

**REVISED PROPOSED REGULATION OF THE  
PEACE OFFICERS' STANDARDS AND TRAINING COMMISSION**

**LCB File No. R005-01**

September 11, 2001

EXPLANATION – Matter in *italics* is new; matter in brackets ~~{omitted material}~~ is material to be omitted.

AUTHORITY: §§1 and 2, NRS 289.510.

**Section 1.** NAC 289.200 is hereby amended to read as follows:

289.200 1. The executive director shall award a basic certificate to any peace officer who meets the minimum standards for appointment established pursuant to NAC 289.110 and has:

(a) Satisfactorily completed the basic training course for basic certification or a course of training which the commission or its designee determines to be at least equivalent to the basic training course for basic certification;

(b) Passed the state certification examination with a score at or above the 70th percentile; and

(c) Passed the state physical fitness examination . ~~{with a score at or above the 60th percentile of the fitness norm for the single standard of the general population.}~~

2. A peace officer is deemed to have completed a course of training that is at least equivalent to the basic training course for basic certification if:

(a) The peace officer has been certified by a certifying entity of another state or by the Federal Government to perform the duties of a peace officer and the commission or its designee has determined that the course of training required for the certification was at least equivalent to the basic training course for basic certification;

(b) The certification of the peace officer in the other jurisdiction has not been revoked or suspended;

(c) Not more than 24 months have lapsed since the peace officer was employed in the other jurisdiction; and

(d) The peace officer has satisfactorily completed a training course that is approved by the executive director which consists of a minimum of 80 hours of training in:

- (1) Constitutional law;
- (2) Probable cause;
- (3) Search and seizure;
- (4) Laws of arrest;
- (5) Crimes against property;
- (6) Crimes against persons;
- (7) Laws relating to narcotics;
- (8) Civil liability;
- (9) Use of force;
- (10) Laws relating to child abuse;
- (11) Laws relating to domestic violence;
- (12) Laws relating to juveniles;
- (13) Miscellaneous crimes;
- (14) Rights of victims;
- (15) Ethics in law enforcement or for correctional officers;
- (16) Sexual harassment; ~~and~~
- (17) Cultural awareness ~~and~~;

*(18) Laws relating to abuse of elderly persons; and*

*(19) Laws relating to stalking and aggravated stalking.*

3. Except as otherwise provided in subsection 4, an officer must pass the state physical fitness examination to complete a course successfully:

(a) Within 16 weeks after the date on which he enters a basic training course certified pursuant to NAC 289.300 if he is in training category II or III; or

(b) Within 16 weeks after the date on which he was hired if he has completed a course of training which the commission or its designee determines to be at least equivalent to the basic training course for basic certification.

4. If a student enrolled in a basic training course certified pursuant to NAC 289.300 sustains a bona fide physical injury rendering him incapable of performing the physical requirements to complete the course successfully, an agency may submit a request for an extension of time for the student to complete the requirement. The agency shall submit such a request to the executive director. The request must include, without limitation, written verification by a physician that the student is incapable of performing the physical requirements of the course. If the executive director determines that an extension of time is warranted, he shall authorize an extension of time for a period not to exceed 12 months after the date on which he received the request.

5. Upon satisfactory completion of the requirements listed in subsection 1, the employing agency shall submit a request for certification to the executive director. The request must include:

(a) The name, social security number and date of hire of the officer;

(b) Documentary evidence that the officer has successfully completed an approved basic training course;

(c) Verification by the administrator of the agency that the officer meets the minimum standards established by NAC 289.010 to 289.380, inclusive; and

(d) The statement concerning child support prescribed by the welfare division of the department of human resources pursuant to NRS 425.520.

6. The basic certificate of an officer whose employment is terminated for any reason will be placed on inactive status. If such a person is again employed as a full-time peace officer, the employing agency shall request that the person's basic certificate be returned to active status. If the certification of such a person is on inactive status for more than 2 consecutive years, the person must renew his basic certificate by successfully completing the state certification examination, an 80-hour course of training that is approved by the executive director and the state physical fitness examination.

**Sec. 2.** NAC 289.300 is hereby amended to read as follows:

289.300 1. The executive director shall certify courses of basic training presented by agencies which meet the following requirements:

(a) The length of the course must meet the minimum standards for training established by the commission.

(b) Each course submitted to the executive director for certification must have a curriculum that contains the following elements:

(1) Each topic of instruction must have specifically defined objectives for the performance of the students which are based upon known work requirements;

(2) Each topic of instruction must have a detailed lesson plan that specifically describes what the student is taught; and

(3) Each topic of instruction must be assigned a specific amount of time.

(c) Each course must employ performance-oriented instructional methods that provide opportunities for each student to demonstrate achievement of the objectives.

(d) For each course there must be a system of written or practical examinations, or both, that will measure on a pass or fail basis the success of each student in achieving the objectives, including an examination at the beginning and end of each course.

(e) Each agency submitting a course for certification shall provide an instructional facility that meets the following requirements:

(1) A classroom with adequate heating, cooling, ventilation, lighting and space and an environment conducive to learning;

(2) Comfortable chairs with tables or arms for writing;

(3) Audiovisual equipment necessary to support the course;

(4) Instructional films and videotapes necessary to support the course; and

(5) A firing range adequate to train officers safely in the use of firearms.

(f) Each course must include the state physical fitness examination. ~~[This examination is based upon the standards established by the Cooper Institute for Aerobics Research which are set forth in the "Physical Fitness Specialist Course" manual (1996 edition), which is hereby adopted by reference. That publication may be purchased from the Cooper Institute for Aerobics Research, 12330 Preston Road, Dallas, Texas 75230, for the price of \$35. The minimum standard required of a student to enter a basic training course must be that which is referred to as the 40th percentile of the fitness norm for the single standard of the general population. The minimum standard required of a student to complete a course successfully must be that which is referred to as the 60th percentile of the fitness norm for the single standard of the general~~

population. The test must include as a minimum the following events performed in the manner set forth in the manual:

- ~~— (1) Aerobic power test: 1 1/2-mile run.~~
  - ~~— (2) Sit and reach: flexibility test.~~
  - ~~— (3) Muscular endurance: maximum number of sit-ups in 1 minute.~~
  - ~~— (4) Absolute strength: maximum weight for one repetition of the bench press or maximum number of push-ups in 1 minute.]~~
- To pass the examination, a student must:*

- (1) Complete a vertical jump of not less than 14 inches;*
- (2) Complete not less than 15 sit-ups in 1 minute;*
- (3) Complete not less than 18 push-ups;*
- (4) Run 300 meters in not more than 77 seconds; and*
- (5) Walk or run 1.5 miles in not more than 17 minutes and 17 seconds.*

(g) If an agency authorizes the use of the carotid restraint or the lateral vascular neck restraint, the course must include at least 8 hours of instruction in ~~[such]~~ *that* restraint and include presentations on the use of force, the rules of the agency ~~[related]~~ *relating* to safety, medical implications, approved techniques, and instruction on care and control measures. The course provided by such an agency must also include a written test of at least 10 questions requiring a minimum score of 70 percent and a proficiency test requiring a minimum score of 85 percent. The agency shall maintain records of each student's performance in the course.

2. Certification of courses will be made and maintained on the basis of on-site inspections conducted by the executive director or his staff. Inspections will be conducted at ~~least annually~~ *and at other times at* the discretion of the executive director. The agency shall notify the executive director of any proposed changes regarding courses, instructors and facilities.

3. The executive director shall deny, suspend or revoke the certification of any course for failure of the agency to maintain the minimum curriculum, qualified instructors or requirements for the facility established by the commission. The executive director shall automatically suspend the certification of a course that ceases operation for 24 consecutive months.

4. An agency requesting certification of a course shall make the request in writing to the executive director at least 60 days before the course is scheduled to begin. The training course must be reviewed and the request signed by the administrator of the agency and the legal adviser. The executive director shall acknowledge receipt of the request within 5 working days. The executive director shall respond with a detailed review of the course within 30 days and rule on the request within 45 days after his receipt of the request.