Program.

3863 2. A basic recruit student shall achieve a score of no less than 80% on the required written end-of-course
3864 examination and demonstrate the required First Aid High-Liability Proficiency Skills at 100%, with the results
3865 recorded on the required First Aid Performance Evaluation, form CJSTC-5, revised August 18, 2022, effective
3866 7/2023, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-15512>. Form
3867 CJSTC-5 can be obtained at the following FDLE Internet address:
3868 http://www.fdl.state.fl.us/CJSTC/Publications/Forms.aspx, or by contacting Commission staff at (850) 410-8615.
3869 Form CJSTC-5 shall be maintained in the student or course file.

3870 **(f)(4)** First Aid Instructor Course.

3871 1. An instructor student shall complete the First Aid Instructor Course pursuant to Rule 11B-20.0014, F.A.C.,
3872 to instruct the following courses: The First Aid for Criminal Justice Officers Course in a Commission-approved
3873 Basic Recruit Training Program or the First Aid Instructor Course.

3874 2. An instructor student shall achieve a score of no less than 85% on the required written end-of-course
3875 examination and demonstrate the required First Aid High-Liability Proficiency Skills, at 100% for all proficiency
3876 skills, with the results recorded on the required CJSTC-5 form. A copy of the completed form CJSTC-5 shall be
3877 provided to the student and the original form CJSTC-5 shall be maintained in the student or course file.

3878 **(g)(4)** Law Enforcement Vehicle Operations Course.

3879 1. The Law Enforcement Vehicle Operations Course shall be delivered to students enrolled in a Commission-
3880 approved Basic Recruit Training Program.

3881 2. A basic recruit student shall achieve a score of no less than 80% on the required written end-of-course
3882 examination and demonstrate the required Vehicle Operations High-Liability Proficiency Skills, with four out of
3883 five runs (80%) for each exercise, with the results recorded on the required Vehicle Operations Performance
3884 Evaluation, form CJSTC-7, revised August 18, 2022, effective 7/2023, hereby incorporated by reference
3885 <https://www.flrules.org/Gateway/reference.asp?No=Ref-15514>. Form CJSTC-7 can be obtained at the following
3886 FDLE Internet address: http://www.fdl.state.fl.us/CJSTC/Publications/Forms.aspx, or by contacting Commission
3887 staff at (850) 410-8615. Form CJSTC-7 shall be maintained in the student or course file.

3888 **(h)(4)** Vehicle Operations Instructor Course.

3889 1. An instructor student shall complete the Vehicle Operations Instructor requirements pursuant to Rule
3890 11B-20.0014, F.A.C., to instruct the following courses: The Law Enforcement Vehicle Operations Course in a
3891 Commission-approved Basic Recruit Training Program or the Vehicle Operations Instructor Course.

3892 2. An instructor student shall achieve a score of no less than 85% on the required written end-of-course
3893 examination and demonstrate the required Vehicle Operations High-Liability Proficiency Skills, with four out of
3894 five runs (80%) for each exercise, with the results recorded on the required CJSTC-7 form. A copy of the completed
3895 form CJSTC-7 shall be provided to the student and the original form CJSTC-7 shall be maintained in the student or
3896 course file.

3897

Commented [GJ28]:

11B-35.0024(3)(e)-(i):

Description of the Revision: Reforms Rule 11B-35.0024(3)(e)-(i), F.A.C., because of the removal of the retired Safe Handling of Firearms course, number 2007, in paragraph (e).

Why the rule is being revised: Reforms Rule 11B-35.0024(3)(e)-(i), F.A.C., because of the removal of the retired Safe Handling of Firearms course, number 2007, in paragraph (e).

Revised by: Terry Baker

3898 (4) Successful completion and demonstration of proficiency skills is required for each of the following basic
3899 recruit, advanced, specialized instructor, or specialized training program courses: DUI Traffic Stops, Speed
3900 Measurement Course, Speed Measurement Instructor Course, Breath Test Instructor Course, Breath Test Instructor
3901 Renewal Course, Breath Test Instructor Course-Intoxilyzer 9000, Breath Test Instructor Renewal Course-Intoxilyzer
3902 9000, Breath Test Operator Course, Breath Test Operator Renewal Course, Breath Test Operator Course-Intoxilyzer
3903 9000, Breath Test Operator Renewal Course-Intoxilyzer 9000, Agency Inspector Course, Agency Inspector Renewal
3904 Course, Agency Inspector Course-Intoxilyzer 9000, Agency Inspector Renewal Course-Intoxilyzer 9000,
3905 Underwater Police Science and Technology course, Canine Team Training Course, and Canine Team Training
3906 Instructor Course.

3907 (a) DUI Traffic Stops Course.

3908 1. The DUI Traffic Stops Course shall be delivered to students enrolled in a Commission-approved Law
3909 Enforcement Basic Recruit Training Program.

3910 2. A basic recruit student shall achieve a score of no less than 80% on the required written end-of-course
3911 examination and demonstrate the required DUI Traffic Stops proficiency skills at 100% proficiency, with the results
3912 recorded on the required DUI Traffic Stops Performance Evaluation, form CJSTC-13, created October 30, 2008,
3913 revised November 7, 2013, effective 5/2014, hereby incorporated by reference
<http://www.flrules.org/Gateway/reference.asp?No=Ref-03929>. Form CJSTC-13 can be obtained at the following
3914 FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission
3915 staff at (850) 410-8615. Form CJSTC-13 shall be maintained in the student or course file.

3917 (b) Speed Measurement Course, number 1158. A student shall achieve a score of no less than 80% on the required
3918 written end-of-course examination and demonstrate the required proficiency skills at 100%, with the results
3919 recorded on the required Speed Measurement Operator Performance Report form CJSTC-11, revised November 7,
3920 2013, effective 5/2014, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-02323>. Form CJSTC-11 can be obtained at the following FDLE Internet address:
3921 <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.
3922 Form CJSTC-11 shall be maintained in the student or course file.

3924 (c) Speed Measurement Instructor Course, number 1159.

3925 1. An instructor student shall complete the Speed Measurement Instructor requirements, pursuant to Rule
3926 11B-20.0014, F.A.C., to instruct speed measurement courses and the speed measurement instructor course.

3927 2. An instructor student shall achieve a score of no less than 85% on the required written end-of-course
3928 examination and demonstrate the required proficiency skills at 100%, with the results recorded on the required
3929 Speed Measurement Device Instructor Field Evaluation form CJSTC-10, revised August 13, 2020, effective 5/2021,
3930 hereby incorporated by reference <http://www.flrules.org/Gateway/reference.asp?No=Ref-13142>. Form CJSTC-10
3931 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.
3932 A copy of the completed form CJSTC-10 shall be provided to the student and the original form CJSTC-10 shall be
3933 maintained in the student or course file.

3935 (d) Breath Test Instructor Course, number 1110.

3936 1. An instructor student shall complete the Breath Test Instructor Course requirements pursuant to Rule
3937 11B-20.0014, F.A.C., to instruct the Breath Test Operator Course, Breath Test Operator Renewal Course, Agency
3938 Inspector Course, and Agency Inspector Renewal Course.

3939 2. An instructor applicant shall achieve a score of no less than 85% on the required written end-of-course
3940 examination and demonstrate the required proficiency skills at 100%, with the results recorded on the required
3941 Breath Test Instructor Performance form CJSTC-17, revised _____, effective _____ created and
3942 Commission approved December 16, 2010 (effective 3/2013), hereby incorporated by reference
<http://www.flrules.org/Gateway/reference.asp?No=Ref-02325>. Form CJSTC-17 can be obtained at the following
3943 FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission
3944

3945 Rule 11B-35.0024

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2023-2024 PENDING Effective 7-23-23

Training Programs: Student Performance in
Commission-approved High-Liability Basic
Recruit Training Courses, Instructor Training
Courses, and Specialized and Advanced Training
Program Courses Requiring Proficiency Demonstration

Commented [GJ29]:

11B-35.0024(4):

Description of the Revision: Adds Breath Intoxilyzer 9000 courses.

Why the rule is being revised: Adds the following Breath Intoxilyzer 9000 courses in which individuals are required to demonstrate proficiency skills in basic recruit, advanced, specialized instructor, or specialized training program courses: Breath Test Instructor Course-Intoxilyzer 9000, Breath Test Instructor Renewal Course-Intoxilyzer 9000, Breath Test Operator Course-Intoxilyzer 9000, Breath Test Operator Renewal Course-Intoxilyzer 9000, Agency Inspector Course-Intoxilyzer 9000, and Agency Inspector Renewal Course-Intoxilyzer 9000.

Revised by: Shayla Platt

Commented [GJ30]:

11B-35.0024(4)(d)2.:

Description of the Revision: Incorporates the Breath Test Instructor Performance, form CJSTC-17.

Why the rule is being revised: Incorporates the Breath Test Instructor Performance, form CJSTC-17, to add Breath Test Instructor Course-Intoxilyzer 9000, number 1117; and Breath Test Instructor Renewal Course-Intoxilyzer 9000, number 1118, pursuant to the implementation of the CMI Inc., Intoxilyzer 9000.

Revised by: Brett Kirkland

3946 staff at (850) 410-8615. A copy of the completed form shall be provided to the student and the original shall be
3947 maintained in the course file.

3948 (e) Breath Test Instructor Course-Intoxilyzer 9000, number 1117.

3949 1. An instructor student shall complete the Breath Test Instructor Course-Intoxilyzer 9000 requirements
3950 pursuant to Rule 11B-20.0014, F.A.C., to instruct the Breath Test Operator Course-Intoxilyzer 9000, Breath Test
3951 Operator Renewal Course-Intoxilyzer 9000, Agency Inspector Course-Intoxilyzer 9000, and Agency Inspector
3952 Renewal Course-Intoxilyzer 9000.

3953 2. An instructor applicant shall achieve a score of no less than 85% on the required written end-of-course
3954 examination and demonstrate the required proficiency skills at 100%, with the results recorded on the required form
3955 CJSTC-17. A copy of the completed form shall be provided to the student and the original shall be maintained in the
3956 course file.

3957 (f)(e) Breath Test Instructor Renewal Course, number 1111.

3958 1. An instructor student shall complete the Breath Test Instructor Renewal Course requirements pursuant to
3959 Rule 11B-20.0017, F.A.C., to satisfy the continuing education requirements for a Breath Test Instructor
3960 Certification.

3961 2. An instructor student shall achieve a score of no less than 85% on the required written end-of-course
3962 examination and demonstrate the required proficiency skills at 100%, with the results recorded on the required form
3963 CJSTC-17. A copy of the completed form shall be provided to the student and the original shall be maintained in
3964 the course file.

3965 (g) Breath Test Instructor Renewal Course-Intoxilyzer 9000, number 1118.

3966 1. An instructor student shall complete the Breath Test Instructor Renewal Course-Intoxilyzer 9000
3967 requirements pursuant to rule 11B-20.0017, F.A.C., to satisfy the continuing education requirements for a Breath
3968 Test Instructor Certification.

3969 2. An instructor student shall achieve a score of no less than 85% on the required written end-of-course
3970 examination and demonstrate the required proficiency skills at 100%, with the results recorded on the required form
3971 CJSTC-17. A copy of the completed form shall be provided to the student and the original shall be maintained in the
3972 course file.

3973 (h)(f) Breath Test Operator Course, number 851. A student shall achieve a score of no less than 80% on the required
3974 written end-of-course examination and demonstrate the required proficiency skills at 100%, with the results
3975 recorded on the required Breath Testing Course Performance form CJSTC-14, revised _____, effective
3976 _____ created and Commission approved December 16, 2010 (effective 3/2013), hereby incorporated by
3977 reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-02224>. Form CJSTC-14 can be obtained at the following
3978 FDLE Internet address: <http://www.fdlc.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission
3979 staff at (850) 410-8615. A copy of the completed form shall be provided to the student and the original shall be
3980 maintained in the course file.
3981

3982
Rule 11B-35.0024
Training Programs: Student Performance in
Commission-approved High-Liability Basic
Recruit Training Courses, Instructor Training
Courses, and Specialized and Advanced Training
Program Courses Requiring Proficiency Demonstration

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2023-2024 PENDING Effective 7-23-23

Commented [GJ31]:

11B-35.0024(4)(e)-(s):

Description of the Revision: Reforms Rule 11B-35.0024(4)(e)-(s), F.A.C., to add Breath Test Intoxilyzer 9000 courses.

Why the rule is being revised: Reforms Rule 11B-35.0024(4)(e)-(s), F.A.C., to add Breath Test Intoxilyzer 9000 courses, pursuant to the implementation of CMI Inc., Intoxilyzer 9000.

Revised by: Brett Kirkland

Commented [GJ32]:

11B-35.0024(4)(e):

Description of the Revision: Adds the Breath Test Instructor Course-Intoxilyzer 9000, number 1117.

Why the rule is being revised: Adds the Breath Test Instructor Course-Intoxilyzer 9000, number 1117, pursuant to the implementation of CMI Inc., Intoxilyzer 9000.

Revised by: Brett Kirkland

Commented [GJ33]:

11B-35.0024(4)(g):

Description of the Revision: Adds the Breath Test Instructor Renewal Course-Intoxilyzer 9000, number 1118.

Why the rule is being revised: Adds the Breath Test Instructor Renewal Course-Intoxilyzer 9000, number 1118, pursuant to the implementation of CMI Inc., Intoxilyzer 9000.

Revised by: Brett Kirkland

Commented [GJ34]:

11B-35.0024(4)(h):

Description of the Revision: Incorporates the revised Breath Testing Course Performance, form CJSTC-14, and updates rule reference.

Why the rule is being revised: Incorporates the revised Breath Testing Course Performance, form CJSTC-14, to update rule reference and add Breath Test Operator Course-Intoxilyzer 9000, number 852; Breath Test Operator Renewal Course-Intoxilyzer 9000, number 952; Agency Inspector Course-Intoxilyzer 9000, number 853; and Agency Inspector Renewal Course-Intoxilyzer 9000, number 953, pursuant to the implementation of CMI Inc., Intoxilyzer 9000.

Revised by: Brett Kirkland

3983 (i) Breath Test Operator Course-Intoxilyzer 9000, number 852. A student shall achieve a score of no less than 80% on the required written end-of-course examination and demonstrate the required proficiency skills at 100%, with the results recorded on the required form CJSTC-14. A copy of the completed form shall be provided to the student and the original shall be maintained in the course file.

Commented [GJ35]:

11B-35.0024(4)(i):

Description of the Revision: Adds Breath Test Operator Course-Intoxilyzer 9000, number 852.

Why the rule is being revised: Adds Breath Test Operator Course-Intoxilyzer 9000, number 852, pursuant to the implementation of CMI Inc., Intoxilyzer 9000.

Revised by: Brett Kirkland

3987 (j)(g) Breath Test Operator Renewal Course, number 951. A student shall achieve a score of no less than 80% on the required written end-of-course examination and demonstrate the required proficiency skills at 100%, with the results recorded on the required form CJSTC-14. A copy of the completed form shall be provided to the student and the original shall be maintained in the course file.

Commented [GJ36]:

11B-35.0024(4)(j):

Description of the Revision: Adds Breath Test Operator Renewal Course-Intoxilyzer 9000, number 952.

Why the rule is being revised: Adds Breath Test Operator Renewal Course-Intoxilyzer 9000, number 952, pursuant to the implementation of CMI Inc., Intoxilyzer 9000.

Revised by: Brett Kirkland

3991 (k) Breath Test Operator Renewal Course-Intoxilyzer 9000, number 952. A student shall achieve a score of no less than 80% on the required written end-of-course examination and demonstrate the required proficiency skills at 100%, with the results recorded on the required form CJSTC-14. A copy of the completed form shall be provided to the student and the original shall be maintained in the course file

3995 (l)(h) Agency Inspector Course, number 850. A student shall achieve a score of no less than 80% on the required written end-of-course examination and demonstrate the required proficiency skills at 100%, with the results recorded on the required form CJSTC-14. A copy of the completed form shall be provided to the student and the original shall be maintained in the course file.

3999 (m) Agency Inspector Course-Intoxilyzer 9000, number 853. A student shall achieve a score of no less than 80% on the required written end-of-course examination and demonstrate the required proficiency skills at 100%, with the results recorded on the required form CJSTC-14. A copy of the completed form shall be provided to the student and the original shall be maintained in the course file

4003 (n)(i) Agency Inspector Renewal Course, number 950. A student shall achieve a score of no less than 80% on the required written end-of-course examination and demonstrate the required proficiency skills at 100%, with the results recorded on the required form CJSTC-14. A copy of the completed form shall be provided to the student and the original shall be maintained in the course file.

4007 (o) Agency Inspector Renewal Course-Intoxilyzer 9000, number 953. A student shall achieve a score of no less than 80% on the required written end-of-course examination and demonstrate the required proficiency skills at 100%, with the results recorded on the required form CJSTC-14. A copy of the completed form shall be provided to the student and the original shall be maintained in the course file.

4011 (p)(i) Underwater Police Science and Technology course number 077. A student shall achieve a score of no less than 80% on the required written end-of-course examination and demonstrate the required proficiency skills at 100%, with the results recorded on the required Criminal Justice Diver Performance Evaluation form CJSTC-19, revised November 6, 2014, effective 7/2015, hereby incorporated by reference <http://www.flrules.org/Gateway/reference.asp?No=Ref-05623>. Form CJSTC-19 can be obtained at the following FDLE Internet Address: <http://www.fdlc.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615. A copy of the completed form shall be provided to the student and the original shall be maintained in the course file.

4019 (q)(k) Canine Team Training Course number 1198. A handler shall achieve a score of no less than 80% on the required written end-of-course examination and demonstrate the required proficiency skills at 100%, with the results recorded on the required Canine Team Performance Evaluation form CJSTC-83, revised November 5, 2015, effective 9/2016, hereby incorporated by reference <http://www.flrules.org/Gateway/reference.asp?No=Ref-07386>. Form CJSTC-83 can be obtained at the following FDLE Internet Address: <http://www.fdlc.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615. A copy of the completed form shall be provided to the student and the original maintained in the course file.

4026

Commented [GJ37]:

11B-35.0024(4)(m):

Description of the Revision: Adds Agency Inspector Course-Intoxilyzer 9000, number 853.

Why the rule is being revised: Adds Agency Inspector Course-Intoxilyzer 9000, number 853, pursuant to the implementation of CMI Inc., Intoxilyzer 9000.

Revised by: Brett Kirkland

Commented [GJ38]:

11B-35.0024(4)(o):

Description of the Revision: Adds Agency Inspector Renewal Course-Intoxilyzer 9000, number 953.

Why the rule is being revised: Adds Agency Inspector Course-Intoxilyzer 9000, number 953, pursuant to the implementation of CMI Inc., Intoxilyzer 9000.

Revised by: Brett Kirkland

- 4027 **(r)(4)** Canine Team Training Instructor Course number 1199.
- 4028 1. An instructor student shall complete the Canine Team Training Instructor Course requirements pursuant to
4029 Rule 11B-20.0014, F.A.C., to instruct the Canine Team Training Course number 1198 and Canine Team Training
4030 Instructor Course number 1199.
- 4031 2. An instructor student shall achieve a score of no less than 85% on the required written end-of-course
4032 examination, demonstrate instruction of one classroom topic from the Canine Team Training Course number 1198,
4033 and demonstrate instructing field exercises in obedience, criminal apprehension, building search, area search, and
4034 tracking and trailing from the Canine Team Training Course number 1198, with the results recorded on the required
4035 performance evaluation form. A copy of the completed Canine Team Instructor Performance Evaluation form
4036 CJSTC-20, revised August 13, 2020, effective 5/2021, hereby incorporated by reference
4037 <http://www.flrules.org/Gateway/reference.asp?No=Ref-13143>, shall be provided to the student and the original form
4038 CJSTC-20 maintained in the instructor student course file. Form CJSTC-20 can be obtained at the following FDLE
4039 Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at
4040 (850) 410-8615. A copy of the completed form shall be provided to the student and the original maintained in the
4041 course file.
- 4042 **(s)(m)** Role-play Scenarios for Facilitative Learning course number 2001. An instructor student shall achieve
4043 a score of no less than 85% on the required written end-of-course examination.
- 4044 Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.12, 943.17 FS. History—New 2-17-93,
4045 Amended 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09, 6-3-10, 3-13-13,
4046 5-29-14, 7-29-15, 9-4-16, 7-19-17, 5-5-20, 5-20-21, 6-23-22, 7-23-23, _____.

11B-35.003 Basic Recruit Training Programs for Law Enforcement, Correctional, and Correctional Probation Auxiliary Training.

(1) Commission-approved Auxiliary Basic Recruit Training Programs are created to train applicants for employment or appointment by criminal justice agencies, with or without compensation, to assist or aid full-time or part-time officers.

(2) To become certified as a law enforcement or correctional auxiliary officer, an applicant shall meet the requirements outlined in Sections 943.13, 943.14(7) and 943.17(1)(g), F.S. To become certified as a correctional probation auxiliary officer, an applicant shall meet the requirements outlined in Sections 943.13, and 943.14(7), F.S., and shall complete in its entirety the Correctional Probation Basic Recruit Training Program active at the time of enrollment. Applicants requesting certification as a correctional officer shall complete in its entirety the Correctional Basic Recruit Training Program active at the time of enrollment. Applicants requesting certification as a law enforcement auxiliary officer shall successfully complete the following Auxiliary Officer Basic Recruit Training Program requirements:

(a) Auxiliary Officer Prerequisite Course taught at a Commission-certified training school using Commission-certified instructors; and

(b) High-liability Training Courses for vehicle operations, defensive tactics, and firearms, taught by a Commission-certified instructor and taught at a Commission-certified training school or criminal justice agency.

(c) Instruction of the vehicle operations course is based on employing agency requirements. Auxiliary officers operating an agency vehicle are required to complete this training.

(d) Auxiliary Officer Prerequisite Courses excluding all high-liability training courses may be taught using a virtual classroom. A virtual classroom is defined as a curriculum delivery system in which a Commission-certified instructor at one location presents course curriculum to one or more remote locations using video conference technology. All virtual classroom sites must be Commission-approved satellite sites for the training school delivering the curriculum. At least one Commission-certified instructor must be present at each approved satellite classroom site when students are present and must remain in the classroom while curriculum is being presented.

(3) A training school shall submit form CJSTC-67 to Commission staff upon an individual's successful completion of the Prerequisite Course. The training school or agency shall document the student's successful completion of the applicable Basic Recruit Training High-Liability Courses, pursuant to subsection 11B-35.0024(3), F.A.C. Regardless of where the Basic Recruit Training High-Liability Course is completed, the employing agency shall maintain the training documentation in the officer's file.

(4) Commission-approved Basic Recruit Training High-Liability Courses instructed at a Commission-certified training school shall be recognized by the Commission for applicants requesting certification as a law enforcement, correctional, or correctional probation officer, if the applicant has completed training within the past four years pursuant to subsection 11B-35.002(6), F.A.C. Recognition of completed Basic Recruit Training High-Liability Courses shall comply with paragraph 11B-35.0023(2)(d), F.A.C.

(5) Individuals exempt from completing the 40-hour First Aid for Criminal Justice Officers course in the Law Enforcement Auxiliary Officer Basic Recruit Training Program, based on education and training experience in the United States or its territories, shall complete the Law Enforcement Auxiliary Officer Prerequisite Course, and the applicable high-liability courses pursuant to this rule section. The following individuals shall possess an active certificate or license that shall be maintained in the course file to be eligible for the exemption:

(a) Certified emergency medical technicians who have three years' experience.

(b) Certified paramedics who have three years' experience.

(c) Licensed physicians, who are actively involved in emergency care and have three years' experience in emergency medical care.

(d) Licensed physician's assistants, who are actively involved in emergency care and have three years' experience in emergency medical care.

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4093 (e) Registered nurses or licensed practical nurses, who are actively involved in emergency care and have three
4094 years' experience in emergency medical care.

4095 (f) Members of the Armed Forces of the United States on active duty entitled to practice as an Emergency
4096 Medical Technician (EMT) or a Florida paramedic set forth in Chapter 401, F.S., Part III., who have three years'
4097 experience in emergency medical care.

4098 Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.12(5), 943.17(1)(a) FS. History—New
4099 12-13-92, Amended 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09,
4100 6-3-10, 3-13-13, 5-29-14, 9-4-16, 7-19-17, 8-15-18, 5-5-20.

4101

Rule 11B-35.003 119
**Training Programs: Basic Recruit Training Programs
for Law Enforcement, Correctional, and Correctional
Probation Auxiliary Training**

Effective 5-5-20

4102 **11B-35.005 Career Development Training Program.**

4103 There is established by the Criminal Justice Standards and Training Commission a program of Career Development
4104 Training Courses, which shall be limited to training related to promotion to a higher rank or position.

4105 Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.17(1)(c) FS. History—New 12-13-92,
4106 Amended 1-2-97, 7-7-99, 11-5-02.

4107 **11B-35.006 Advanced Training Program.**

4108 (1) Commission-approved Advanced Training Program Courses were created to enhance an officer's
4109 knowledge, skills, and abilities for the job the officer performs and are used by an officer to satisfy mandatory
4110 retraining requirements or eligibility for salary incentive monies pursuant to Rule Chapter 11B-14, F.A.C.

4111 (a) An officer may not receive both salary incentive credit and mandatory retraining credit for completion of
4112 an Advanced Training Program Course. Such courses shall include one major topic and be at least 40 hours long.

4113 (b) The Commission shall designate on the Active CJSTC Curricula web page courses that are eligible for
4114 salary incentive credit.

4115 (2) Officers who are currently receiving salary incentive payment for completion of the Field Training Officer
4116 Course number 051, are not eligible to receive additional salary incentive credit for course number 809 or 1100.

4117 (3) Officers who are currently receiving salary incentive payment for completion of the Radar Speed
4118 Measurement Training Course for Law Enforcement Officers number 055 and Laser Speed Measurement Operators
4119 Course for Law Enforcement Officers number 095 are not eligible to receive additional salary incentive credit for
4120 course number 1158.

4121 (4) Course number 094, Drug Abuse Resistance Education (D.A.R.E.), may be offered only through the
4122 certified state D.A.R.E. training school. The Florida certified state D.A.R.E. training school is located within the
4123 Florida Department of Law Enforcement. D.A.R.E. course numbers are: Course #094 (80 hours), or #094 split with
4124 #097 (40 hours) for salary incentive, and #096 (40 hours) for mandatory retraining.

4125 (5) Only officers and support personnel who have written approval from their respective agency administrator
4126 or designee may attend Advanced Training Program Courses. Applicants shall submit evidence of their agency
4127 administrator's approval in a format established and agreed upon by the Local Regional Training Council and
4128 training school.

4129 (6) To successfully complete an Advanced Training Program Course, a student shall comply with student
4130 attendance, performance, and course documentation requirements pursuant to Rule 11B-35.001, F.A.C.

4131 (7) Training schools shall report the successful completion of Advanced Training Program Courses for officers
4132 pursuant to paragraph 11B-35.001(11)(b), F.A.C. Training schools shall indicate if the officers are authorized by
4133 their employing agency to receive salary incentive credit or mandatory retraining credit.

4134 Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.12(5), 943.17(1)(b) FS. History—New
4135 12-13-92, Amended 1-10-94, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08,
4136 9-28-09, 6-3-10, 3-13-13, 9-4-16, 8-15-18, 5-20-21.

4137

4138 **11B-35.007 Specialized Training Program.**

4139 (1) The Commission's Specialized Training Program may be used by training schools and consist of the
4140 following Commission-approved:

- 4141 (a) Specialized Goals and Objectives, pursuant to subsection (2) of this rule section;
4142 (b) Specialized Instructor Training Courses, pursuant to subsection (3) of this rule section; and
4143 (c) Specialized Training Program Courses, pursuant to subsection (4) of this rule section.

4144 (2) Courses developed from the Specialized Goals and Objectives have been designed to use Commission-
4145 established categories, topics, and objectives that encompass subject matter pertinent to training within the criminal
4146 justice profession. Such courses shall be developed using a "menu" approach to fulfill local criminal justice agency
4147 training needs.

- 4148 (a) Commission-established categories for Specialized Goals and Objectives are:

- 4149 1. Communication Skills.
4150 2. Crime Prevention.
4151 3. Health.
4152 4. High-Liability.
4153 5. Investigations.
4154 6. Legal Issues.
4155 7. Management and Supervision.
4156 8. Science and Technology.
4157 9. Inmate Supervision and Control.
4158 10. Community Policing.

4159 (b) A training school shall adhere to the following procedures to develop courses from the Specialized Goals
4160 and Objectives:

- 4161 1. Determine local agency training needs and applicable course content.
4162 2. Review the category list to determine the applicable category.
4163 3. Refer to topic lists within the category(ies) chosen to determine the subject area(s) covered.
4164 4. Write the student learning goal(s) for the course.
4165 5. Select the relevant objective(s) from the chosen topic(s) to cover the specific subject matter.
4166 6. Develop the lesson plan.
4167 7. Maintain information required for the Specialized Training Program Course file pursuant to Rule
4168 11B-35.001, F.A.C.
4169 8. Combine categories, topics, and objectives to develop a Specialized Training Program Course. In addition,
4170 objectives may be extracted from the Advanced Training Program Course series to develop a Specialized Training
4171 Program Course. If a portion of an Advanced Training Program Course is used, the course number and objective
4172 number shall be identified.
4173 9. Establish the number of hours of instruction according to local agency needs. A training school shall
4174 determine the number of objectives needed for each block of course instruction. To provide further flexibility, a
4175 maximum of four hours of electives may be used for each forty hours of course instruction.

4177 10. Document the training by completing a Specialized Training Documentation, form CJSTC-16, revised
4178 November 7, 2013, effective 5/2014, hereby incorporated by reference
4179 <http://www.flrules.org/Gateway/reference.asp?No=Ref-03930>, and when applicable complete a Specialized Training
4180 Documentation Supplemental, form CJSTC-16A, revised May 6, 2004, hereby incorporated by reference. Forms
4181 CJSTC-16 and CJSTC-16A can be obtained at the following FDLE Internet address:
4182 <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.
4183 A training school shall attach the goals and objectives provided by the instructor to form CJSTC-16 and complete
4184 "Section A" of the form. Forms CJSTC-16 and CJSTC-16A shall be maintained in the course file at the training
4185 school.

4186 (3) The Commission shall designate on the Active CJSTC Curricula web page the active Specialized Instructor
4187 Courses and Specialized Training Program Courses.

4188 (4) Specialized Instructor Training Courses are developed and approved by the Commission for instructor
4189 training and have not been designated as Commission approved Advanced Training Program courses. They shall be
4190 delivered in their entirety by a training school for an individual to qualify to apply as a Commission-certified
4191 instructor.

4192 (5) Specialized Training Program Courses are developed and approved by the Commission and have not been
4193 designated as Commission-approved Advanced Training Program courses. They shall be delivered in their entirety
4194 by a training school for an individual to receive Specialized Training Program credit.

4195 (6) Successfully completed Commission-approved Specialized Training Program Courses may be credited
4196 toward an officer's mandatory retraining requirement pursuant to Rule 11B-27.00212, F.A.C. Documentation of
4197 such training shall be provided to students and shall include the name of the training school delivering the course,
4198 the course title or topics taught, course date(s), and course hours, or login records, or electronic records of
4199 participation.

4200 (7) Criminal Justice Standards and Training Trust Fund Officer Training Monies may be expended to conduct
4201 Commission-approved Specialized Training Program Courses pursuant to subsection (1) of this rule section. Officer
4202 Training Monies shall be expended pursuant to the requirements of Rule Chapter 11B-18, F.A.C.

4203 Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.175, 943.25 FS. History-New
4204 12-13-92, Amended 8-7-94, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08,
4205 9-28-09, 5-21-12, 3-13-13, 5-29-14, 7-29-15, 9-4-16, 8-15-18.

4206 **11B-35.0085 Criminal Justice Training School Requirements for Local Administration and Security of**
4207 **Examinations for Training Courses.** A training center director shall maintain the security and confidentiality of
4208 all examinations used in all Commission-approved courses in the following manner:

4209 (1) Pursuant with Section 943.173(2), F.S., the Commission shall authorize the administration of examinations
4210 at training schools. Administration of examinations shall consist of the training center director or designee(s)
4211 developing examination items, maintaining examination item banks, preparing examination forms, administering
4212 examinations, retaining student examinations, proctoring, grading, and recording the results of the examinations.

4213 (2) A training center director shall develop and maintain written procedures outlining the security of training
4214 school examinations to include preparation, administration, proctoring, storing, grading, disposal, and student
4215 review.

4216 (3) Written procedures, examinations, and examination materials shall be made available for inspection by
4217 Commission staff.

4218 (4) To maintain the security of the examinations outlined in this rule section, a training center director shall
4219 ensure that:

4220 (a) The security and confidentiality of examinations and examination materials are maintained and obsolete
4221 examination materials are destroyed.

4222 (b) Examination materials are secured and accessible only by training school staff approved by the training
4223 center director.

4224 (c) Examination items are not reviewed with students prior to administration of the test.

4225 (d) Student contact with examination materials is conducted in a controlled presentation to prohibit students
4226 from recording or transcribing test questions and answers.

4227 (5) Examination materials, including the examination and individual answer forms for each training course,
4228 shall be retained for not less than two years after the date the examination is completed.

4229 Rulemaking Authority 943.12(1), (2) FS. Law Implemented 943.173 FS. History—New 7-7-99, Amended 11-5-02,
4230 11-30-04.

Rule 11B-35.0085 Training Programs: Criminal Justice Training School Requirements For Local Administration and Security of Examinations for Training Courses	124	Effective 11-30-04
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4232 **11B-35.009 Exemption from Basic Recruit Training.**

4233 (1) Definitions. For the purpose of this rule section, the following definitions shall apply:

4234 (a) "Employing agency" means any agency authorized by law to employ or appoint officers pursuant to
4235 Section 943.10(4), F.S.

4236 (b) "Comparable basic recruit training program in another state or for the federal government," means any
4237 successfully completed sworn officer training course or courses, irrespective of the completion date, which when
4238 viewed together include all the primary training topics pursuant to subsection (3) of this rule section, for the
4239 discipline in which the applicant is seeking an exemption, pursuant to Section 943.131(2), F.S. Commission-
4240 approved Basic Recruit Training Courses may be substituted for courses not included in basic level training.

4241 (c) "Another state" means one or more of the United States or its territories, or any combination thereof, with
4242 the exception of the State of Florida.

4243 (d) "Federal Government" means any agency of the United States government that employs or appoints sworn
4244 officers, a Native American Indian tribe or band that employs or appoints sworn officers, or any branch or entity of
4245 the United States Armed Forces or any combination thereof.

4246 (e) "Full time" means any employed or appointed status in which a normal work week consists of forty or
4247 more on-duty hours, exclusive of overtime, holidays, regular days off, leave, or other authorized or ordered absence
4248 from work.

4249 (f) "Sworn officer" means an individual whose work experience, as required in this rule section, meets the
4250 definition of a law enforcement, correctional, and correctional probation officer pursuant to Section 943.10(1) – (3),
4251 F.S.

4252 (g) "At least one year" means a time period of twelve months sworn experience that shall have occurred at no
4253 more than two criminal justice agencies over a period not to exceed eighteen months as a full-time sworn officer in a
4254 specified discipline, excluding periods during which an individual was enrolled in or attending basic recruit training.

4255 (h) "Inactive Florida Officer" means an individual who has met the certification and employment requirements
4256 of Section 943.13, F.S., and has not been employed as an officer in the discipline for which the individual was a
4257 Florida certified officer for a period of four to eight years.

4258 (i) "Special Operations Forces" means those active and reserve component forces of the military services
4259 designated by the Secretary of Defense and specifically organized, trained, and equipped to conduct and support
4260 special operations. The term includes, but is not limited to, service members of the United States Army Special
4261 Forces and the United States Army 75th Ranger Regiment; the United States Navy SEALs and Special Warfare
4262 Combatant-Craft Crewmen; the United States Air Force Combat Control; Pararescue, and Tactical Air Control Party
4263 specialists; the United States Marine Corps Critical Skills Operators; and any other component of the United States
4264 Special Operations Command approved by the Commission.

4265 (2) An individual who applies for certification as a Florida officer shall qualify for exemption from completing
4266 a Commission-approved Basic Recruit Training Program if the applicant has:

4267 (a) Successfully completed basic recruit training comparable in content to the Basic Recruit Training Program
4268 for the discipline for which the individual claims exemption or a previously completed Commission-approved Basic
4269 Recruit Training Program; and

4270 (b) Prior service as a full-time sworn officer in another state or the Federal Government for at least one year,
4271 pursuant to paragraph (1)(g) of this rule section, in the criminal justice discipline for which the individual is
4272 requesting an exemption. There shall be no more than an 8-year break in employment, which is measured from the
4273 separation date of the most recent qualifying employment to the time a complete application is submitted for an
4274 exemption under this rule section. The twelve months sworn experience shall have occurred at no more than two
4275 criminal justice agencies over a period not to exceed eighteen months as a full-time sworn officer in the discipline
4276 for which an exemption is being requested.

4277 (c) Prior service as a special operations forces member for a minimum of five years with no more than a four-
4278 year break in service which is measured from the separation date of the most recent qualifying special operations
4279 forces service to the time a complete application is submitted for an exemption under this rule section.

(3) Out-of-state or federal officers who request an exemption from a Commission-approved Basic Recruit Training Program, the employing agency, training center, or Criminal Justice Selection Center shall:

(a) Verify that the applicant's law enforcement training is comparable to the Commission's Florida Law Enforcement Academy for which the exemption is requested, and at a minimum reflects successful completion of training, pursuant to the Exemption-From-Training form CJSTC-76, for the topics of Legal, Interactions in a Diverse Community, Interviewing and Report Writing, Patrol (including Fundamentals, Calls for Service, and Critical Incidents), Criminal Investigations (including Crime Scene and Courtroom), Traffic Stops, Traffic Crash Investigations, Vehicle Operations, First Aid or equivalent, Firearms, and Defensive Tactics.

(b) Verify that the applicant's correctional officer training is comparable to the Commission's Florida Correctional Basic Recruit Training Program whenever an exemption is requested, and at a minimum reflects successful completion of training , pursuant to the Exemption-From-Training form CJSTC-76, for the topics of Legal, Communications, Officer Safety, Facility and Equipment, Intake and Release, Supervising in a Correctional Facility, Supervising Special Populations, Responding to Incidents and Emergencies, Firearms, Defensive Tactics, and First Aid or Equivalent.

(c) Verify that the applicant's correctional probation officer training is comparable to the Commission's Florida Correctional Probation Officer Training Academy whenever an exemption is requested, and at a minimum reflects successful completion of training, pursuant to the Exemption-From-Training form CJSTC-76, for the topics of Legal Foundations for Correctional Probation, Communications, Intake and Orientation, Caseload Management, Supervision of Offenders, Field Supervision, Defensive Tactics, and First Aid or equivalent.

(d) Verify the required training and the authenticity of documents submitted by an individual through telephone or written confirmation of documents such as, criminal justice agency training records, training school records, official transcripts, curricula or curricula summaries, certificates of completion, or other such documents that verify the applicant's successful completion of comparable basic recruit training in another state or for the federal government, and affidavits executed by a custodian or custodians of such records or other persons with direct knowledge that support the individual's successful completion of comparable basic recruit training.

(e) Verify that the individual has met the required prior sworn experience by obtaining copies of one or more of the following:

1. Agency employee payroll record;
 2. Agency employment record;
 3. Employment verification by an authorized representative of the individual's previous employer or employers; and
 4. Other documentation that confirms the applicant's previous experience and employment as an officer for at least one year.

(4) Inactive Florida officers who have been separated from employment for a period of four to eight years, may apply for exemption from re-taking the Basic Recruit Training Program for which the officer has been previously certified as a sworn officer. There shall be no more than an eight-year break in employment, which is measured from the separation date of the most recent qualifying employment to the time a complete application is submitted, for an exemption under this rule section. The employing agency, training center, or Criminal Justice Selection Center shall verify that the applicant has:

(a) Successfully completed the Basic Recruit Training Program for the discipline for which re-activation of certification is requested; and

(b) Been employed and certified as a criminal justice officer in Florida in the discipline for which reactivation or certification is requested.

(5) Special operations forces members who served in special operations forces for at least five years and have not been separated from special operations forces for more than four years as measured from the separation date from the special operations forces to the time a complete application for an exemption is received under this rule section. The employing agency, training center, or Criminal Justice Selection Center shall:

4328 (a) Verify that the applicant has served at least five years in special operations forces; and
4329 (b) Verify that the applicant has not been separated from special operations forces for more than four years;
4330 and
4331 (c) Document the specific training and experience the applicant received during his or her special operations
4332 forces service.
4333 (6) Documentation requirements for out-of-state, federal, and inactive Florida Officers and special operations
4334 forces members. Upon verification of an individual's request for exemption of training, pursuant to this rule section,
4335 an employing agency, training center, or Criminal Justice Selection Center shall submit to Commission staff a
4336 completed Exemption-From-Training, form CJSTC-76, revised August 2, 2018, effective 7/2019, hereby
4337 incorporated by reference <http://www.flrules.org/Gateway/reference.asp?No=Ref-10754>, for out-of-state, federal,
4338 and inactive Florida Officers and special operations forces members. Form CJSTC-76 can be obtained at the
4339 following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting
4340 Commission staff at (850) 410-8615. Supporting documentation verifying the individual's compliance as a special
4341 operations forces member or with comparable basic recruit training and sworn criminal justice experience pursuant
4342 to this rule section shall be maintained on file by the employing agency, training center, or Criminal Justice
4343 Selection Center and submitted to Commission staff for review upon request. The agency shall be notified of the
4344 approval or denial of the requested exemption of certification in writing within 30 working days. Any appeal of
4345 denial of exemption is governed by Section 120.57, F.S.

4346 (7) High-Liability Basic Recruit Training proficiency skills requirements for out-of-state, federal, or inactive
4347 Florida officers. Prior to applying for certification, an out-of-state or federal officer, or inactive Florida officer, who
4348 is exempt from completing a Commission-approved Basic Recruit Training Program, pursuant to Section
4349 943.131(2), F.S., shall demonstrate proficiency in the required High-Liability Basic Recruit Training Proficiency
4350 Skills of vehicle operations, firearms, defensive tactics, and first aid, pursuant to Rule 11B-35.0024, F.A.C., for the
4351 discipline for which certification is sought and for the law enforcement discipline, complete Commission-approved
4352 training in recognition of and response to head trauma and brain injury in a child under 6 years of age; identifying
4353 and investigating human trafficking; sexual assault investigations; and elder abuse investigations. Such officers
4354 shall achieve a passing score on the State Officer Certification Examination, pursuant to Rule 11B-30.0062, F.A.C.,
4355 and paragraph 11B-30.008, F.A.C. Demonstration of proficiency in the required High-Liability Basic Recruit
4356 Training Proficiency Skills and passing the State Officer Certification Examination shall be completed within one
4357 year after notification of approval of the Exemption-From-Training form CJSTC-76. Individuals who do not
4358 complete the required demonstration of proficiency in the High-Liability Basic Recruit Training Proficiency Skills
4359 and achieve a passing score on the State Officer Certification Examination within one year, are permitted to apply
4360 for another exemption from training, pursuant to Section 943.131(2), F.S., provided they meet the eligibility
4361 requirements outlined in Section 943.131(2), F.S. Upon demonstration of proficiency in the required High-Liability
4362 Basic Recruit Training Proficiency Skills, the training school shall complete an Exemption-From-Training
4363 Proficiency Demonstration, form CJSTC-76A, revised August 2, 2018, effective 7/2019, hereby incorporated by
4364 reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-10755>, and provide a copy to the officer of form
4365 CJSTC-76A. Form CJSTC-76A can be obtained at the following FDLE Internet address:
4366 <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.
4367 The training center director or designee shall, within thirty days of course completion, electronically transmit a
4368 completed Training Report form CJSTC-67 through the Commission's ATMS, or submit an updated form CJSTC-
4369 67.

4370 (8) Training requirements for special forces operations members. Prior to applying for certification as a law
4371 enforcement, corrections, or correctional probation officer, a special forces operations member who is exempt from
4372 completing a Commission-approved Basic Recruit Training Program, pursuant to Section 943.131(2), F.S., shall
4373 complete the Commission-approved Special Operations Forces Training Program for the discipline for which
4374 certification is sought and demonstrate proficiency in the required High-Liability Basic Recruit Training Proficiency
4375 Skills of firearms, defensive tactics, and first aid, pursuant to Rule 11B-35.0024, F.A.C., at a Commission-certified
4376 training center. Such individuals shall achieve a passing score on the State Officer Certification Examination,
4377 pursuant to Rules 11B-30.0062, F.A.C., and 11B-30.008, F.A.C. Completion of the Special Operations Forces
4378 Training Program, demonstration of proficiency in the required High-Liability Basic Recruit Training Proficiency
4379 Skills, and passing the State Officer Certification Examination shall be completed within one year after notification
4380 of approval of the Exemption-From-Training form CJSTC-76. Individuals who do not complete the Special

Commented [GJ42]:

11B-35.009(7):

Description of the Revision: Incorporates legislative changes to the training requirements for Equivalency of Training applicants.

Why the rule is being revised: Updates the High-Liability Basic Recruit Training proficiency skills requirements to include "identifying and investigating human trafficking" pursuant to the Florida Legislature's change to the underlying statute during the 2023 Legislative Session as it relates to Equivalency of Training applicants.

Revised by: Terry Baker

4381 Operations Forces Training Program, the required demonstration of proficiency in the High-Liability Basic Recruit
4382 Training Proficiency Skills, and achieve a passing score on the State Officer Certification Examination within one
4383 year, are permitted to apply for another exemption from training, pursuant to Section 943.131(2), F.S., provided they
4384 meet the eligibility requirements outlined in Section 943.131(2), F.S. Upon demonstration of proficiency in the
4385 required High-Liability Basic Recruit Training Proficiency Skills, the training school shall complete an Exemption-
4386 From-Training Proficiency Demonstration, form CJSTC-76A, and provide a copy to the officer of form CJSTC-
4387 76A. The training center director or designee shall, within thirty days of program completion, electronically
4388 transmit a completed Training Report form CJSTC-67 through the Commission's ATMS, or submit an updated form
4389 CJSTC-67.

4390 (9) Regardless of the number of exemptions from training an individual receives, the individual shall not take
4391 the State Officer Certification Examination more than three times without enrolling in and completing a
4392 Commission-approved Basic Recruit Training Program pursuant to Section 943.1397(2), F.S.

(10) Individuals, who have qualified for an exemption from a Commission-approved Basic Recruit Training Program, pursuant to this rule section, shall become employed and certified as an officer within four years from the earlier of the beginning date of the required proficiency demonstration as entered on the Training Report form CJSTC-67 or the beginning date of the Special Operations Forces Training Program.

4397 (11) Individuals applying for exemption from a Commission-approved Basic Recruit Training Program,
4398 outlined in this rule section, shall not engage in conduct that subverts or attempts to subvert the State Officer
4399 Examination process pursuant to Rule 11B-30.009, F.A.C.