



Florida Department of
Law Enforcement

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March 28, 2013

**CRIMINAL JUSTICE STANDARDS & TRAINING COMMISSION
TECHNICAL MEMORANDUM 2013-06**

TO: Criminal Justice Agency Administrators
Criminal Justice Training Center Directors
Criminal Justice Selection Center Directors

FROM: Program Director Jennifer C. Pritt
Criminal Justice Professionalism Program

*Approved
3/28/13*

SUBJECT: New Florida Administrative Code Rules effective March 13, 2013

Effective March 13, 2013, numerous changes were made to the Florida Administrative Code Rule Chapters promulgated by the Commission. Some of the substantive changes are included in this technical memorandum, however, technical changes have not been noted in this technical memorandum. All rule changes are attached to this technical memorandum and the additions will be underlined and deletions will be struck through.

Rule 11B-14, F.A.C.: Salary Incentive Program:

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

11B-14.001 Definitions

(10) This revision defines "ATMS Global Profile Sheet".

11B-14.002 General Program Provisions

(5)(a)1 This revision replaces the CJSTC Form 67 with the ATMS Global Profile Sheet for determining the date of "successful completion" of a Commission-approved training course for salary incentive.

11B-14.002 General Program Provisions

(7)(a) and (b) These revisions clarify that retroactive salary incentive payments are not paid to an officer who completes a course prior to certification or prior to the officer notifying the agency of eligibility for payments.

Rule 11B-18, F.A.C.: Criminal Justice Standards and Training Trust Fund

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

11B-18.003 Operational Definitions

(16) This revision allows for a fiscal agent to be approved by a training center director in a given training region.

(25) This revision clarifies that a college must be accredited as defined in Section 943.22, F.S.

11B-18.004 Regional Training Areas

All revisions in this section are updates to the names of Commission-certified training schools.

11B-18.005 Establishment of Regional Training Councils

(3) This revision removes four agency representatives from the Region XV Training Council due to the agencies no longer having sworn officers. It also adds one agency to the Region XV Training Council.

11B-18.0053 Officer Training Monies Budget and Expenditure Categories

(2)(b)2 This revision adds notices in the Florida Administrative Weekly publication to the list of miscellaneous expenses allowed.

(3)(a)3 This revision adds part-time instructional coordinators employed by the training school to the list of personnel who are authorized to attend courses funded with Officer Training Monies.

(3)(e) This revision clarifies that the employing agency is responsible for travel cost to and from training and that private correctional officers may attend training courses so long as all training costs associated with course attendance are paid by the private employer.

(4)(e)1 This revision mandates that prior to sale or disposal, usable property shall be offered to criminal justice agencies in Florida if a training school does not claim the property.

11B-18.0071 Development of Officer Training Monies Budgets and Required Reports

(2)(c) This revision adds a new section defining how and when a programmatic change is made to a training school's approved budget.

11B-18.008 Areas of Responsibility

(1)(c) This revision mandates the Regional Training Council maintain the minutes of each Regional Training Council meeting on file.

(1)(d) This revision mandates the Regional Training Council maintain all documents, budgets, reports, and other documentation required by the Council on file and make these available to Commission staff for review.

11B-18.008 Areas of Responsibility

(3)(d) This revision adds the requirement that documentation maintained by the fiscal agent be available to the Regional Training Council within 15 business days after a request for the documentation.

Rule 11B-20, F.A.C.: Certification of Criminal Justice Training Instructors

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

11B-20.001 Definitions and Minimum Requirements for General Certification of Instructors

(3)(a)5b This revision clarifies the instructor separation process and that an instructor's certification shall become inactive upon separation and remain inactive until the instructor is affiliated with a training school or agency.

(3)(a)5c This revision identifies the process for an instructor to request a new affiliation with a training school or agency.

(3)(c)3 This revision clarifies that for an instructor seeking an exemption from the Instructor Techniques Course, the training center director, agency administrator, or designee shall submit the form CJSTC-71 and maintain all documentation in the instructor's file.

11B-20.0014 Minimum Requirements for High-Liability and Specialized Topics Instructor Certification

(3)(a) This revision removes the requirement for and certification process for law topics instructor certification.

(3)(d)2 This revision clarifies the proficiency requirements for Breath Test Instructor Certification.

(3)(d)5 This revision identifies the courses a Breath Test internship must occur in.

11B-20.0017 Maintenance and Duration of Instructor Certifications

(5)(b) This revision adds the completion of the proficiency requirements for a Breath Test Instructor certification renewal.

Rule 11B-21, F.A.C.: Certification of Criminal Justice Training Schools

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

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

(3)(d) This revision clarifies that a new training center's initial certification period only runs until the next recertification date for all of the training centers as identified in Rule 11B-21.002(5)(a), F.A.C.

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

(11) This revision adds the requirement that training schools comply with the background requirements set forth in Section 943.14(7), F.S. and moves the existing language to a new section.

Rule 11B-27, F.A.C.: Certification and Employment or Appointment

State Website: <https://www.flrules.org/gateway/ChapterHome.asp?Chapter=11B-27>

11B-27.0011 Moral Character

(4)(b)1 This revision removes Chapter 817.567, F.S., as an enumerated misdemeanor.

11B-27.002 Certification, Employment or Appointment, Reactivation, and Terminating Employment or Appointment of Officers

(1)(g) This revision clarifies that a background investigation must not have been conducted more than one year prior to employment or appointment as an officer or civilian officer trainee.

(2)(a) This revision clarifies that an agency should apply for an officer's certification if the officer was eligible, even if the officer separates employment.

(4)(a) This revision adds the requirement that an individual must also become certified within four years of the start date of the basic recruit training program. It also moves existing language to a new section.

(5) This revision adds the requirement that an agency update the mandatory retraining, firearms qualification, or apply for certification in ATMS prior to separating an officer if the officer meets the requirements prior to the date of separation.

11B-27.0021 High School Graduation or Equivalent

(2)(e) This revision adds that proof that a diploma has been accepted by an accredited college or university for entrance into a degree seeking program is proof of high school graduation.

11B-27.00212 Maintenance of Officer Certification

(4) This revision prohibits an agency from updating an officer's mandatory retraining unless that officer is employed with the agency or has met the requirements for employment.

(14)(a), (c), and (e) These revisions clarify that an officer does not have to be certified in order for the provisions of the firearms qualification requirement to apply.

11B-27.0022 Background Investigations

(1) This revision clarifies that a background investigation must not have been conducted more than one year prior to employment or appointment as an officer or civilian officer trainee. It also clarifies that a new background investigation is required for each employment regardless of past employment with the same agency.

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

(2)(c)3 This revision clarifies the target allowed for the qualification to include the P.R.I.D.E. equivalent of the B-21E target.

Rule 11B-30, F.A.C.: State Officer Certification Examination

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

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

(1) This revision removes redundant language.

Rule 11B-35, F.A.C.: Training Programs

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

11B-35.001 General Training Programs; Requirements and Specifications

(9)(b) This revision clarifies the terms “successfully completed” and “successfully complete”.

(10)(b) These revisions remove the Correctional Auxiliary Officer Basic Recruit Training Program.

(11)(c)1 This revision removes the Laser Speed Measurement Device (LSMD) Transition Operators Course for Radar Operators from the list of courses that are required to be entered into ATMS.

(11)(d) These revisions clarify the record keeping requirements for the training schools as they relate to Commission-approved training. They mandate the records be maintained in a course file and add the inclusion of an ATMS Global Profile Sheet for each instructor; daily attendance records with documentation of excused absences and makeup work; and documentation on transfer students to the existing requirements.

(12)(c) These revisions allow for eLearning to be used for Commission-approved Specialized Training Program Courses, Specialized Instructor Courses, and Specialized Goals and Objectives.

11B-35.0010 eLearning Instruction

This new rule section defines eLearning and identifies the standards and procedures that must be followed when a training school chooses to present a course with eLearning. It clarifies that officer training monies may be used with eLearning courses provided certain requirements are met.

11B-35.002 Basic Recruit Training Programs for Law Enforcement, Correctional, and Correctional Probation

(1) These revisions update basic recruit training courses.

(2) These revisions add the requirement that an individual must also become certified within four years of the start date of the basic recruit training program.

(5)(b) These revisions remove the Traditional Correctional Basic Recruit Training Program.

- (5)(e) These revisions remove the individual CJK course numbers from the Florida CMS Law Enforcement Basic Recruit Training Program.
- (5)(f) These revisions remove the individual CJK course numbers from the Florida Correctional Probation Basic Recruit Training Program and remove the firearms course.
- (5)(g) This revision adds the Florida CMS Correctional Basic Recruit Training Program.
- (6)(d)3 This revision removes the Correctional Officer Cross-Over Training to Florida CMS Law Enforcement Basic Recruit Training Program, course 1178.
- (6)(d)4 This revision adds the Correctional Officer Cross-Over Training to Florida CMS Law Enforcement Basic Recruit Training Program, course 1191.
- (6)(d)5 This revision removes the individual CJK course numbers from the Correctional Probation Officer Cross-Over Training to Florida CMS Law Enforcement Basic Recruit Training Program and adds two additional courses to the program.
- (6)(e)3 This revision removes the Law Enforcement Officer Cross-Over Training to Traditional Correctional Basic Recruit Training Program, course 1181.
- (6)(e)4 This revision adds the Law Enforcement Officer Cross-Over Training to Florida CMS Correctional Basic Recruit Training Program, course 1192.
- (6)(e)5 This revision removes the Correctional Probation Officer Cross-Over Training to Traditional Correctional Basic Recruit Training Program, course 1182.
- (6)(e)6 This revision adds the Correctional Probation Officer Cross-Over Training to Florida CMS Correctional Basic Recruit Training Program, course 1193.
- (6)(f)3 This revision removes the individual CJK course numbers from the Law Enforcement Officer Cross-Over Training to Florida Correctional Probation Basic Recruit Training Program and adds two additional courses to the program.
- (6)(f)4 This revision removes the individual CJK course numbers from the Correctional Officer Cross-Over Training to Florida Correctional Probation Basic Recruit Training Program and adds two additional courses to the program.

11B-35.0021 Courses and Requirements for Basic Recruit Training, Advanced, and Instructor Training Requiring Proficiency Demonstration

- (1), (2), (4), and (5) These revisions remove individual CJK course numbers and clarify the courses which require proficiency demonstrations.
- (6) This revision clarifies that individuals wanting to be certified to be a breath test instructor must meet the requirements in Rule 11B-20.0014, F.A.C.
- (7)(a) This revision adds the Cross-Over Handgun Transition Course to the list of firearms courses requiring an instructor to student ratio.
- (7)(e) This revision adds the Speed Measurement Course as one requiring a Speed Measurement Instructor and allowing for a Speed Measurement Device Operator to assist with the practical exercise in the course.

(7)(f) This revision adds the requirement that Alcohol Testing Program Staff instruct the Breath Test Instructor Course and allows for a qualified individual who meets certain requirements to instruct under the supervision of Alcohol Testing Program Staff.

(7)(g) This revision adds the requirement that Alcohol Testing Program Staff instruct the Breath Test Instructor Renewal Course and allows for a qualified individual who meets certain requirements to instruct under the supervision of Alcohol Testing Program Staff.

11B-35.0023 Student Transfers within Basic Recruit Training Programs

(1) This revision consolidates language to clarify a student may transfer courses from one school to another for the same training program.

(3)(a), (b), and (c) These revisions add that courses must have been completed within the past four years, the student has not been dismissed from a previous school, and the training school has verified the student's grade on the ATMS Global Profile Sheet.

11B-35.0024 Student Performance in Commission-approved High-Liability Basic Recruit Training Courses, Instructor Courses, and Specialized and Advanced Training Program Courses Requiring Proficiency Demonstration

(3) This revision adds the Cross-Over Handgun Transition Course to the high-liability courses requiring demonstration of proficiency.

(3)(c)2 and (d)2 These revisions specify which targets are allowed for the required Firearms High-Liability Proficiency Skills in basic recruit training and firearms instructor training.

(4) This revision adds the courses requiring demonstration of proficiency skills.

(4)(b) This revision identifies the performance requirements for Speed Measurement Course, number 1158.

(4)(d) These revisions identify what courses require a Breath Test Instructor. They further identify the performance requirements for Breath Test Instructor Course, number 1110.

(4)(e) These revisions clarify that the Breath Test Instructor Renewal Course, number 1111 must be completed to satisfy the continuing education requirements for Breath Test Instructor Certification and identifies the performance requirements for the course.

(4)(f) This revision identifies the performance requirements for the Breath Test Operator Course, number 851.

(4)(g) This revision identifies the performance requirements for the Breath Test Operator Renewal Course, number 951.

(4)(h) This revision identifies the performance requirements for the Agency Inspector Course, number 850.

(4)(i) This revision identifies the performance requirements for the Agency Inspector Renewal Course, number 950.

11B-35.003 Basic Recruit Training Programs for Law Enforcement, Correctional, and Correctional Probation Auxiliary Training

(2) This revision clarifies that persons wishing to become an auxiliary correctional officer or auxiliary correctional probation officer must complete the respective basic recruit training programs for each discipline.

(4) This revision removes the allowance for an auxiliary officer to have been continuously employed as an auxiliary officer and be able to transfer completed high-liability courses to a full basic recruit training program if the high-liability courses were completed more than four years prior to the start of the full basic recruit training program.

(6) This revision removes the individual CJK course numbers from the CMS Law Enforcement Auxiliary Officer Basic Recruit Training Program.

(7) This revision removes the Correctional Auxiliary Officer Basic Recruit Training Program.

(8) This revision clarifies that in order to become an auxiliary correctional officer, a person must complete the Florida CMS Correctional Basic Recruit Training Program.

11B-35.006 Advanced Training Program

(1)(b) These revisions correct course names and add two new courses.

(4) These revisions remove the Speed Measurement Operator Performance Report and the allowance for Speed Measurement Device Operators to instruct the practical exercises in the Speed Measurement Course as these were moved to Rule 11B-35.0021, F.A.C.

11B-35.007 Specialized Training Program

(4) These revisions correct course names and add three new courses.

(8) These revisions remove the procedures and standards for eLearning as these were transferred to Rule 11B-35.0010.

If you have any questions regarding these rule changes, please contact Terry Baker, Training and Research Manager in the Bureau of Standards at (850) 410-8688.

JCP/djh

Attachment: 2013 Rules with Revision Marks Effective March 13, 2013

cc: Criminal Justice Standards and Training Commission Members