CODE OF MARYLAND REGULATIONS
(COMAR)

Title 12 DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES
Subtitle 10 CORRECTIONAL TRAINING COMMISSION
Chapter 01 General Regulations
Authority: Correctional Services Article, §8-208, Annotated Code of Maryland

(As Amended through February 29, 2016)

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12.10.01.01
.01 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) "**Academy**" means a college, school, correctional unit, training unit, or training facility approved or certified by the Commission under this chapter to conduct entrance-level training.

(2) "**Addictions counselor**" means a mandated employee, a Department of Juvenile Services employee, or an employee of a correctional unit:
(a) Designated by the individual's employer as an addictions counselor;
(b) Performing duties similar to duties of an addictions counselor; or
(c) With the primary duty to provide alcohol or substance abuse drug treatment or counseling services for:
(i) Individuals under the jurisdiction of a correctional unit; or
(ii) Juveniles under the jurisdiction of the Department of Juvenile Services.

(3) Agency Head.
(a) "**Agency head**" means:
(i) A warden, a correctional administrator, a sheriff, an individual with an equivalent position, or a designee; or
(ii) An individual appointed, employed, or elected to manage, administer, or supervise a correctional unit, or a designee.
(b) "Agency head" includes the Secretary of Juvenile Services or the Secretary's designee.

(4) "**Applicant**" means the individual named on the application for certification and for whom the correctional unit is seeking certification.

(5) "**Application for certification (AFC)**" means a form approved by the Commission that is an official record verifying that an individual has met the applicable Commission selection standards for a mandated position.

(6) "**Certification**" means the legal authority under Correctional Services Article, §8-208, Annotated Code of Maryland, conferred by the Commission authorizing an individual to exercise duties related to the investigation, care, custody, control, or supervision of inmates in the custody or under the supervision of a correctional unit after complying with applicable Commission selection and training standards specified in this chapter.

(7) "**Classification counselor**" means an employee who provides case management, counseling, or classification services to an inmate in the custody or under the supervision of a correctional facility.

(8) "**Commission**" means the Correctional Training Commission or a representative authorized to act on behalf of the Commission.

(9) "**Correctional officer**" has the meaning stated in Correctional Services Article, §8-201, Annotated Code of Maryland.

(10) "**Correctional unit**" has the meaning stated in Correctional Services Article, §8-201, Annotated Code of Maryland.

(11) "**Criminal gang**" has the meaning stated in Criminal Law Article, §9-801, Annotated Code of Maryland.

(12) "**Department of Juvenile Services employee**" has the meaning stated in Correctional Services Article, §8-201, Annotated Code of Maryland.

(13) "**Deputy Director**" means the Deputy Director for the Police and Correctional Training Commissions, or a designee.

(14) Derogatory Information.
(a) "**Derogatory information**" means negative information developed during a background investigation or reported to a correctional unit that may adversely affect the ability of an individual to perform the duties of a mandated position.
(b) "Derogatory information" includes, but is not limited to, information related to an individual's membership in a criminal gang.

(15) "**Executive Director**" means the Executive Director of the Police and Correctional Training Commissions.

(16) "**Felony conviction**" means an offense classified as such under the law of Maryland, another state, or the United States, including the District of Columbia.

(17) "**First-line administrator**" means a mandated employee who is promoted to a position that is designated by the correctional unit as exercising first-line administrative authority as defined under Correctional Services Article, §8-201, Annotated Code of Maryland, for a correctional administrator.

(18) "**First-line supervisor**" means a mandated employee who is promoted to a position that is designated by the correctional unit as exercising first-line supervisory authority as defined under Correctional Services Article, §8-201, Annotated Code of Maryland, for a correctional supervisor.

(19) "**Institutional support staff**" means a mandated employee who performs one or more of the duties of a correctional officer, but whose primary duties are other than that of a correctional officer, classification counselor, parole and probation agent, or monitor.

(20) "**Juvenile counselor**" means a Department of Juvenile Services employee who provides case management or treatment services for juveniles who are under the supervision of the Department of Juvenile Services.

(21) "**Juvenile Services support staff**" means an individual employed by the Department of Juvenile Services who performs one or more of the duties of a Department of Juvenile Services employee, but whose primary duties are other than those of a juvenile counselor or youth supervisor.

(22) "**Mandated employee**" means an individual required to comply with this chapter.

(23) Mandated Position.
(a) "**Mandated position**" means a job classification required to comply with this chapter.
(b) "Mandated position" includes a correctional officer, classification counselor, institutional support staff member, parole and probation agent, monitor, juvenile counselor, youth supervisor, and Juvenile Services support staff.

(24) Misdemeanor Conviction.
(a) "**Misdemeanor conviction**" includes an offense classified as such by the laws of Maryland, another state, or the United States, including the District of Columbia.
(b) "Misdemeanor conviction" does not include a violation of a federal or state motor vehicle code except for:
(i) Vehicle operation resulting in the death of an individual, such as auto manslaughter;
(ii) Unauthorized use or theft of a motor vehicle;
(iii) Driving while intoxicated, under the influence of drugs, or alcohol, or both; or
(iv) Operating a motor vehicle without a license or while a license is suspended or revoked.

(25) "**Monitor**" means a drinking driver monitor employed by the Division of Parole and Probation.

(26) Moral Turpitude.
(a) "**Moral turpitude**" means conduct that demonstrates negative characteristics directly related to the individual's fitness or qualification to hold a mandated position.
(b) "Moral turpitude" includes, but may not be limited to:
(i) Conduct demonstrating untruthfulness;
(ii) Conduct demonstrating lack of trust;
(iii) Conduct demonstrating lack of responsibility; or
(iv) Other conduct that may undermine public trust.

(27) "**Nonofficer status**" means a situation in which a mandated employee, who continues to be employed by a correctional unit in a mandated position, is temporarily relieved of duties by a correctional unit, without any effect on the mandated employee's Commission certification or eligibility for Commission certification or recertification:
(a) For medical or administrative reasons that prevent the mandated employee from completing Commission-required training; or
(b) For the purpose of suspending Commission-required training.

(28) "**Offense involving violence**" means an offense where the applicant was convicted of a crime involving the application of force or physical violence, the attempt to commit such a crime, or any assault.

(29) "**Parole and probation agent**" means a Division of Parole and Probation employee who provides case management, supervision, and other programming services to individuals under the supervision of the Division of Parole and Probation.

(30) "**Probationary period**" has the meaning stated in Correctional Services Article, §8-209(b), Annotated Code of Maryland for probationary appointment.

(31) "**Provisional appointment**" has the meaning stated in Correctional Services Article, §8-209, Annotated Code of Maryland.

(32) "**Training director**" means the director of an academy, school, or training unit, or a designee, authorized to act for the agency head in training matters.

(33) "**Youth supervisor**" means a Department of Juvenile Services employee who provides custodial services to juveniles under the supervision of the Department of Juvenile Services.

12.10.01.02
.02 Processing and Reporting Employment Status.

A. Completion of the Application for Certification (AFC).
(1) An agency head shall complete an AFC for a correctional officer, classification counselor, institutional support staff, monitor, parole and probation agent, or Department of Juvenile Services employee to apply for certification to a mandated position.
(2) An agency head is responsible for:
(a) Accurately completing the AFC; and
(b) Submitting the AFC to the Commission.
(3) An agency head shall:
(a) Sign the AFC certifying that Commission selection standards have been met; and
(b) Include the date the individual completed the certification requirements.
(4) False or misrepresented information on the AFC is a basis for rejection or revocation of certification by the Commission and may be the basis for administrative or legal action.

B. Filing the AFC.
(1) An agency head shall submit the AFC to the Commission within 1 year after the individual has met each applicable selection standard under Regulation .04 or .08 of this chapter.
(2) The Commission:
(a) Shall issue a provisional appointment for the individual in the mandated position after receipt of a properly completed AFC indicating:
(i) The individual has met each applicable Commission selection standard under Regulation .04 or .08 of this chapter; and

(ii) Each applicable Commission selection standard was met within 1 year before the AFC was submitted to the Commission; or
(b) May certify the individual in the mandated position after receipt of a properly completed AFC indicating completion of the requirements under §B(2)(a) of this regulation and mandated employee entrance-level training requirements under Regulation .09 of this chapter.
(3) An individual for whom an agency head has submitted an AFC in a mandated position may not legally exercise the duties of a mandated position until the individual receives a provisional certification from, or is certified by the Commission.

C. Notification of Change in Employment or Certification Status.
(1) An agency head shall notify the Commission in writing when a mandated employee:
(a) Is separated from employment in a mandated position by death, retirement, dismissal, or resignation;
(b) Is transferred to a different type of mandated position within the correctional unit;
(c) Changes a legal name;
(d) Is promoted to a first-line supervisor;
(e) Is promoted to a first-line administrator; or
(f) Is placed on nonofficer status for more than 30 days when that status prevents the mandated employee from meeting the Commission's training requirements.
(2) An agency head shall report a change in a mandated employee's employment status under this section within 30 days of the change in a format or on a form approved by the Commission.
(3) An agency head shall include in the notification required under §C(1) of this regulation:
(a) The mandated employee's name and Commission-assigned identification number;
(b) The date of the action;
(c) A statement indicating the change in status; and
(d) In a case of separation from employment with a correctional unit or from a mandated position or placement on nonofficer status, information indicating whether at the time of the separation or placement on nonofficer status the mandated employee was under:
(i) Criminal or administrative investigation;
(ii) Indictment;
(iii) Formal charges;
(iv) Suspension; or
(v) Other similar action.
(4) Criminal Charges.
(a) An agency head shall notify the Commission when a mandated employee:
(i) Is convicted of a felony;
(ii) Is convicted of a misdemeanor punishable by imprisonment for 1 year or more;
(iii) Serves a term of incarceration for a conviction of a misdemeanor offense;
(iv) Serves a term of incarceration as a condition of probation for a felony or misdemeanor criminal offense; or
(v) Is separated from employment with a correctional unit or from a mandated position while criminal charges filed against the employee were pending and any pending charge was a felony or misdemeanor punishable by imprisonment for 1 year or more.
(b) An agency head shall include in the notification required under §C(4)(a) of this regulation information concerning the conviction, term of incarceration, or allegations being reported.

(c) An agency head shall submit the notification under §C(4)(a) of this regulation to the Commission in a format or on a form approved by the Commission within 10 days of the date:
(i) A conviction under §C(4)(a)(i), (ii), or (iv) of this regulation became known to the agency head;
(ii) The mandated employee is separated from employment with a correctional unit or a mandated position; or
(iii) A mandated employee is placed on nonofficer status because the individual has been charged with a crime under §C(4)(a)(i) or (ii) of this regulation.
(5) An agency head shall make the notification required under §C(4)(a) of this regulation regardless of the outcome of administrative plea negotiation.
(6) Audit and Records.
(a) The Commission has the legal authority to audit records of reporting requirements, selection standards and training provided according to this chapter.
(b) A correctional unit or academy shall retain records of an individual's:
(i) Training for a minimum of 3 years from the date the individual completed the training; and
(ii) Selection standards for a minimum of 5 years from the date an application for certification or recertification is submitted on behalf of the individual.

12.10.01.03
.03 Provisional Appointment.

A. The Commission may grant a provisional appointment to a mandated employee after the individual meets the applicable selection standards under Regulation .04 or .08 of this chapter.

B. An individual may not:
(1) Perform the duties of a mandated position unless the individual has met the applicable selection standards under Regulation .04 or .08 of this chapter; or
(2) Be authorized to carry or use a firearm unless the individual has successfully completed firearms training and qualification requirements under COMAR 12.10.04.

C. An individual may not perform the duties of a mandated position under a provisional appointment beyond the individual's probationary period.

D. An individual with a Commission provisional appointment to a mandated position classified as a correctional officer, classification counselor, institutional support staff, parole and probation agent, monitor, juvenile counselor, youth supervisor, or Juvenile Services support staff who changes from the original position to another of these positions shall receive a new provisional appointment in the new mandated position to provide the opportunity to obtain applicable training for the new mandated position required under Regulation .09 of this chapter.

E. A provisional appointment is valid until:
(1) 365 cumulative days have elapsed from the initial date of the provisional appointment;
(2) It is determined that the applicable selection standards have not been met;
(3) The individual has been certified; or
(4) The individual's employment in a mandated position is terminated.

F. A provisional appointment to a mandated position under this regulation may be made for a formerly certified mandated employee who:
(1) Has not been in a mandated position with a correctional unit for over 3 years; and
(2) Meets the appropriate selection standards under Regulation .04 of this chapter.

G. Probationary Period.
(1) After an individual has met the applicable selection standards under Regulation .04 or .08 of this chapter and received a provisional appointment, the Commission shall grant a probationary period of up to 365 days to the mandated employee to perform mandated employee duties while awaiting the opportunity to complete the entrance-level training required under Regulation .09 of this chapter.
(2) The probationary period begins on the first day of the Commission provisional appointment.
(3) The 365-day period is cumulative and may not be lengthened by multiple employments in the same mandated position by different correctional units or periodic employment with the same correctional unit.
(4) If an individual transfers as a new employee in the same mandated position from one correctional unit to another correctional unit before successfully completing the required entrance-level training, the probationary period continues from the date of the first provisional appointment, less any time the individual is not employed in the same mandated position by a correctional unit.
(5) A Commission probationary period for a mandated position under this chapter does not prohibit a correctional unit from imposing a probationary period that may:
(a) Exceed that established by the Commission; or
(b) Be in addition to that imposed by the Commission.

12.10.01.04
.04 Selection Standards for Appointment to a Mandated Position and Documentation Requirements.

A. Age. An applicant shall be 18 years old or older:
(1) On the date of provisional appointment; or
(2) To begin entrance-level training for a mandated position.

B. Citizenship.
(1) An applicant shall:
(a) Be a United States citizen or a resident alien; and
(b) Submit proof of citizenship or resident alien status to the hiring correctional unit.
(2) If the applicant is a resident alien, an agency head shall submit a copy of the applicant's identification card or other official documentation issued by Immigration and Customs Enforcement of the United States Department of Homeland Security with the AFC.

C. Education Requirements.
(1) Correctional Officer, Monitor, or Youth Supervisor.
(a) An applicant for a mandated position classified as a correctional officer, monitor, or youth supervisor shall possess a:
(i) High school diploma issued by a high school or recognized by the State Board of Education; or
(ii) General Educational Development (GED) certificate or diploma issued by another state or recognized by the State Board of Education.
(b) An agency head may accept a baccalaureate degree from an accredited college or university recognized by the Maryland Higher Education Commission in place of the high school diploma required under §C(1)(a) of this regulation.
(c) In the absence of a copy of a diploma, an agency head may accept a certified transcript indicating that an individual successfully completed the requirements for graduation from a high school or college under §C(1) of this regulation.
(d) If an applicant required to submit proof of education under §C(1)(a) of this regulation received a General Educational Development (GED) certificate or diploma outside Maryland or while in the military service and no certificate or diploma was issued, an agency head may accept a copy of the GED test scores that meet requirements established by the State Board of Education.
(2) Classification Counselor or Parole and Probation Agent. An applicant for a mandated position classified as a classification counselor or parole and probation agent shall possess a baccalaureate degree from an accredited college or university recognized by the Maryland Higher Education Commission.
(3) Institutional Support Staff. An agency head shall establish the educational requirements for a mandated position classified as institutional support staff.
(4) Juvenile Counselor. An applicant for a mandated position classified as a juvenile counselor shall possess at least:
(a) A baccalaureate degree from an accredited college or university recognized by the Maryland Higher Education Commission; or
(b) An associate of arts degree from an accredited college or university recognized by the Maryland Higher Education Commission and a minimum of 2 years experience providing direct service to delinquent, emotionally disturbed, socially maladjusted, victimized, or exceptional children.
(5) Juvenile Services Support Staff. The Department of Juvenile Services shall establish the educational requirements for a mandated position classified as juvenile services support staff.
(6) Documenting and Reporting Education Requirements.
(a) An agency head shall maintain a copy of an appropriate diploma or other acceptable documentation submitted by the applicant demonstrating that the applicant meets the education requirements for a mandated position under §C of this regulation.
(b) An agency head shall include information indicating that the applicant for employment in a mandated position meets the education requirements under §C of this regulation on the AFC form.

D. Background Investigation and Criminal History Record Check.
(1) An agency head, or a designee, shall perform a background investigation and criminal history record check of an applicant for a mandated position.

(2) An agency head, or a designee, shall include in the criminal history record check a fingerprint check as required under Regulation .05 of this chapter.

E. Physical and Mental Health Examinations.
(1) Physical Examinations.
(a) An agency head shall:
(i) Require that an applicant is examined by a licensed, trained, and qualified medical health care professional; and
(ii) Receive a positive recommendation from the medical health care professional.
(b) To be eligible for certification in a mandated position, the medical health care professional's recommendation shall indicate that the applicant is physically able to:
(i) Perform duties of the mandated position for which the applicant is applying as determined by a correctional unit;
(ii) Participate in the entrance-level training required by the Commission for the mandated position for which the individual is applying; and
(iii) Participate in training required by the correctional unit.
(2) Mental Health Examination.
(a) An agency head shall:
(i) Require that an applicant is examined by a licensed, trained, and qualified mental health care professional; and
(ii) Receive a positive recommendation from the mental health care professional.
(b) To be eligible for certification in a mandated position, the mental health care professional's recommendation shall indicate that the applicant is:
(i) Emotionally and mentally fit; and
(ii) Able to perform duties of the mandated position for which the applicant is applying as determined by a correctional unit.
(3) Certification of Medical and Mental Health Examination Results.
(a) An agency head shall provide the following information concerning an applicant's medical and mental health examination with the AFC:
(i) The names of the licensed medical and mental health care professionals performing the examinations; and
(ii) The date the medical and mental health examinations were performed.
(b) An agency head shall retain and maintain documentation concerning an applicant's medical and mental health examinations according to statutory and regulatory requirements.

F. Oral Interview.
(1) An agency head, or a designee, shall:
(a) Require that an applicant for a mandated position participates in an oral interview to assess the applicant's ability to communicate; and
(b) Include the name of the individual conducting the oral interview and the date of the interview on the AFC.
(2) An agency head, or a designee, shall maintain a record of the interview.

G. Drug Screening.
(1) An agency head shall require that an applicant for a mandated position submits to a drug screening to test for controlled dangerous substances, narcotic drugs, and marijuana according to Regulation .21 of this chapter.
(2) The agency head, or a designee, shall maintain a record of the drug screening test results and include the drug screen test results on the AFC.
(3) If the drug screening test results exceed the levels specified under Regulation .21of this chapter, the Commission may not certify the individual in the mandated position, unless the positive drug screening test for a controlled dangerous substance, narcotic drug, or marijuana is determined to be the result of a legitimate ingestion or exposure as provided under Regulation .21 of this chapter.

H. This regulation does not prohibit an agency head from establishing more restrictive standards than Commission standards for certifying an individual in a mandated position.

I. An agency head may submit a request for a waiver of the minimum standards under this regulation according to requirements under Regulation .19 of this chapter.

12.10.01.05
.05 Background Investigation and Criminal History Record Checks.

A. Background Investigation.
(1) An agency head or agency authorized under §A(7) of this regulation shall perform a background investigation to determine if an applicant:
(a) Is of good moral character and reputation;
(b) Is emotionally stable;
(c) Displays the suitable behavior necessary to perform the duties of the mandated position; and
(d) Has, at any time, been a member of a criminal gang.
(2) An agency head shall ensure that a background investigation includes:
(a) A check of military records, when applicable, including obtaining a complete copy of discharge documents;
(b) A report from a credit agency regarding current and past credit history;
(c) Examination of school records or interviews with school officials if the applicant attended a school within the last 5 years;
(d) Interviews of:
(i) Personal references;
(ii) Neighbors within the last 5 years;
(iii) Current and past employers within the last 5 years; and
(iv) Coworkers within the past 5 years;
(e) An investigation for prior use of controlled dangerous substances, narcotic drugs, and marijuana as specified under Regulation .22 of this chapter; and
(f) A search for information related to an applicant that is reported by the following criminal gang database systems:
(i) GangNet;
(ii) RISSNET; or

(iii) Other criminal gang database systems approved by the Commission.
(3) An agency head shall use a background investigation to determine whether:
(a) Information concerning the applicant's citizenship, mental and emotional fitness, and other information is accurate;
(b) The applicant is capable of performing duties of the mandated position; and
(c) The applicant meets the Commission's requirements for the mandated position.
(4) Interviews may be conducted:
(a) In person;
(b) By telephone;
(c) By using a correctional unit form or questionnaire that the interviewer or individual interviewed is required to complete; or
(d) By other lawful methods designed to elicit useful information from a person concerning the applicant.
(5) Personal Interview.
(a) The Commission considers a personal interview appropriate when the individual to be interviewed is within 50 miles of the correctional unit.
(b) Interviews with personal references and others not residing in Maryland may be conducted by correspondence or telephone.
(6) Out-of-State Applicant.
(a) If an applicant has resided or been employed in another state, an agency head:
(i) May permit the background investigation to be performed by a law enforcement agency or a legitimate private background investigation agency in the area where the applicant lived or worked outside of the State; and
(ii) Shall ensure that a search for information related to an applicant is conducted using a reliable criminal gang database system in the state where the applicant resided or was employed.
(b) If an applicant was employed in a mandated position for the federal government or another state, an agency head shall include the following information on the AFC:
(i) The name of the federal or state organization employing the applicant in a mandated position; and
(ii) Information received from the previous out-of-State federal or state employer concerning the applicant.
(7) Investigations By Other Agencies. The hiring agency head may conduct the Commission-required background investigation or may authorize another individual, office, or agency to conduct the Commission-required background investigation.
(8) An agency head, or a designee, submitting an AFC for an applicant shall:
(a) Maintain a record of the applicant's background investigation; and
(b) Include the result of the background investigation on the AFC.
(9) Derogatory Information.
(a) If derogatory information is discovered during the background investigation, an agency head shall submit details with the AFC.
(b) The Commission may refuse to certify an applicant in a mandated position based upon derogatory information.

B. Criminal History Record Checks and Fingerprints.
(1) An agency head submitting an AFC for an applicant to be certified as a correctional officer or Department of Juvenile Services employee shall require that the applicant:

(a) Be fingerprinted; and
(b) Apply to the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services for a State and national criminal history records check.
(2) An applicant applying for a criminal history records check under this section shall request the results of the criminal history records check be provided to the:
(a) Applicant;
(b) Commission; and
(c) Agency submitting the AFC for the applicant.
(3) Record of Criminal Conviction.
(a) The Commission shall include with the Commission's records for the applicant's AFC results of the criminal history records check that reveal an applicant has:
(i) Been convicted or otherwise found guilty of a felony;
(ii) Been convicted or otherwise found guilty of a misdemeanor for which a sentence of imprisonment of 1 year or more may be imposed;
(iii) Served a term of incarceration for a conviction of a misdemeanor offense; or
(iv) Served a term of incarceration as a condition of probation for a felony or misdemeanor criminal offense.
(b) The Commission may not certify an applicant in a mandated position if the applicant has a conviction for an offense under Regulation .20 of this chapter.
(4) The Commission shall notify the applicant that the applicant may contest the contents of the criminal history records check results as provided under Criminal Procedure Article, Title 10, Annotated Code of Maryland.
(5) The Commission may refuse to certify the applicant based on derogatory information resulting from the criminal history records check or other verified reliable source.

12.10.01.06
.06 Certification of a Mandated Employee.

A. Mandated Employee Certification Requirements. The Commission shall certify an individual for appointment to a mandated position after the individual:
(1) Meets selection standards established under Regulation .04 of this chapter;
(2) Successfully completes training for that position under Regulation .09 of this chapter; and
(3) Successfully completes a field training program under Regulation .23 of this chapter.

B. Mandated Employee Period of Certification.
(1) The Commission shall determine the period of certification for a mandated employee.
(2) A mandated employee's certification is valid for the period determined by the Commission or until the employee:
(a) Is separated from employment;
(b) Does not meet the Commission's standards;
(c) Is transferred from a mandated position to a nonmandated position; or
(d) Is transferred from one mandated position to another mandated position with different selection or training requirements that the individual has not met.

C. Mandated Employee Certification—Renewal.

(1) The Commission shall establish a schedule for renewing mandated employee certification.
(2) The Commission shall renew a mandated employee's certification if the individual meets the Commission's annual training requirements under Regulation .16 of this chapter.
(3) If a mandated employee is not eligible for certification renewal under §C(2) of this regulation, at least 30 days before the end of the current certification the Commission shall:
(a) Notify the mandated employee's agency head of the date that the current mandated employee's certification will end; and
(b) Request the agency head to supply information that may affect the mandated employee's eligibility for certification renewal.
(4) If notified under the provisions of §C(3)(a) of this regulation, the agency head shall notify the affected mandated employee of the date the certification ends before the date the employee's certification ends.

D. Mandated Employee Certification—Lapse.
(1) A mandated employee's certification lapses on the date recorded on the certification card if it has not been renewed under §C of this regulation.
(2) An agency head may not permit a mandated employee to perform the duties of a mandated position if the mandated employee's certification has lapsed.
(3) If the mandated employee's certification has lapsed because the mandated employee did not meet the Commission's annual training standards, the mandated employee may request a hearing before the Commission to show that the mandated employee was not at fault and that:
(a) The employer did not provide the mandated employee with the required training; or
(b) The mandated employee's duty assignment prevented the individual from attending or completing the required training.
(4) If a hearing is requested under §D(3) of this regulation, the Commission shall conduct the hearing according to procedures under State Government Article, Title 10, Subtitle 2, Annotated Code of Maryland.
(5) If a hearing is conducted and the Commission determines that the mandated employee was not at fault because a condition under §D(3)(a) or (b) exists:
(a) The Commission shall extend certification to provide the opportunity for the mandated employee and the employer to meet the Commission's training requirements;
(b) The agency head shall continue to employ the mandated employee at the employee's established pay rate, regardless of the duties assigned, pending completion of required training; and
(c) The Commission may order the employer to pay all reasonable hearing costs.

E. Mandated Employee Recertification. The Commission shall recertify an individual formerly certified as a mandated employee in Maryland after the individual meets the applicable selection and training standards under Regulation .07 of this chapter.

F. Certification Card.
(1) The Commission shall issue a certification card to an individual who has met the Commission's certification requirements for a mandated position.
(2) The Commission shall determine the format and contents of the certification card.
(3) The certification card indicates that the individual is authorized to perform the duties of the mandated position.

(4) The mandated employee's agency head:
(a) Is responsible for the cost of replacing an issued, current certification card; and
(b) May require a mandated employee to reimburse the agency for the cost of replacement.
(5) A mandated employee shall, to the extent possible, possess a valid certification card while the mandated employee is on duty.
(6) A certification card issued by the Commission:
(a) Lapses at midnight on the date printed on the card;
(b) Remains the property of the Commission; and
(c) Shall be returned, by an agency head, to the Commission when an individual is no longer employed as a mandated employee.
(7) An agency head shall return a mandated employee's certification card, removed from the individual under §F(6)(c) of this regulation, to the Commission within 30 working days of the date the individual is no longer employed as a mandated employee.
(8) An agency head shall retain the certification card of a mandated employee on nonofficer status until the individual:
(a) Returns to active duty; or
(b) Is no longer employed in a mandated position.

G. Department of Juvenile Services Contractor Employee Selection, Training Standards, and Certification Requirements.
(1) An employee of a nonprofit or for-profit organization (contractor) under contract with the Department of Juvenile Services performing duties equivalent to those performed by a Department of Juvenile Services employee in a mandated position shall meet the same selection and training standards and certification requirements as the Department of Juvenile Services mandated employee.
(2) If the contractor under §G(1) of this regulation changes or the Department of Juvenile Services assumes responsibility for the services previously provided by a contractor, mandated employee certification for a contractual employee shall continue under a new contractor or the Department of Juvenile Services if the employee:
(a) Continues employment under the new contractor or the Department of Juvenile Services without a break in service that exceeds 30 days;
(b) Continues to perform the same duties and responsibilities of the mandated position for which the employee is certified;
(c) Under the new employer, continues to perform duties at a facility formerly under the authority of the previous contractor; and
(d) Continues to meet Commission training and certification requirements for the mandated position.

12.10.01.07
.07 Recertification Requirements.

A. The Commission may recertify an applicant in a mandated position if the applicant was previously certified in the same mandated position when:
(1) Hired by a second or successive correctional unit in the same mandated position within 3 years of termination from the previous correctional unit;

(2) The Commission receives a completed AFC for the individual; and
(3) The applicant meets applicable Commission-required:
(a) Recertification standards for the mandated position under Regulation .08 of this chapter; and
(b) Applicable training standards under §C or D of this regulation for the mandated position.

B. Recertification. The Commission may grant a provisional certification to an applicant who has received a previous provisional certification to a mandated position but was not certified by the Commission in that mandated position after the applicant met the recertification standards for the mandated position under Regulation .08 of this chapter.

C. Recertification to a Mandated Position Within 3 Years of Separation.
(1) The Commission may recertify an applicant previously certified by the Commission in a mandated position without requiring the applicant to meet Commission entrance-level training requirements under Regulation .09 of this chapter if the applicant:
(a) Has been separated from a correctional unit for less than 3 years;
(b) Receives a provisional certification at a new or the same correctional unit in the same mandated position;
(c) Meets Commission recertification standards under Regulation .08 of this chapter; and
(d) Meets Commission training requirements under §C(2) of this regulation.
(2) Training Requirements for Mandated Employee Recertification.
(a) In-Service Training.
(i) If an applicant has met the in-service training requirements for the current or previous calendar year, additional in-service training is not required for recertification in the same mandated position.
(ii) If an applicant has not met the in-service training requirements for the current or previous calendar year, the applicant shall successfully complete in-service training required under Regulation .16 of this chapter for the mandated position before recertification.
(b) Firearms Training and Qualification — Recertification Requirements.
(i) A mandated employee required to carry or use a firearm shall complete firearms training and qualification requirements under Regulation .16 of this chapter with each firearm that the individual is authorized to carry or use before the individual is permitted to carry or use the firearm.
(ii) An applicant is required to meet firearms training and qualification requirements under Regulation .16 of this chapter before recertification regardless of firearms training and qualifications completed at a previous correctional unit.

D. Recertification to a Mandated position After 3 Years of Separation.
(1) The Commission may recertify an applicant in a mandated position who has been separated from employment at a correctional unit in a mandated position for 3 years or more and the applicant is reemployed at the same or a new correctional unit after the applicant:
(a) Meets Commission recertification standards under Regulation .08 of this chapter; and
(b) Successfully completes:
(i) Entrance-level training under Regulation .09 of this chapter for the mandated position; and
(ii) If the applicant is required to carry or use a firearm, entrance-level firearms training and qualification for each firearm the applicant is required to carry or use according to requirements under COMAR 12.10.04.

(2) The Commission may grant an applicant under this regulation a new provisional certification under Regulation .03 of this chapter to provide an opportunity to complete the required training.

12.10.01.08
.08 Standards for Recertification.

A. An applicant for recertification to a mandated position who previously received a provisional certification in a mandated position by the Commission shall meet the standards under this regulation for the mandated position that the applicant is seeking recertification to before the applicant may perform duties of the mandated position.

B. Information Required for a Recertification Applicant. An agency head, or a designee, submitting an AFC for recertification under this regulation shall require that the following are performed for the applicant:
(1) A criminal history record check and fingerprinting under Regulation .05 of this chapter;
(2) A drug screening under Regulation .21 of this chapter;
(3) A check with the applicant's previous correctional unit to:
(a) Determine the reason for separation;
(b) Ensure that the applicant left in good standing; and
(c) Assess past work performance;
(4) An investigation for the applicant's prior use of controlled dangerous substances, narcotic drugs, and marijuana according to requirements under Regulation .22 of this chapter;
(5) The physical and mental health examinations required under Regulation .04 of this chapter; and
(6) The background investigation review and assurances, or full background investigation, as required under §E of this regulation.

C. Required Additional Information for Certain Applicants. If an applicant for recertification has not been employed in a mandated position at a correctional unit for the last 90 days or more before filing an AFC for recertification, in addition to information required under §B of this regulation, the agency head, or a designee, shall conduct a modified background investigation for the period that the applicant was not employed in a mandated position at a correctional unit that includes obtaining information related to the applicant through:
(1) A check with each employer during the applicant's absence from mandated duties and responsibilities;
(2) A check with the applicant's coworkers during the applicant's absence from mandated duties and responsibilities; and
(3) Interviews of personal references and neighbors provided by the applicant for the most recent period of the applicant's absence from mandated duties and responsibilities.

D. An agency head, or a designee, shall:
(1) Complete an AFC to verify that applicable selection standards have been met; and
(2) Forward, to the Commission, the completed AFC along with criminal history record check and derogatory information discovered during the background investigation.

E. Review of Previous Background Investigations.

(1) An agency head, or a designee, submitting an AFC for recertification shall review the background investigation conducted by the applicant's previous agency head to ensure that a complete and accurate investigation was performed.
(2) The agency head, or a designee, submitting an AFC for recertification is responsible for correcting any omission or discrepancy in a prior background investigation that was conducted in conjunction with an AFC submitted to the Commission by an agency head less than 5 years from the date of the applicant's AFC for recertification.
(3) If records of a previous background investigation are not available, the agency head, or a designee, submitting an AFC for recertification shall conduct a full background investigation according to requirements under Regulation .05 of this chapter.

12.10.01.09
.09 Minimum Standards for Mandated Employee Entrance-Level Training.

A. An applicant for certification in a mandated position shall successfully complete the Commission-approved entrance-level training for the mandated position in which the individual is employed before the Commission may certify the individual in the mandated position.

B. General Requirements.
(1) The entrance-level training required by this regulation for a mandated position shall:
(a) Be approved by the Commission; and
(b) Include the mandated subject areas and minimum training hours under this regulation for a specific mandated position.
(2) The Commission may not permit hours used to meet entrance-level firearms training and qualification requirements under COMAR 12.10.04 or field training requirements under Regulation .23 of this chapter as part of the minimum hours of entrance-level training specified for each mandated position in this regulation, regardless of whether the activity is conducted contemporaneously with or separate from the entrance-level training.

C. Correctional Officer and Classification Counselor — Entrance-Level Training Requirements.
(1) Commission-approved entrance-level training for a mandated position classified as a correctional officer or classification counselor is a minimum of 160 hours.
(2) Commission-approved entrance-level training for a mandated position classified as a correctional officer or classification counselor shall include the following subject areas:
(a) Administrative procedures;
(b) Introduction to corrections;
(c) Supervision, interpersonal relations, and treatment of inmates;
(d) Security, custody, and control of inmates; and
(e) Discipline of inmates.

D. Institutional Support Staff — Entrance-Level Training Requirements.
(1) Commission-approved entrance-level training for a mandated position classified as institutional support staff requires an individual to successfully complete entrance-level training:
(a) Required under §C of this regulation; or
(b) Required under §D(2) of this regulation.

(2) Commission-approved entrance-level training for a mandated position classified as institutional support staff is a minimum of 88 hours and shall include the subject areas required under §C(2) of this regulation.

E. Parole and Probation Agent — Entrance-Level Training Requirements. Commission-approved entrance-level training for a mandated position classified as a parole and probation agent is a minimum of 204 hours and shall include the following subject areas:
(1) Program orientation and evaluation;
(2) Introduction to corrections;
(3) Supervision tasks;
(4) Investigation tasks; and
(5) Enforcement tasks.

F. Parole and Probation Drinking Driver Monitor — Entrance-Level Training Requirements. Commission-approved entrance-level training for a mandated position classified as a parole and probation agent drinking driver monitor is a minimum of 90 hours and shall include the following subject areas:
(1) Program orientation and evaluation;
(2) Introduction to corrections;
(3) Administrative tasks;
(4) Monitoring tasks; and
(5) Enforcement tasks.

G. Youth Supervisor — Entrance-Level Training Requirements.Commission-approved entrance-level training for a mandated position classified as a youth supervisor is a minimum of 160 hours and shall include the following subject areas:
(1) Juvenile services in the criminal justice system;
(2) Human growth and development;
(3) Laws and regulations;
(4) Assessment;
(5) Custody and control;
(6) Transportation;
(7) Integrated case management;
(8) Documentation;
(9) Safety and security; and
(10) First aid.

H. Juvenile Counselor — Entrance-Level Training Requirements. Commission-approved entrance-level training for a mandated position classified as a juvenile counselor is a minimum of 160 hours and shall include the following subject areas:
(1) Juvenile services in the criminal justice system;
(2) Human growth and development;
(3) Laws and regulations;
(4) Assessment;
(5) Integrated case management;
(6) Counseling;

(7) Documentation;
(8) Safety and security; and
(9) First aid.

I. Juvenile Services Support Staff — Entrance-Level Training Requirements. Commission-approved entrance-level training for a mandated position classified as juvenile services support staff is a minimum of 80 hours and shall include the following subject areas:
(1) Juvenile services in the criminal justice system;
(2) Human growth and development;
(3) Laws and regulations;
(4) Documentation;
(5) Safety and security; and
(6) First aid.

12.10.01.10
.10 Commission Mandated Employee Entrance-Level Training Performance Objectives.

A. For the Commission to approve mandated employee entrance-level training, the entrance-level training shall include activities that ensure that an individual applying for certification in a mandated position has met performance objectives that:
(1) Are composed and sanctioned by the Commission; and
(2) Address tasks that are essential to the applicable mandated position regardless of the correctional unit employing the individual.

B. The Commission shall furnish a copy of the performance objectives upon request by a correctional unit, academy, or school.

C. An agency head or training director, or a designee, providing Commission-approved mandated employee entrance-level training shall:
(1) Cover the Commission performance objectives during Commission-approved entrance-level training exactly as written by the Commission; and
(2) Determine the sequence, content, and duration of training to cover the Commission's performance objectives.

12.10.01.11
.11 Successful Completion of Commission-Approved Mandated Employee Entrance-Level Training.

A. The training director, or a designee, shall conduct testing to verify that each individual attending Commission-approved mandated employee entrance-level training has learned or can perform each of the Commission's performance objectives in each subject area required for the applicable mandated position.

B. A training director, or a designee, may use a single question or demonstration to test an individual for knowledge or performance of:
(1) A single Commission performance objective; or
(2) Multiple Commission performance objectives.

C. An individual attending Commission-approved entrance-level training for certification in a mandated position shall achieve a score of 75 percent on each test or demonstration to be eligible for certification by the Commission in the mandated position.

D. An individual attending Commission-approved entrance-level training for certification in a mandated position who is absent for more than 10 percent of the training may not be certified by the Commission unless the academy director determines that the individual has completed sufficient work.

E. A training director of an academy conducting Commission-approved entrance-level training for certification in a mandated position may require the individual attending to meet entrance-level training requirements, standards, and objectives that exceed entrance-level training requirements, standards, and objectives required by the Commission.

F. Once an individual completes Commission-approved mandated employee entrance-level training, the training director, or a designee, shall:
(1) Report to the Commission, in a format determined by the Commission, the results of each individual attending the training for certification in a mandated position; and
(2) Maintain records of the tests and testing procedures for each individual attending the training.

G. Failure to Successfully Complete Mandated Employee Entrance-Level Training.
(1) If an individual attending Commission-approved mandated employee entrance-level training does not meet the requirements for successful completion of the training:
(a) The training director, or a designee, shall notify the individual's agency head; and
(b) The Commission may not certify the individual in the applicable mandated position.
(2) An agency head may request in writing that the Deputy Director permit an individual who does not successfully complete Commission-approved entrance-level training for certification in a mandated position to attend one additional Commission-approved entrance-level training to attempt to meet the Commission's requirements for entrance-level training for the same mandated position.

12.10.01.12
.12 Alternate Entrance-Level Training Requirements.

A. An individual shall successfully complete Commission-approved entrance level training under §B of this regulation within 1 year of appointment if the individual is:
(1) Employed in a State, county, or municipal position that is not a mandated position under this chapter and performs duties and responsibilities similar to a mandated employee; or
(2) Under private contract to operate a:
(a) Community adult rehabilitation center;

(b) Prerelease unit;
(c) Work release unit; or
(d) Other community residential program for offenders.

B. An individual described under §A of this regulation shall successfully complete Commission-approved entrance level training according to requirements under either:
(1) §C under Regulation .09 of this chapter; or
(2) §D under Regulation .09 of this chapter and 100 hours of training meeting requirements of §C of this regulation.

C. The 100 hours of training required under §B(2) of this regulation:
(1) May be developed by the individual's employing agency;
(2) Shall be approved by the Commission; and
(3) Shall, at a minimum, include the following subject areas:
(a) Orientation to and a tour of the correctional unit or community program;
(b) The correctional unit's or community program's:
(i) Mission;
(ii) Policy and procedures;
(iii) Staffing; and
(iv) Resident population or program participants;
(c) Facility security and control and emergency and fire control procedures; and
(d) Either:
(i) The American Red Cross basic first aid and safety program; or
(ii) Another first aid and safety program approved by the Commission.

D. An employer of an individual required to meet entrance-level training requirements under this regulation shall:
(1) Forward to the Commission, in a form or in a format provided by the Commission, information concerning an employee's entrance-level training required under this regulation; and
(2) Maintain records of each employee's successful completion of entrance-level training under this regulation for audit by the Commission.

12.10.01.13
.13 Minimum Standards for Attending an Academy Providing Commission-Approved Mandated Employee Entrance-Level Training.

A. In addition to Commission requirements for selection and attending an academy providing Commission-approved mandated employee entrance-level training, the individual may be required to meet standards established by the agency head.

B. Before an individual may attend Commission-approved mandated employee entrance-level training, the agency head, or a designee, shall:
(1) Have the individual complete the requirement for a medical examination under regulation .04 of this chapter that indicates that the individual is physically able to participate in the Commission-approved mandated employee entrance-level training;

(2) Conduct a criminal history record check of the National Crime Information Center (NCIC) files that meets selection requirements under Regulation .04 of this chapter;
(3) Provide the individual with a copy of the selection standards under Regulation .04 of this chapter; and
(4) Have the individual attending the training acknowledge in writing that the individual is aware that completion of the Commission-approved entrance-level training is not a guarantee of Commission certification in a mandated position.

C. Entrance-Level Firearms Training.
(1) A mandated employee authorized to use a firearm shall successfully complete the entrance-level firearms training program under COMAR 12.10.04 before being issued or permitted to carry a firearm.
(2) A firearms program may be taken as part of an entrance-level training program or taken separately.

12.10.01.14
.14 Commission Certification Requirements for an Academy Providing Commission-Approved Mandated Employee Training.

A. Academy Certification.
(1) The Commission may certify an academy to conduct Commission-approved mandated employee training.
(2) The Commission may approve the following types of academy certification:
(a) Temporary certification that authorizes an academy to conduct Commission-approved mandated employee training under limited conditions;
(b) Provisional certification that provides an academy preliminary approval to conduct Commission-approved mandated employee training before receiving certification; or
(c) Certification authorizing an academy to conduct Commission-approved mandated employee training subject to continued compliance with Commission academy standards.
(3) The Commission shall establish standards required to be met for each type of academy certification provided under §A(2) of this regulation.

B. General Requirements. An academy seeking certification to provide Commission-approved mandated employee training shall submit a request to the Commission documenting that the academy:
(1) Has a need to conduct Commission-approved mandated employee training;
(2) Is in compliance with Commission standards for instructors and curricula;
(3) Provides an atmosphere that supports learning;
(4) Provides suitable lighting, ventilation, and acoustic qualities;
(5) Meets applicable federal, State, and local health, safety, and fire safety laws and regulations;
(6) Has a physical structure that if practical provides:
(a) At least 25 square feet of classroom space for each individual attending;
(b) Locker space for each individual attending;
(c) Appropriate desk space, work tables, and seating to support classroom and other related learning activities;

(d) Storage for learning and training materials; and
(e) Instructional and training equipment and material to support the training provided;
(7) Has adequate space for skills training and conducting practical exercises; and
(8) Has an instructor certified by the Commission or the Police Training Commission to conduct Commission-approved mandated employee training, unless the individual providing the training is exempt under COMAR 12.10.06 or COMAR 12.04.06 from instructor certification requirements.

C. Commission certification of an academy under this regulation is not an exemption from Commission requirements for Commission approval of training provided by the academy under Regulations .09 and .16 of this chapter.

D. Individuals Attending Commission-Approved Training.
(1) If an individual is attending Commission-approved mandated employee training that is required by the Commission for the mandated position, the individual's agency head, or a designee, shall:
(a) Excuse the individual from performing assigned duties and responsibilities during the training; and
(b) Compensate the individual at the individual's appropriate salary while attending the training.
(2) The training director of an academy providing the Commission-approved mandated employee training required by the Commission for a mandated position is responsible for the personal conduct of each individual attending the training.
(3) The training director, or a designee, is the commanding official or supervisor for each individual attending the training.
(4) The training director shall provide each individual attending the Commission-approved mandated employee training a copy of the academy's rules and regulations governing the individual's daily conduct while attending the training.
(5) The disciplinary rules or regulations of the academy apply to each individual attending training.
(6) A training director shall notify an individual's agency head if, while at the academy:
(a) The individual commits a breach of conduct that requires disciplinary action; or
(b) The individual's progress in Commission-required subject areas indicates the individual is failing the Commission-approved mandated employee training required by the Commission.
(7) An agency head of an individual failing Commission-approved mandated employee training required by the Commission may withdraw the individual from the training at any time before completing the training.
(8) A training director and the agency head sending the individual to the academy may negotiate arrangements for reimbursement of costs associated with the individual attending the academy.
(9) An individual not employed in a mandated position may voluntarily enroll in an academy to participate in Commission-approved mandated employee training required by the Commission if the individual meets the selection standards specified under Regulation .15 of this chapter.

E. Academy Authority.
(1) An academy certified by the Commission may provide Commission-approved mandated employee:
(a) Entrance-level training;

(b) In-service training;
(c) Supervisor training;
(d) Administrator training;
(e) Instructor training;
(f) Firearms training and qualification; or
(g) Other required training.
(2) A training director may establish rules of conduct for the academy that exceed Commission requirements under this regulation.
(3) A written academy rule or lawful verbal direction or order issued by a Commission-certified academy representative has the same authority as a Commission requirement or standard.
(4) A training director may establish academy requirements for successful completion that exceed Commission requirements.

F. Academy Certification Lapse or Revocation.
(1) Certification Lapse.
(a) Commission certification for an academy shall lapse if the academy does not conduct Commission-approved training for a period of 2 years.
(b) An agency head or training director may apply for the academy's recertification if the agency head or training director can demonstrate the need for the academy to conduct Commission-approved mandated employee training required by the Commission.
(2) Academy Certification Revocation. The Commission may revoke an academy's certification if the academy:
(a) Discontinues presenting Commission-approved training;
(b) Conducts Commission-approved training without Commission-certified instructors providing the training;
(c) Demonstrates a pattern of deficiencies identified by audits or fails to correct identified deficiencies following an audit;
(d) Training director does not successfully complete the training director orientation program under §H of this regulation; or
(e) Violates a provision of this regulation.

G. Academy Audit.
(1) Commission-approved mandated employee training provided by an academy is subject to review and audit by the Commission.
(2) The Commission shall audit a Commission-certified academy providing Commission-approved mandated employee training required by the Commission at least every 2 years.
(3) An agency head or training director responsible for an academy shall correct deficiencies identified during an audit according to requirements established by the Commission and recorded in the Commission's audit report.

H. Training Director Orientation. An individual appointed as a training director of a Commission-certified academy, within 3 months of appointment, shall successfully complete a training director orientation program designed and approved by the Commission.

12.10.01.15
.15 Voluntary Attendance — Commission-Approved Mandated Employee Entrance-Level Training.

A. An individual may voluntarily attend Commission-approved mandated employee entrance-level training if the individual meets the requirements under this regulation, and is not:
(1) Employed in a mandated position;
(2) Currently employed by a correctional unit and required to comply with requirements for a mandated position; or
(3) An applicant for a mandated position.

B. Standards for Voluntary Attendance — Commission-approved Mandated Employee Entrance-Level Training.
(1) An individual who is not an applicant for or employed in a mandated position requesting to voluntarily attend Commission-approved mandated employee entrance-level training shall:
(a) Meet selection standards established for the academy conducting the Commission-approved mandated employee entrance-level training;
(b) Authorize the training director to conduct a records check of the National Criminal Information Center;
(c) Submit to a medical examination conducted by a licensed health care professional and receive written certification from the licensed health care profession that the individual is physically able to participate in the Commission-approved mandated employee entrance-level training;
(d) Be 18 years old or older at the time the individual enters the academy;
(e) Receive from the training director a copy of the selection standards for the mandated position under Regulation .04 of this chapter; and
(f) Acknowledge an understanding, in writing, that successful completion of the Commission-approved mandated employee entrance-level training does not guarantee Commission certification in a mandated position.

C. An agency head hiring an individual for a mandated position may request a waiver, according to Regulation .19 of this chapter, of the Commission-approved mandated employee entrance-level training requirement, if the individual, before applying for the mandated position, voluntarily attended and successfully completed Commission-approved mandated employee entrance-level training for the mandated position within 2 years of being hired by the agency head.

12.10.01.16
.16 Mandated Employee In-Service Training and Firearms Training and Qualification.

A. Mandated Employee In-Service Training.

(1) An agency head shall ensure that a mandated employee at or below the rank of a first-line supervisor completes a minimum of 18 hours of Commission-approved mandated employee in-service training by December 31 of each calendar year.
(2) The Commission shall only accept successful completion of Commission-approved mandated employee in-service training toward a mandated employee's in-service training requirements.
(3) Commission-approved mandated employee in-service training may be conducted, according to Commission requirements, by the individual's agency or another agency.
(4) The Commission does not require a Commission-certified mandated employee to meet the in-service training requirement under this regulation during the same calendar year the mandated employee successfully completed Commission-approved entrance-level mandated employee training for the same mandated position.
(5) The Commission may apply a mandated employee's successful completion of Commission-approved supervisor, administrator, or instructor training toward a mandated employee's in-service training requirement for the calendar year in which the Commission-approved supervisor, administrator, or instructor training was completed.
(6) An agency head who receives a waiver of the Commission requirements for an employee to complete Commission-approved mandated employee entrance-level training under Regulation .19 of this chapter shall ensure that the mandated employee successfully completes Commission-approved mandated employee in-service training during the first full calendar year of employment and during each successive calendar year of employment in the mandated position with the correctional unit.

B. Mandated Employee Firearms Training and Qualification Requirements.
(1) A mandated employee, authorized to carry or use a firearm, shall complete Commission-approved firearms training and qualification under COMAR 12.10.04 during each calendar year.
(2) The Commission does not require a mandated employee required to carry or use a firearm to complete firearms training and qualification under this regulation if, in the same calendar year, the mandated employee successfully completes Commission-approved:
(a) Entrance-level firearms training and qualification with the same firearm;
(b) Firearms instructor training and qualification under COMAR 12.10.04 for the same firearm;
(c) Firearms refresher training and qualification under COMAR 12.10.04 for the same firearm; or
(d) Firearms conversion training and qualification under COMAR 12.10.04 for the same firearm.

C. Mandated Employee In-Service Training and Firearms Training and Qualification Approval.
(1) The Commission shall:
(a) Determine the format for submitting training for approval; and
(b) Assign a program number to approved training.
(2) Training is not approved until the Commission assigns a program number.
(3) A request for the Commission to approve training shall:
(a) Include the topics to be studied;
(b) Include the time allocated to each topic;
(c) Include a brief explanation of why, in terms of current job needs, the topics are included;
(d) Identify each instructor providing training on a specific subject and the number of hours that the instructor is scheduled to provide the training on the subject; and

(e) Unless the Commission instructs otherwise, be submitted to the Commission at least 20 working days before the training is scheduled to begin.
(4) Only an instructor certified by the Commission or the Police Training Commission may conduct Commission-approved training unless the individual providing the training is exempt under COMAR 12.04.06 or 12.10.06 from instructor certification requirements.
(5) Except for provisions under §C(6) of this regulation, the Commission may approve mandated employee training for a period of 3 years.
(6) The agency head or training director of a correctional unit, agency, academy, or school conducting Commission-approved mandated employee training shall submit training to the Commission for approval:
(a) When a significant change is made in the format or content of Commission-approved training; or
(b) After the period of approval established by the Commission has expired.

D. Curriculum, Attendance, and Testing for Mandated Employee In-Service Training, Firearms Training and Qualification.
(1) The agency head or training director shall report a mandated employee's successful completion of Commission-approved in-service training to the Commission on or before January 31 of the year immediately following the training.
(2) The agency head or training director shall report in-service training information in a format determined by the Commission.
(3) Testing.
(a) An agency head or training director providing Commission-approved mandated employee training shall test each mandated employee attending Commission-approved mandated employee training to determine successful completion.
(b) A mandated employee shall achieve a minimum test score of 70 percent on each test before the Commission may apply the training to the mandated employee's training requirements under this regulation.
(c) The commission shall determine the method for reporting a mandated employee's training information.
(4) The Commission requires that an agency head or training director providing Commission-approved mandated employee training establishes a method to evaluate the training provided.
(5) If a mandated employee is absent for more than 10 percent of the time required for a Commission-approved annual in-service training program, including electronic control device and firearms training and qualification, the employee may not receive credit toward the annual in-service training requirements of this chapter for any portion of the program, unless the Deputy Director approves the individual to receive full or partial credit.

E. Attending Training Hosted by Other Agencies.
(1) An agency head or training director responsible for training a mandated employee may send the individual to Commission-approved mandated employee training hosted by another agency without prior Commission approval.
(2) An agency head or training director responsible for training a mandated employee who sends the mandated employee to another agency for Commission-approved training shall:
(a) Ensure that the training has been assigned a program number by the Commission; and
(b) Submit the mandated employee's training information to the Commission.

12.10.01.17
.17 Failure to Complete Commission-Required Mandated Employee In-Service Training and Firearms Training and Qualification.

A. Mandated Employee In-Service Training.
(1) Except as provided under §A(2) of this regulation, if a mandated employee does not complete the 18 hours of in-service training by December 31 of a calendar year, the agency head or training director responsible for training the mandated employee shall add the number of hours of in-service training missed to the new calendar year's required 18 hours of in-service training.
(2) If a mandated employee is scheduled for certification renewal on July 1 of any year, but does not receive the entire 18 hours of mandated employee in-service training by December 31 of the previous calendar year, the agency head or training director responsible for training the mandated employee shall:
(a) Provide the employee, before the July 1 date on which the employee is scheduled for certification renewal, the Commission-approved mandated employee in-service training missed in the previous calendar year; and
(b) Provide the current year's requirement of 18 hours of Commission-approved mandated employee in-service training by December 31 of the current calendar year.

B. Firearms Training and Qualification.
(1) If a mandated employee does not successfully complete Commission-approved firearms training and qualification under this regulation before December 31 of a calendar year, the agency head or training director responsible for training the mandated employee may not permit the mandated employee to use or carry a firearm until the mandated employee successfully completes firearms training and qualification with the firearm the mandated employee is required to use or carry.
(2) If a mandated employee has not successfully completed Commission-approved firearms training and qualification under this regulation for the firearm the mandated employee is required to use or carry for 3 or more consecutive calendar years, the mandated employee shall complete Commission-approved entrance-level mandated employee firearms training and qualification under COMAR 12.10.04 before an agency head may permit the mandated employee to carry or use a firearm.

C. Except for a mandated employee on nonofficer status, if an agency does not provide required training in 2 consecutive years or displays a repetitive pattern of not providing the required training, the Commission shall initiate appropriate action.

D. Nonofficer Status.
(1) Commission-approved Mandated Employee In-Service Training. If a mandated employee does not successfully complete mandated employee in-service training because the mandated employee is on nonofficer status, the agency head or training director responsible for training the

mandated employee shall provide the mandated employee with the required in-service training in the calendar year in which the mandated employee returns to active duty.
(2) Firearms Training and Qualification.
(a) If a mandated employee does not successfully complete firearms training and qualification requirements under this regulation because the individual is on nonofficer status, before the employee may carry or use a firearm, the mandated employee shall successfully complete Commission-approved firearms training and qualification under this regulation:
(i) For each firearm the mandated employee is required to use or carry; and
(ii) In the same calendar year that the individual returns to active duty.
(b) If a mandated employee returning from nonofficer status has not, during the previous 3 calendar years, successfully completed Commission-approved mandated employee annual firearms training and qualification with the firearm the mandated employee is required to use or carry, before the employee may use or carry a firearm, the mandated employee shall successfully complete Commission approved mandated employee entrance-level firearms training and qualification:
(i) Under COMAR 12.10.04; and
(ii) In the same calendar year the mandated employee returns to active duty.
(3) If a mandated employee returns to active duty from nonofficer status and the mandated employee's certification has lapsed, the agency head shall ensure that the mandated employee meets requirements for mandated employee certification renewal under Regulation .06 of this chapter.
(4) If an agency head or training director responsible for training a mandated employee under this regulation does not provide training documents to the Commission in a timely manner, a mandated employee's certification renewal may be delayed.

E. Waivers.
(1) The Deputy Director may grant a request for a waiver of annual in-service training or annual firearms training and qualification if the correctional unit or agency provides information demonstrating that an individual successfully completed comparable training in the same calendar year.
(2) A request for a waiver of training requirements under this regulation shall be submitted in accordance with Regulation .19 of this chapter by the agency head or training director responsible for training a mandated employee.

F. Audit Requirements.
(1) Commission-approved in-service training and firearms training and qualification information is subject to audit by the Commission.
(2) An agency head or training director providing Commission-approved mandated employee in-service training or mandated employee firearms training and qualification, or both, shall maintain documentation until audited by the Commission, including:
(a) Curriculum;
(b) Listing of instructors;
(c) Attendance;
(d) Test and qualification scores; and
(e) Other information required by this regulation.

(3) An agency head or training director sending a mandated employee to another academy for Commission-approved mandated employee training shall maintain records of in-service training and firearms training and qualification provided by the academy conducting the training until audited by the Commission.
(4) To verify compliance with Commission requirements, the Commission shall annually audit a portion of the following Commission-approved annual in-service programs:
(a) Mandated employee training;
(b) Electronic control device training;
(c) Firearms training; and
(d) Firearms qualification.

12.10.01.18
.18 Minimum Training Standards — Mandated Employee Supervisors and Administrators.

A. General Requirements.
(1) Except for provisions under §A(2) of this regulation, the Commission requires a mandated employee promoted to a first-line, or higher, mandated employee supervisor position to successfully complete Commission-approved mandated employee supervisor training within 1 year of the date of the promotion.
(2) The Commission does not require a mandated employee to successfully complete Commission-approved mandated employee supervisor training if:
(a) The mandated employee successfully completed Commission-approved mandated employee supervisor training within the 2 years immediately preceding the date of the promotion from a position below that of a first line mandated employee supervisor to a first line, or higher, mandated employee supervisor position; or
(b) A mandated employee supervisor has successfully completed Commission-approved mandated employee supervisor training and the individual is promoted to a new mandated employee supervisor position that does not include administrator duties.
(3) Except for provisions under §A(4) of this regulation, the Commission requires a mandated employee promoted to a first-line, or higher, mandated employee administrator position to successfully complete Commission-approved mandated employee administrator training within 1 year of the date of the promotion.
(4) The Commission does not require a mandated employee to successfully complete Commission-approved mandated employee administrator training if:
(a) The mandated employee successfully completed Commission-approved mandated employee administrator training within the 2 years immediately preceding the date of the promotion; or
(b) A mandated employee administrator has successfully completed Commission-approved mandated employee administrator training and the individual is promoted to a new mandated employee administrator position.
(5) The Commission requires a mandated employee promoted to a first line, or higher, mandated employee administrator position from a position below that of a first line mandated employee supervisor who has not met the mandated employee supervisor or administrator training requirements under this regulation to successfully complete, within 1 year of the date of the promotion, Commission-approved mandated employee:

(a) Supervisor training; and
(b) Administrator training.

B. Minimum Mandated Employee Supervisor and Administrator Training Requirements.
(1) The Commission requires that:
(a) Only Commission-approved or certified instructors provide mandated employee supervisor and administrator training;
(b) A mandated employee shall obtain a minimum 70 percent overall test score to successfully complete the training;
(c) Mandated employee supervisor and administrator training are a minimum of 35 hours for each form of training;
(d) Unless determined otherwise by the agency head or training director and the Commission, a mandated employee required to attend Commission-approved mandated employee supervisor or administrator training may not receive credit toward the training requirement under this regulation if the mandated employee is absent for more than 10 percent of the required hours of a Commission-approved supervisor or administrator training program;
(e) The Commission's training objectives for the mandated employee supervisor and administrator training are covered as written by the Commission; and
(f) An agency head or training director submit the proposed mandated employee supervisor or administrator training to the Commission for approval at least 20 days before the date the training is scheduled to start.
(2) An agency head or training director shall submit rosters, required reports, and grades to the Commission upon completion of training.
(3) Upon request by an agency head or training director, the Commission shall provide a copy of a training outline and training objectives for Commission-approved mandated employee supervisor and administrator training.
(4) If an agency head or training director amends Commission-approved mandated employee supervisor or administrator training, the agency head or training director shall submit the amended training to the Commission for approval at least 20 working days before the date the amended training is to begin.

C. Waivers.
(1) The Commission may waive requirements for successful completion of Commission-approved mandated employee supervisor or administrator training if an agency head or training director provides the Commission with documentation establishing that the mandated employee successfully completed parallel Commission-approved mandated employee supervisor or administrator training.
(2) An agency head or training director requesting a waiver of training requirements under this regulation shall submit the request to the Deputy Director for approval.

D. Failure To Complete Commission-Required Mandated Employee Supervisor or Administrator Training. If a mandated employee required to meet training requirements under this regulation has not successfully completed required Commission-approved supervisor or administrator

training by the first year anniversary date of promotion to a mandated employee first-line, or higher, supervisor or mandated employee first-line, or higher, administrator position, the agency head shall:

(1) Relieve the mandated employee of mandated employee supervisory or administrative duties related to the position; and
(2) Inform the Commission in writing within 30 days of the anniversary date of action taken to relieve the mandated employee of mandated supervisory or administrative duties.

12.10.01.19
.19 Procedures for Requesting a Waiver.

A. Selection Standards.
(1) An agency head or training director may submit a written request for a waiver of mandated employee selection standards to the Commission.
(2) The training director or agency head submitting the request for waiver of mandated employee selection standards shall include a completed AFC supporting the waiver request.

B. Training Standards.
(1) An agency head or training director may submit a signed written request for a waiver of mandated employee training standards to the Commission.
(2) A signed written request for a waiver of Commission-required mandated employee training shall include:
(a) Course content or an outline of parallel training;
(b) A description of the parallel training received;
(c) The number of hours of parallel training completed; and
(d) Other information that the Commission may request.

C. Mandated Employee Entrance-Level Training Waiver.
(1) The Commission may approve a waiver of Commission-required mandated employee entrance-level training if the individual:
(a) Was employed in the same type of mandated position with a correctional unit within the last 3 years; and
(b) Completed an entrance-level training determined by the Commission to be comparable to the Commission-approved mandated employee entrance-level training under Regulation .09 of this chapter.
(2) An agency head or training director may submit a signed written request for a waiver of Commission-approved mandated employee entrance-level training to the Commission.
(3) If the Commission grants a waiver of Commission-approved mandated employee entrance-level training, the individual shall meet the following requirements before the Commission grants certification in the mandated position:
(a) Certification in first aid and safety;
(b) Certification in cardiopulmonary resuscitation (CPR); and

(c) Completion of the entrance-level firearms training and qualification under COMAR 12.10.04, if applicable.

D. A request for a waiver on behalf of an individual may not again be submitted under this regulation within 1 year after the date on which the Commission has denied the request for the waiver on behalf of the individual.

12.10.01.20

.20 Disqualifying Criminal Convictions for Correctional Officers.

A. A correctional officer applicant is not eligible for certification if the applicant has:
(1) A felony conviction for:
(a) Aggravated assault;
(b) Murder or manslaughter;
(c) Robbery;
(d) Arson;
(e) Kidnapping;
(f) A handgun or weapon-related violation;
(g) A first, second, or third degree sexual offense; or
(h) Two or more felonies not arising from the same incident;
(2) A conviction for an offense that resulted in incarceration when less than 10 years have elapsed since the applicant was released from incarceration or terminated from parole or probation, whichever last occurred;
(3) A misdemeanor conviction that resulted in incarceration when less than 5 years have elapsed since the applicant was released from incarceration or terminated from parole or probation, whichever has last occurred;
(4) Three or more misdemeanor convictions, except convictions for minor traffic violations, arising out of separate occurrences if:
(a) At least one of the misdemeanor convictions was for an offense involving violence or moral turpitude; and
(b) A term of imprisonment was served for any conviction; or
(5) A misdemeanor or felony conviction for a criminal offense under Criminal Law Article, Title 9, Subtitle 8, Annotated Code of Maryland, or similar conviction in a jurisdiction outside of the State.

B. This regulation does not:
(1) Require an agency head to employ an individual as a correctional officer who has a criminal record; or
(2) Prevent an agency head from setting higher criminal history standards than specified in this regulation.

C. The Commission may reject the appointment of an individual with a criminal record not covered by this regulation.

12.10.01.21

.21 Drug Screening Procedures.

A. Urine Sample Collection.
(1) An agency head conducting drug screening shall ensure that the process used by the correctional unit includes the minimum requirements under this section.
(2) The correctional unit representative collecting a urine sample from an individual applying for a mandated position required to submit a urine sample shall:
(a) Before collecting the sample, verify the identity of the individual providing the sample by examining a driver's license or other acceptable form of photographic identification;
(b) Before collecting the sample, obtain written consent from the individual authorizing:
(i) Collection and analysis of the sample; and
(ii) Disclosure of the sample analysis to the correctional unit and the Commission;
(c) Obtain the urine sample in a manner that reasonably prevents substitution, alteration, or tampering;
(d) Ensure that a minimum of 50 milliliters of urine is collected from the individual providing the sample;
(e) Ensure that:
(i) A urine sample is collected using a proper container that was sealed by the manufacturer when presented to the individual providing the sample; and
(ii) Once the container's seal is broken by the individual providing the sample and the urine sample is deposited in the container, the container is sealed by the individual supplying the urine sample;
(f) The container is sealed using tamper-proof tape that extends over and around the container;
(g) Once the sealed container is accepted from the individual supplying the urine sample, record on the container the:
(i) Name of the individual providing the urine sample;
(ii) Date the urine sample was taken; and
(iii) Name of the individual who received the sample from the individual providing the sample; and
(h) Ensure that the urine sample is secured and stored in a manner that preserves the chain of custody.

B. Positive Urine Sample Results.
(1) A urine sample screened positive under §C(2) of this regulation is considered evidence of recent use of a controlled dangerous substance, narcotic drug, or marijuana.
(2) A positive screen for a controlled dangerous substance, narcotic drug, or marijuana conclusively establishes that the individual providing the sample:
(a) Is not of good moral character established under Regulation .04 or .07 of this chapter; and
(b) Except as provided under §B(3) of this regulation, may not be employed or Commission-certified in a mandated position.
(3) An agency head shall ensure that a positive screen for a controlled dangerous substance, narcotic drug, or marijuana is not the result of legal use by the individual.

C. Urine Sample Analysis.
(1) To ensure the reliability and integrity of the testing process, an employing agency conducting drug screening shall ensure that the process used to analyze the urine sample includes the minimum requirements under this section.

(2) An agency conducting drug screening under this chapter shall ensure that:
(a) A urine sample is screened by:
(i) Enzyme immunoassay;
(ii) Radioimmunoassay testing; or
(iii) Other equally scientifically rigorous screening method;
(b) The drug screening tests for the presence of the following controlled dangerous substances, narcotic drugs, or marijuana or classes of controlled dangerous substances, narcotic drugs, or marijuana or controlled dangerous substance, narcotic drug, or marijuana metabolites at the minimum levels, measured in nanograms per milliliter, specified:
(i) Amphetamines — 1,000;
(ii) Barbiturates — 300;
(iii) Cannabis or cannabinoids — 50;
(iv) Opiates — 300;
(v) Cocaine or cocaine metabolite — 300;
(vi) Phencyclidine — 25; and
(vii) Benzodiazepines — 300;
(c) A positive drug screen is confirmed for each controlled dangerous substance, narcotic drug, or marijuana identified by:
(i) Gas chromatography;
(ii) Mass spectrometry; or
(iii) Other equally scientifically rigorous method; and
(d) Drug screening and sample analysis are conducted according to provisions under Health-General Article, §17-214, Annotated Code of Maryland.
(3) The Commission:
(a) Considers a urine sample collected and analyzed under this regulation that shows a presence of a controlled dangerous substance, narcotic drug, or marijuana in a quantity equaling or exceeding the limits for the controlled dangerous substance, narcotic drug, or marijuana under §C(2)(b) of this regulation to be a positive drug screen; and
(b) Requires confirmation of a positive drug screen according to §C(2)(c) of this regulation before accepting the results as conclusive.

12.10.01.22
.22 Prior Substance Abuse by Applicants for Certification.

A. This regulation:
(1) Except as provided under §A(2) of this regulation, applies to an applicant; and
(2) Does not apply to:
(a) An individual already employed in a correctional unit and certified by the Commission as a mandated employee; or
(b) Except as provided under §B(2)(b) of this regulation, an addictions counselor.

B. General Policy.
(1) An applicant involved in illegal prior or current use, sale, manufacture, or distribution of a controlled dangerous substance, as specified in this regulation, has manifested character traits,

judgment, behavior, or activity which may be considered unacceptable by the Commission for certification in a mandated position.
(2) The Commission may not approve an appointment or certify an individual in a mandated position if:
(a) There is an indication that the individual illegally abused a controlled dangerous substance in excess of the maximum prior use criteria or for circumstances specified in this regulation; or
(b) The individual was found guilty or convicted of a misdemeanor or felony for the sale, manufacture, or distribution of a controlled dangerous substance.
(3) A correctional unit may set more restrictive standards than those specified in this regulation.

C. Maximum Prior Use Criteria.
(1) Amphetamines. Drugs in this class may have a legitimate medical use. If used illegally, the allowable limits for this use by an applicant are:
(a) Four lifetime ingestions, including intravenous use; and
(b) 3 years from the last illegal use to the date of application for a mandated position.
(2) Barbiturates. Drugs in this class may have a legitimate medical use. If used illegally, the allowable limits for this use by an applicant are:
(a) Two lifetime ingestions, including intravenous use; and
(b) 3 years from the last illegal use to the date of application for a mandated position.
(3) Opiates. Some drugs such as morphine and codeine in this class have a legitimate medical use, while others, such as opium and heroin have no medical use. If used illegally, the allowable limits for this use by an applicant are:
(a) Two lifetime ingestions, including intravenous use; and
(b) 3 years from the last illegal use to the date of application for a mandated position.
(4) Cannabis or Cannabinoids. These substances currently have no legal medical use in Maryland. The allowable limits of prior use by an individual are as follows:
(a) 20 lifetime ingestions and 3 years from the last use to the date of application for a mandated position; or
(b) No limit on the number of lifetime ingestions and 10 years from the last use to the date of application for a mandated position.
(5) Cocaine or Cocaine Metabolite. These substances may have only limited topical medical use. The limits of prior use by an individual are:
(a) Four lifetime ingestions, including intravenous use; and
(b) 3 years from the last use to the date of application for a mandated position.
(6) Hallucinogens (including PCP, LSD, and mescaline and their derivatives). These drugs have no medical use. There is no allowance for prior use of these substances and an applicant who has used these drugs may not be certified by the Commission.
(7) Benzodiazepines. These substances have a legitimate medical use. The allowable limits of illegal prior use by an individual are:
(a) Four lifetime ingestions; and
(b) 3 years from the last illegal use to the date of application for a mandated position.
(8) Inhalants (including solvents, glue, paint, aerosols, and amyl nitrates). These substances have no medical use. The allowable limits of use by an individual are:
(a) Four lifetime ingestions; and
(b) 3 years from the last use to the date of application for a mandated position.

D. Indication of Use.
(1) If a background investigation, lie detector test, interview, drug screening, or other process indicates prior or current use of a controlled dangerous substance, narcotic drug, or marijuana, as specified in this regulation, the agency head, or a designee, shall investigate to determine if the use was legitimate.
(2) If there is an indication that current or prior use of a controlled dangerous substance, narcotic drug, or marijuana is or was legitimate, the agency head, or a designee, shall obtain proper medical documentation from a licensed health care professional.
(3) If there is no legitimate medical reason for use of a controlled dangerous substance, narcotic drug, or marijuana and the use exceeds the maximum standards specified in this regulation, the Commission may not certify the applicant in a mandated position.
(4) The agency head, or a designee, shall evaluate an applicant's use of a prescribed controlled dangerous substance, narcotic drug, or marijuana specified in this regulation to determine whether the applicant is currently abusing the substance and is medically fit to perform the duties of a mandated position.
(5) If there is an indication of continued use of a controlled dangerous substance, narcotic drug, or marijuana by an applicant or if it is determined that an applicant is currently abusing or is dependent on a prescribed controlled dangerous substance, narcotic drug, or marijuana, the Commission may not certify the applicant in a mandated position.
(6) If an applicant is using or has used a controlled dangerous substance, narcotic drug, or marijuana which was legally obtained for valid medical reasons and there is no indication of abuse or dependence by the applicant, the agency head, or a designee, may employ the applicant and apply to the Commission for certification in the mandated position.
(7) An agency head, or a designee, shall maintain records and documentation of an applicant's prior or current abuse, dependence on, or legitimate medical use of a controlled dangerous substance, narcotic drug, or marijuana as specified in this regulation and the records and documents are subject to audit by the Commission.

E. Requesting a Waiver.
(1) A correctional unit may request a waiver under Regulation .19 of this chapter of any provisions of this regulation.
(2) A waiver request shall be considered by the Commission on an individual basis at a regularly scheduled meeting.

12.10.01.23
.23 Field Training.

A. An individual shall complete field training before the Commission certifies the individual in a mandated position.

B. A correctional unit's field training for a mandated position:
(1) Shall be designed by the correctional unit and include activities to familiarize the individual with the:
(a) Duties of the mandated position; and
(b) Policies, procedures, and practices of the correctional unit;

(2) May be conducted in conjunction with, or separately from, Commission-approved entrance-level training;
(3) Shall be a minimum of 80 hours;
(4) May not be used to meet the minimum Commission entrance-level training hourly requirement; and
(5) Shall be managed by a Commission-certified mandated employee, the agency head, or a designee.

C. Documenting Field Training.
(1) The agency head, or a designee, shall:
(a) Complete and submit a written statement to the Commission documenting an individual's successful completion of field training under this regulation; and
(b) Date and sign the written statement.

D. Upon receipt of the notice from an agency head, or a designee, documenting an individual's completion of field training, the Commission shall process the individual's application for certification under Regulation .06 of this chapter.