

DCJS SEPARATION OF REGULATORY RESPONSIBILITIES

Draft 10/25/2018

TITLE 6. CRIMINAL JUSTICE AND CORRECTIONS

CRIMINAL JUSTICE SERVICES BOARD

Chapter 90

Proposed Regulation

REGISTRAR'S NOTICE: The Department of Criminal Justice Services is claiming an exemption from the Administrative Process Act in accordance with § 2.2-4002 A 26 of the Code of Virginia, which exempts the department when developing, issuing, or revising any training standards established by the Criminal Justice Services Board under § 9.1-102 of the Code of Virginia, provided such actions are authorized by the Governor in the interest of public safety.

Titles of Regulations: **6VAC20-20. Rules Relating to Compulsory Minimum Training Standards for Law-Enforcement Officers** (amending 6VAC20-20-10 through 6VAC20-20-40, 6VAC20-20-70, 6VAC20-20-80, 6VAC20-20-90; adding 6VAC20-20-120, 6VAC20-20-130; repealing 6VAC20-20-20, 6VAC20-20-50, 6VAC20-20-61).

6VAC20-50. Rules Relating to Compulsory Minimum Training Standards for Jailors or Custodial Officers, Courthouse and Courtroom Security Officers and Process Service Officers (amending 6VAC20-50-10 through 6VAC20-50-40, 6VAC20-50-70, 6VAC20-50-80, 6VAC20-50-90; adding 6VAC20-50-120, 6VAC20-50-130; repealing 6VAC20-50-50, 6VAC20-50-60).

6VAC20-60. Rules Relating to Compulsory Minimum Training Standards for Dispatchers (amending 6VAC20-60-10 through 6VAC20-60-40, 6VAC20-60-70, 6VAC20-60-80, 6VAC20-60-90; adding 6VAC20-60-95; repealing 6VAC20-60-50, 6VAC20-60-60).

6VAC20-70. Rules Relating to Compulsory Minimum Training Standards for Noncustodial Employees of the Department of Corrections (amending 6VAC20-70-10 through 6VAC20-70-40, 6VAC20-70-70, 6VAC20-70-100, 6VAC20-70-110; adding 6VAC20-70-25, 6VAC20-70-115; repealing 6VAC20-70-50, 6VAC20-70-60, 6VAC20-70-80, 6VAC20-70-90, 6VAC20-70-120, 6VAC20-70-130).

6VAC20-90. Rules Relating to Regional Criminal Justice Training Academies (amending 6VAC20-90-10 through 6VAC20-90-40; adding 6VAC20-90-60 through 6VAC20-90-130).

6VAC20-100. Rules Relating to Compulsory Minimum Training Standards for Correctional Officers of the Department of Corrections, Division of Adult Institutions (amending 6VAC20-100-10 through 6VAC20-100-40, 6VAC20-100-70, 6VAC20-100-80, 6VAC20-100-90; adding 6VAC20-100-25; repealing 6VAC20-100-50, 6VAC20-100-60, 6VAC20-100-100, 6VAC20-100-110).

Statutory Authority: § 9.1-102 of the Code of Virginia.

Public Hearing Information: No public hearings are scheduled.

Public Comment Deadline: August 13, 2018.

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Summary:

The proposed amendments to all chapters (i) separate agency responsibility and academy responsibility; (ii) codify Department of Criminal Justice Services practice and policy; (iii) clarify that training extensions will not be granted for failing to pass or meet compulsory minimum training standards and requirements; and (iv) correct and update Code of Virginia citations and address inconsistent terminology, definitions, and processes.

Additionally, proposed amendments to 6VAC20-90 (i) provide training academies clear instructions on the requirements for certification and recertification; (ii) codify the current department policy and practice, which requires academies meet 100% of the certification standards identified in the Certified Criminal Justice Training Academy Certification Checklist and Report for initial certification and the Certified Criminal Justice Training Academy Recertification Checklist and Report for recertification; (iii) describe the process, responsibilities, and timeline for reassessment and the application of enforcement actions, including probation, suspension, and revocation, in detail; (iv) describe the appeal process, including an initial appeal to the director of the department and a

second opportunity to appeal to the Executive Committee of the Criminal Justice Services Board; and (v) identify the process for creating a regional academy, those regional academies eligible to receive state funding, and the department's ability to suspend or revoke the certification of a certified training academy.

6VAC20-20. Rules Relating to Compulsory Minimum Training Standards for Law-Enforcement Officers

6VAC20-20-10. Definitions.

The following words and terms, when used in this chapter, shall have the following ~~meaning~~ meanings unless the context clearly indicates otherwise:

"Academy director" means the chief administrative officer of a certified criminal justice training academy.

"Agency administrator" means any chief of police, sheriff, or agency head of a state or local law-enforcement agency.

"Approved training" means training approved by the department to meet minimum training standards.

"Board" means the Criminal Justice Services Board.

"Certified criminal justice training academy" means a training facility or campus in compliance with academy certification or recertification standards operated by the state or local units-unit of government that is owned, leased, rented, or used exclusively for the purpose of ~~providing instruction of compulsory minimum training standards~~ training criminal justice professionals regulated by the department and board. Approved firing ranges, driving tracks, and defensive tactics training rooms are considered part of the academy facility, subject to review during academy certification and recertification.

"Committee on Training" or "COT" means the standing committee of the board that is charged with reviewing proposed changes to the standards, receiving and reviewing public comments, and approving changes to the standards as needed.

"Compulsory minimum training standards" means the written performance outcomes approved by the Committee on Training and the minimum [training] hours approved by the Criminal Justice Services Board.

"Curriculum Review Committee" or "CRC" means the committee consisting of nine individuals representing the certified [criminal justice training] academies. Four members of the committee shall represent regional criminal justice academies, four members of the committee shall represent independent criminal justice academies, and one member shall represent the Department of State Police Training Academy. The Committee on Training shall appoint members of the Curriculum Review Committee.

"Department" means the Department of Criminal Justice Services.

"Designee" means one who acts with the authority of the chief executive of the agency.

"Director" means the chief administrative officer of the department or ~~his~~ the director's designee.

"External [classroom training location]" means a training [room location] approved by the department located away from the certified [criminal justice training] academy, which the certified [criminal justice training] academy uses to conduct mandated training, using full-time [and part-time] academy staff with general instructorships.

"Requirements" means the core elements an officer needs to accomplish to obtain law-enforcement certification.

6VAC20-20-20. ~~Compulsory minimum training standards. (Repealed.)~~

~~Pursuant to the provisions of subdivision 2 of § 9-170 of the Code of Virginia, the department establishes these standards for compulsory minimum training for full-time and part-time law-enforcement officers.~~

6VAC20-20-21. Performance outcomes and minimum hours required Compulsory minimum training standards and requirements.

A. Pursuant to the provisions of subdivision 2 of § 9.1-102 of the Code of Virginia, the department under the direction of the board establishes the ~~standards for Compulsory Minimum Training Standards for Law Enforcement Officers.~~ The complete document may be found on the Department of Criminal Justice Services' website at <http://www.dcjs.virginia.gov> compulsory minimum training for full-time and part-time law-enforcement officers.

~~B. Academy training.~~

~~1. Category 1 – Professionalism~~

~~2. Category 2 – Legal Issues~~

~~3. Category 3 – Communications~~

~~4. Category 4 – Patrol~~

~~5. Category 5 – Investigations~~

~~6. Category 6 – Defensive Tactics/Use of Force~~

~~7. Category 7 – Weapons Use~~

~~8. Category 8 – Driver Training~~

~~9. Category 9 – Physical Training (Optional)~~

~~ACADEMY TRAINING HOURS – 480 (excluding Category 9)~~

~~C. Field training.~~

~~Category 10 – Field Training~~

~~FIELD TRAINING HOURS – 100~~

~~TOTAL MINIMUM TRAINING STANDARDS HOURS – 580 (excluding Category 9)~~

B. An individual hired as a law-enforcement officer as defined in § 9.1-101 of the Code of Virginia shall comply with the following law-enforcement certification requirements:

1. Successfully complete law-enforcement basic training at a certified [criminal justice] training academy, which includes receiving a minimum of 480 hours of department approved training in the following categories:

a. Professionalism,

b. Legal,

c. Communication,

d. Patrol,

e. Investigations,

f. Defensive tactics and use of force,

g. Weapons, and

h. Driver training.

2. Successfully complete a minimum of 100 hours of approved training in the category of field training by meeting or exceeding the field training performance outcomes identified in the Virginia Department of Criminal Justice Services Field Training and On the Job Training Performance Outcomes.

C. Law-enforcement officers become certified upon meeting all compulsory minimum training standards and [other] requirements that include documented completion of all performance outcomes, the law enforcement certification exam, and field training.

6VAC20-20-25. Approval authority.

A. The ~~Criminal Justice Services Board~~ board shall be the approval authority for the training categories and hours of the compulsory minimum training standards identified in 6VAC20-20-21.

Amendments to training categories and hours shall be made in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).

B. The Committee on Training (COT) of the ~~Criminal Justice Services Board~~ board shall be the approval authority for the performance outcomes, training objectives, criteria, and lesson plan guides that support the performance outcomes.

1. Performance outcomes, training objectives, criteria, and lesson plan guides supporting the compulsory minimum training standards may be added, deleted, or amended by the ~~Committee on Training~~ COT based ~~upon~~ on written recommendation of a chief of police, sheriff, agency administrator, academy director, Curriculum Review Committee (CRC), ~~an~~ interested party, or member of the community.

~~Any suggestions~~ 2. Suggestions received related to performance outcomes, training objectives, criteria, and lesson plan guides shall be reviewed ~~at the regularly scheduled meeting of the Curriculum Review Committee. If comment is received at any public hearing, the Committee on Training may make a decision at that time. Changes to the hours and training categories will only be made in accordance with the provisions of the Administrative Process Act~~ by the CRC. The CRC shall present recommendations for revisions to the COT.

C. ~~Prior to~~ Before approving changes to the performance outcomes, training objectives, criteria, or lesson plan guides, the ~~Committee on Training~~ COT shall ~~conduct a public hearing~~ schedule an opportunity for public comment during a meeting of the COT. ~~Sixty~~ A minimum of 60 days prior to ~~before the public hearing~~ meeting of the COT, the proposed changes shall be distributed to all ~~affected parties~~ certified training academies for the opportunity to comment. Notice of ~~change~~ changes to the performance outcomes, training objectives, criteria, and lesson plan guides shall be filed for publication in the Virginia Register of Regulations ~~upon adoption, change, or deletion.~~

D. The department shall notify each certified criminal justice training academy in writing of any ~~new, revised, or deleted objectives. Such adoptions, changes, or deletions shall become effective 30 days after notice of publication in the Virginia Register~~ COT approved revisions. COT approved revisions require a minimum of 30 days' notice to certified training academies prior to becoming effective.

6VAC20-20-30. Applicability.

A. ~~Every~~ A person employed as a full-time or part-time law-enforcement officer, as defined by ~~§ 9-169 (9)~~ § 9.1-101 of the Code of Virginia, ~~subsequent to~~ after July 1, 1971, shall satisfactorily complete the compulsory minimum training standards and the requirements for law-enforcement officers as identified in 6VAC20-20-21 and 6VAC20-20-40.

B. The director may grant an exemption or partial exemption from the compulsory minimum training standards and the requirements set forth in 6VAC20-20-21 to a law-enforcement officer of ~~any~~ a political subdivision of the Commonwealth who has had previous experience and training as provided in ~~§ 9-173~~ § 9.1-116 of the Code of Virginia.

C. ~~Any~~ A person not employed as a full-time or part-time law-enforcement officer on July 1, 1971, who remains out of ~~law-enforcement~~ law enforcement for more than 24 months, upon reappointment as a full-time or part-time law-enforcement officer, shall be required to comply with the compulsory minimum training standards and the requirements identified in 6VAC20-20-21 unless provided otherwise in accordance with subsection B of this section.

6VAC20-20-40. Time requirement for completion of training.

A. ~~Every law-enforcement officer who is~~ Law-enforcement officers required to comply with the compulsory minimum training standards requirements of 6VAC20-20-21 shall satisfactorily complete ~~such training~~ the requirements within 12 months of the date of hire or appointment as a law-enforcement officer.

B. The director, or ~~his~~ the director's designee, may grant an extension of the time limit for completion of the compulsory minimum training standards ~~under the following conditions~~ and [the other] requirements for the following reasons:

1. ~~Illness~~ Medical condition;
2. Injury;
3. Military service; or
4. ~~Special duty assignment required and performed in the public interest;~~

~~[5. 4]~~ Administrative leave involving the determination of worker's compensation or disability retirement issues, ~~full-time educational leave~~ or suspension pending investigation or adjudication of a crime; or,

~~6. Any other reason documented by the agency administrator. Such reason shall be specified and~~

C. The director or the director's designee may review and consider other reasons (e.g., natural disaster, family medical leave, etc.) for granting an extension. If approval is granted the extension shall not exceed 90 days.

[D. The director or director's designee may review and consider requests to renew training extensions if the reason for the original training extension continues and the request occurs before the expiration date of the original extension.]

[D E]. The director shall not grant an extension for:

1. Failing to pass compulsory minimum training standards and requirements within specified time limits.

2. Failing the certification examination.

[E F]. The agency administrator may request an extension from the director or the director's designee.

1. The request shall be in writing and include written documentation articulating the reason the individual is unable to complete the required training within the specified time limits.

2. The request shall be submitted to the department before the expiration of the specified time limits.

C. [F G]. Law-enforcement officers who do not satisfactorily complete compulsory minimum training standards [field training] and [other] requirements within 12 months of employment hire or appointment as a law-enforcement officer, or who do not receive an extension of the time limit for completion of training the requirements, shall be subject to the provisions of ~~§ 9-184~~ § 9.1-115 of the Code of Virginia.

[G H]. The department shall notify the agency administrator of ~~any officer~~ individuals not in compliance with the requirements of this section.

6VAC20-20-50. ~~Compliance with compulsory minimum training standards. (Repealed.)~~

~~A. The compulsory minimum training standards shall be accomplished by satisfactory completion of the academy training objectives and criteria at a certified training academy and the successful completion of field training objectives unless otherwise provided by 6VAC20-20-30 B.~~

~~B. Officers attending approved training are required to attend all classes and shall not be placed on duty or call except in cases of emergency.~~

6VAC20-20-61. ~~Certified training academies. (Repealed.)~~

~~A. To become a certified academy, a state or local unit of government must demonstrate a need which contains the following elements:~~

~~1. The inability to obtain adequate training from existing academies or a sufficient hardship which renders the use of other existing academies impractical.~~

~~2. Based upon a training needs assessment, a sufficient number of officers to warrant the establishment of a full-time training function for a minimum of five years.~~

~~B. In addition, the state or local unit of government must make the following commitments:~~

~~1. The provision of a full range of training to include entry-level training, in-service training, recertification training, specialized training and instructor certification.~~

~~2. The assignment of one position with primary responsibility as academy director and one clerical position to support training and training-related functions.~~

~~3. The maintenance of a training facility adequate to conduct training in accordance with academy certification standards.~~

~~4. The commitment of sufficient funding to adequately support the training function.~~

~~C. Process.~~

~~1. The state or local governmental unit shall submit a justification to the Committee on Training as described in subsection B of this section. The Committee on Training shall review the justification and make a recommendation to the department as to whether the establishment of an academy is warranted.~~

~~2. If the Committee on Training recommends the establishment of the proposed academy, the department shall make a determination as to whether the establishment of the academy is warranted.~~

~~3. If the establishment of the academy is approved by the department, the proposed academy must successfully complete the academy certification process.~~

~~D. The certified training academy shall submit to the department its curriculum and other information as designated within time limitations established by the department.~~

~~E. Each academy director shall maintain a file of all current lesson plans and supporting material for training objectives and shall provide this information to the director upon request.~~

~~F. A certified training academy is subject to inspection and review by the director or his staff.~~

~~G. The department may suspend or revoke the certification of any certified training academy upon written notice, which shall contain the reason or reasons upon which the suspension or revocation is based, to the academy's director. The academy's director may request a hearing before the director. The request shall be in writing and shall be received by the department within 15 days of the date of the notice of the suspension or revocation. The academy's director may appeal the director's decision to the board.~~

6VAC20-20-70. Grading Attendance, testing, and grading.

~~A. All certified training academies shall utilize testing procedures which indicate that every officer has satisfactorily completed the criteria in each training objective approved by the Committee on Training of the Criminal Justice Services Board. Attendance.~~

~~1. Officers attending approved training are required to attend all classes and shall not be placed on duty or on call except in cases of an emergency. If there is an emergency (e.g., natural disaster,~~

catastrophic event, etc.) the agency administrator or designee shall determine if it is appropriate to place officers on duty or on call and shall advise the academy director within 24 hours.

2. Officers shall be responsible for any material missed during an excused absence.

B. Academy testing.

1. Officers shall comply with the requirements of subdivision B 1 of 6VAC20-20-21.

2. Each officer shall meet all the training objectives and pass each criteria for testing related to every performance outcome approved by the COT.

3. An officer may be tested and retested as may be necessary within the time limits of 6VAC20-20-40 and in accordance with each the certified [criminal justice] training academy's written policy.

~~B. Certified training academies shall maintain accurate records of all tests, grades and testing procedures. Academy training records must be maintained in accordance with the provisions of these rules and §§ 42.1-76 through 42.1-91 of the Code of Virginia.~~

C. Law-enforcement certification exam. Upon documented compliance with the compulsory minimum training standards identified in subdivision B 1 of 6VAC20-20-21 officers will be eligible to complete the law-enforcement certification exam.

6VAC20-20-80. Failure to comply with rules and regulations.

A. Any individual attending a certified [criminal justice] training academy shall comply with the rules and regulations promulgated by the department. The academy director shall be responsible for enforcement of all rules and regulations established to govern the conduct of attendees.

~~If the academy director considers a violation of B. Individuals violating the rules and regulations governing the certified [criminal justice] training academy determined to be detrimental to the welfare of the certified [criminal justice] training academy, the academy director may expel the individual or the safety of officers, visitors, or personnel may be expelled from the academy.~~

~~C.~~ Notification of ~~such action shall~~ an expulsion will immediately be reported, in writing, to the agency administrator of the individual ~~in accordance with the rules and regulations within the authority of the certified training academy and the department.~~

6VAC20-20-90. Administrative requirements.

~~A.~~ Reports will be required from the agency administrator and academy director on forms approved by the department and at such times as designated by the director. ~~[Law enforcement agencies will receive a roster containing the names of those officers who have satisfactorily completed the compulsory minimum training standards within 60 days of completion.]~~

~~[B.]~~ The law-enforcement agency shall complete the department authorized field training completion form (Form B-13) documenting the completion of field training for officers.

~~[C.]~~ Field training shall be completed in accordance with the requirements in 6VAC20-20-40 ~~[The agency administrator shall forward a properly executed field training form sign and submit the field training completion form to the department for each officer [within 12 months of] employment [hire or appointment].~~

~~C.~~ The academy director shall, within 30 days upon completion of approved training, comply with the following:

1. ~~Submit to the department a roster containing the names of those officers who have satisfactorily completed the compulsory minimum training standards.~~

2. ~~Submit to the department the final curriculum with the training objectives, hours and instructor names listed.~~

~~[D.]~~ C. ~~The academy director shall furnish each instructor with the applicable performance outcomes, criteria and lesson plan guides for assigned subject matter.~~ Records and documentation shall be open to audit, inspection, and review by the department upon request.

~~[E.]~~ F] Training records shall be maintained in accordance with the provisions of this chapter and the Virginia Public Records Act (§ 42.1-76 et seq. of the Code of Virginia).

6VAC20-20-120. Certification status and in-service training.

A. All full-time and part-time law-enforcement officers of a police department or sheriff's office that is part of or administered by the Commonwealth or any political division, law-enforcement officers as defined in § 9.1-101 of the Code of Virginia, and all jail officers as defined in § 53.1-1 of the Code of Virginia must be certified through the successful completion of training at [an approved a certified] criminal justice training academy in order to remain eligible for appointment or employment.

B. Officers shall comply with in-service training and firearms training requirements identified in 6VAC20-30.

6VAC20-20-130. Certified training academies.

Every criminal justice agency under the purview of the department shall be a member of a certified [criminal justice] training academy.

NOTICE: The following forms used in administering the regulation were filed by the agency. The forms are not being published; however, online users of this issue of the Virginia Register of Regulations may click on the name of a form with a hyperlink to access it. The forms are also available from the agency contact or may be viewed at the Office of the Registrar of Regulations, 900 East Main Street, 11th Floor, Richmond, Virginia 23219.

FORMS (6VAC20-20)

~~Application for Exemption From Virginia Compulsory Minimum Training Standards, Form W-2, eff. 4/94~~

~~Field Training: Law Enforcement, B-13, rev. 1/98~~

~~Criminal Justice Training Roster, Form 41, rev. 4/94~~

~~[\[Application for Exemption from Virginia Compulsory Minimum Training Standards, Form W-2, \(rev. 5/2018\)\]](#)~~

~~[Field Training: Law Enforcement, B-13, \(rev. 5/2018\)](#)~~

DOCUMENTS INCORPORATED BY REFERENCE (6VAC20-20)

6VAC20-50. Rules Relating to Compulsory Minimum Training Standards for Jailors or Custodial Officers, Courthouse and Courtroom Security Officers and Process Service Officers

6VAC20-50-10. Definitions.

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

"Academy director" means the chief administrative officer of a certified [criminal justice] training academy.

"Agency administrator" means any chief of police, sheriff or agency head of a state or local law-enforcement agency, or agency head of a local correctional facility as defined in § 53.1-1 of the Code of Virginia.

~~"Academy director" means the chief administrative officer of a certified training academy.~~

"Approved training" means training approved by the department to meet minimum training standards.

"Board" means the Criminal Justice Services Board.

"Certified [criminal justice] training academy" means a training facility [or campus] in compliance with academy certification or recertification standards operated by the state or local ~~unit(s)~~ unit[s] of government that is owned, leased, rented, or used exclusively for the purpose of providing instruction of compulsory minimum training standards training criminal justice professionals regulated by the department and board. Approved firing ranges, driving tracks, and defensive tactics training rooms are considered part of the academy facility, subject to review during academy certification and recertification.

"Committee on Training" or "COT" means the standing committee of the board that is charged with reviewing proposed changes to the standards, ~~holding public hearings~~ receiving and reviewing public comments, and approving changes to the standards as needed.

"Compulsory minimum training standards" means the written performance outcomes, training objectives, criteria for testing, and lesson plan guides approved by the Committee on Training and the minimum [training] hours approved by the board.

"Curriculum Review Committee" or "CRC" means a committee consisting of nine individuals representing the conduct of entry-level jailor or custodial officer, courthouse and courtroom security officer, and process service officer training. The composition of the committee shall be three representatives of sheriffs' offices, three representatives of regional jails, ~~two and~~ three representatives from [criminal justice training] academies, ~~and one representative of the Department of Criminal Justice Services Jails Training Unit.~~ The Committee on Training shall appoint the members of the Curriculum Review Committee.

"Department" means the Department of Criminal Justice Services.

"Designee" means one who acts with the authority of the chief executive of the agency.

"Director" means the chief administrative officer of the department or the director's designee.

~~"Full-time attendance" means that officers in training shall attend all classes and shall not be placed on duty or call except in cases of emergency for the duration of the school.~~

~~"School director" means the chief administrative officer of an approved training school.~~

"Requirements" means the core elements a jail officer, deputy sheriff, court security officer, or civil process officer needs to accomplish to obtain department certification.

6VAC20-50-20. Compulsory minimum training standards.

A. Pursuant to the provisions of subdivisions 7, 8, and 9 of § 9.1-102 ~~and § 53.1-120~~ of the Code of Virginia, the department under the direction of the board establishes the ~~standards for Compulsory Minimum Training Standards for full and part-time Jailors or Custodial Officers, Courthouse and Courtroom Security Officers, and Process Service Officers.~~ The complete document may be found

~~on the Department of Criminal Justice Services' website at www.dcjs.virginia.gov. compulsory minimum training standards for full-time and part-time deputy sheriffs and jail officers as defined in § 53.1-1 of the Code of Virginia; persons designated to provide courthouse and courtroom security pursuant to § 53.1-120 of the Code of Virginia; and persons designated to serve process pursuant to § 8.01-293 of the Code of Virginia.~~

B. ~~Academy training categories – Jailor~~ Individuals hired as deputy sheriffs or jail officers as defined in § 53.1-1 of the Code of Virginia shall meet or exceed compulsory minimum training standards at a certified [criminal justice] training academy and complete field training requirements. Certification requires deputy sheriffs and jail officers comply with the following:

1. Successfully complete jail officer department approved training at a certified [criminal justice] training academy in the following categories:

~~1. a.~~ a. Professionalism;

~~2. b.~~ b. Legal Issues;

~~3. Communications~~ c. Communication;

~~4. Operations~~ d. Jail operations;

~~5. e.~~ e. Investigations;

~~6. f. Defensive Tactics/Use tactics and use of Force~~ f. force;

~~7. g. Weapons Use; and~~

~~8. h. Driver Training~~ g. training and transportation.

2. Meet or exceed the performance outcomes in the category of field training identified in the Virginia Department of Criminal Justice Services Field Training and On the Job Training Performance Outcomes.

C. ~~Jailor or Custodial Officer Field Training Category 9~~

D. ~~Academy training categories – Courthouse and Courtroom Security Officer.~~

Individuals hired as courthouse and courtroom security officers shall meet or exceed compulsory minimum training standards at a certified [criminal justice] training academy and complete field training requirements. Certification requires courthouse and courtroom security officers comply with the following:

1. Successfully complete courthouse and courtroom security officers department approved training at a certified [criminal justice] training academy in the following categories:

1. ~~Court Security~~ a. Professionalism;
2. ~~b. Legal Issues;~~
3. ~~Communications~~ c. Communication;
4. ~~d. Court Security Operations~~ security operations;
5. ~~Court Security~~ e. Investigations;
6. ~~f. Defensive Tactics/Use~~ tactics and use of Force force;
7. ~~g. Weapons Use;~~ and
8. ~~Transportation~~ h. Driver training and transportation.

~~E. Courthouse and Courtroom Security Officer Field Training Category 9~~

2. Meet or exceed the performance outcomes in the category of field training identified in the Virginia Department of Criminal Justice Services Field Training and On the Job Training Performance Outcomes.

D. Individuals hired as deputy sheriffs and designated to serve process shall meet or exceed compulsory minimum training standards at a certified [criminal justice] training academy and complete field training requirements. Certification requires courthouse and courtroom security officers comply with the following:

1. Successfully complete process service officer department approved training at a certified [criminal justice] training academy in the following categories:

~~F. Academy training categories — Process Service Officer.~~

~~1. Process Service Officer Operations a. Professionalism;~~

~~2. b. Legal Issues;~~

~~3. Communications c. Communication;~~

~~4. d. Civil Process Operations process operations;~~

~~5. Civil Process Investigations~~

~~6. e. Defensive Tactics/Use tactics and use of Force force;~~

~~7. f. Weapons Use; and~~

~~8. Transportation g. Driver training.~~

~~G. Process Service Officer Field Training Category 9~~

~~2. Meet or exceed the performance outcomes in the category of field training identified in the Virginia Department of Criminal Justice Services Field Training and On the Job Training Performance Outcomes.~~

6VAC20-50-21. Approval authority.

A. The ~~Criminal Justice Services Board~~ board shall be the approval authority for the training categories of the compulsory minimum training standards identified in 6VAC20-50-20. Amendments to the training categories shall be made in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).

B. The Committee on Training ~~of the Criminal Justice Services Board~~ shall be the approval authority for the performance outcomes, training objectives, criteria, and lesson plan guides that support the performance outcomes.

1. Performance outcomes, training objectives, criteria, and lesson plan guides supporting the compulsory minimum training standards may be added, deleted, or amended by the ~~Committee on~~

Training COT based ~~upon~~ on written recommendation of a chief of police, sheriff, agency administrator, academy director, Curriculum Review Committee (CRC), interested party, or member of the community.

~~Any suggestions~~ 2. Suggestions received related to performance outcomes, training objectives, criteria, and lesson plan guides shall be reviewed at the regularly scheduled meeting of the Curriculum Review Committee CRC. ~~If comment is received at any public hearing, the Committee on Training may make a decision at that time. Changes to the training categories will only be made in accordance with the provisions of the Administrative Process Act~~ The CRC shall present recommendations for revisions to the COT.

C. ~~Prior to~~ Before approving changes to the performance outcomes, training objectives, criteria, or lesson plan guides, the ~~Committee on Training~~ COT shall ~~conduct a public hearing~~ schedule an opportunity for public comment during a meeting of the COT. ~~Sixty~~ A minimum of 60 days ~~prior to~~ before the public hearing meeting of the COT, the proposed changes shall be distributed to all ~~affected parties~~ certified training academies for the opportunity to comment. Notice of ~~change~~ of changes to the performance outcomes, training objectives, criteria, and lesson plan guides shall be filed for publication in the Virginia Register of Regulations ~~upon adoption, change, or deletion.~~

D. The department shall notify each certified [criminal justice] training academy in writing of any ~~new, revised, or deleted objectives. Such adoptions, changes, or deletions shall become effective 30 days after notice of publication in the Virginia Register.~~ COT approved revisions. COT approved revisions require a minimum of 30 days' notice to certified training academies prior to becoming effective.

6VAC20-50-30. Applicability.

A. ~~Every~~ A person employed as a ~~jailer or custodial~~ sheriff deputy or jail officer as defined in § 53.1-1 of the Code of Virginia and in accordance with subdivision 9 of § 9.1-102 of the Code of Virginia shall meet compulsory minimum training standards and requirements established in ~~subsections~~ subsection B, C, and D of 6VAC20-50-20 and 6VAC20-50-40 unless provided otherwise in accordance with subsection D of this section.

B. Every person employed as a ~~Courthouse and Courtroom Security Officer~~ courthouse and courtroom security officer in accordance with subdivision 7 of § 9.1-102 of the Code of Virginia shall meet compulsory minimum training standards established in ~~subsections E and F~~ subsection C of

6VAC20-50-20 and 6VAC20-50-40 unless provided otherwise in accordance with subsection D of this section.

C. Every person employed as a ~~Deputy Sheriff Designated to Serve Process~~ deputy sheriff designated to serve process in accordance with § 15.2-1612.1 of the Code of Virginia shall meet compulsory minimum training standards established in ~~subsections G and H~~ subsection D of 6VAC20-50-20 and 6VAC20-50-40 unless provided otherwise in accordance with subsection D of this section.

D. The director may grant an exemption or partial exemption of the compulsory minimum training standards ~~as established herein~~ in this chapter, in accordance with § 9.1-116 of the Code of Virginia.

E. Deputy sheriffs, jail officers, courthouse and courtroom security officers, and deputy sheriffs designated to serve process who originally complied with all applicable training requirements and later separated from deputy sheriff, jail officer, courthouse and courtroom security officer, and deputy sheriff designated to serve process status in excess of 24 months, upon reentry as a deputy sheriff, jail officer, courthouse and courtroom security officer, or deputy sheriff designated to serve process will be required to complete all compulsory minimum training standards in accordance with 6VAC20-50-20 unless provided otherwise in accordance with subsection D of this section.

6VAC20-50-40. Time requirement for completion of training.

A. ~~Every jailer or custodial officer, courthouse and courtroom security officer and process service officer~~ Deputy sheriffs, jail officers, courthouse and courtroom security officers, and deputy sheriffs designated to serve process who ~~is~~ are required to comply with the compulsory minimum training standards [, field training and requirements] shall satisfactorily complete such training within 12 months of the date of appointment or hire as a ~~jailer or custodial officer, courtroom security officer or process service officer~~ deputy sheriffs, jail officers, courthouse and courtroom security officers, and deputy sheriffs designated to serve process unless provided otherwise in accordance with subsection B of this section.

B. The director or director's designee may grant an extension of the time limit for completion of the compulsory minimum training ~~required upon presentation of evidence by the agency administrator that such officer was unable to complete the required training within the specified time limit due to illness, injury, military service, special duty assignment required and performed in the~~

~~public interest or leave without pay or suspension pending investigation or adjudication of a crime. The agency administrator shall request such extension prior to expiration of any time limit.~~

~~C. Any jailor or custodial officer, courthouse and courtroom security officer or process service officer who originally complied with all applicable training requirements and later separated from jailor or custodial officer, courtroom security officer, process service officer status, in excess of 24 months, upon reentry as a jailor, courthouse and courtroom security officer/process server will be required to complete all compulsory minimum training standards unless provided otherwise in accordance with 6VAC20-50-30 D. standards and requirements for the following reasons:~~

1. Medical condition;

2. Injury;

3. Military service; or

4. Administrative leave involving the determination of worker's compensation or disability retirement issues or suspension pending investigation or adjudication of a crime.

C. The director or director's designee may review and consider other reasons (e.g., natural disaster, family medical leave, etc.) for granting an extension. If approval is granted the extension shall not exceed 90 days.

[D. The director or director's designee may review and consider requests to renew training extensions if the reason for the original training extension continues and the request occurs before the expiration date of the original extension.]

[D E]. The director shall not grant an extension for failing to pass compulsory minimum training standards within the specified time limits.

[E F]. Deputy sheriffs, jail officers, courthouse and courtroom security officers, and deputy sheriffs designated to serve process who do not satisfactorily complete the compulsory minimum training standards [field training] and requirements within 12 months of hire or appointment as a deputy sheriff, jail officer, courthouse and courtroom security officer, or deputy sheriff designated to serve process, or who do not receive an extension of the time limit for completion of the requirements, shall be subject to the provisions of § 9.1-115 of the Code of Virginia.

[F.G.] The department shall notify the agency administrator of individuals not in compliance with the requirements of this section.

~~6VAC20-50-50. How compulsory minimum training may be attained. (Repealed.)~~

~~A. The compulsory minimum training standards shall be attained by attending and satisfactorily completing performance outcomes at certified training academy and field training requirements.~~

~~B. Officers attending a certified training academy are required to attend all classes and should not be placed on duty or on call except in cases of emergency.~~

~~C. All certified training academies that begin on or after July 1, 2007, shall be conducted in conformance with the Rules Relating to Compulsory Minimum Training Standards for Jailors or Custodial Officers, Courthouse and Courtroom Security Officers and Process Service Officers as amended by the board on September 14, 2006. However, the period July 1, 2007, through June 30, 2008, shall serve as a transition period wherein certified training academies may be approved by the department to conduct training according to the Rules Relating to Compulsory Minimum Training Standards for Jailors or Custodial/Courthouse and Courtroom Security Officers/Deputy Sheriffs Designated to Serve Process as amended by the board on April 4, 1990, or according to the Rules Relating to Compulsory Minimum Training Standards for Jailors or Custodial Officers, Courthouse and Courtroom Security Officers and Process Service Officers as amended by the board on September 14, 2006.~~

~~6VAC20-50-60. Certified training academies. (Repealed.)~~

~~A. To become a certified academy, a state or local unit of government must demonstrate a need that contains the following elements:~~

~~1. The inability to obtain adequate training from existing academies or a sufficient hardship that renders the use of other existing academies impractical.~~

~~2. Based upon a training needs assessment, a sufficient number of officers to warrant the establishment of a full-time training function for a minimum of five years.~~

~~B. In addition, the state or local unit of government must make the following commitments:~~

1. Provide a full range of training to include entry-level training, in-service training, instructor certification and recertification training and specialized training.
2. Assignment of one position with primary responsibility as academy director and one clerical position to support training and training-related functions.
3. Maintain a training facility adequate to conduct training in accordance with academy certification standards.
4. Commitment of sufficient funding to adequately support the training function.

C. Process.

1. The state or local governmental unit shall submit a justification, as outlined in subsection B of this section, to the Committee on Training, which shall review the justification and make a recommendation to the department as to whether the establishment of an academy is warranted.
2. If the Committee on Training recommends the establishment of the proposed academy, the department shall make a determination as to whether the establishment of the academy is warranted.
3. If the establishment of the academy is approved by the department, the proposed academy must successfully complete the academy certification process and be in compliance with § 15.2-1747 of the Code of Virginia.

D. Each certified academy director shall maintain a file of all current lesson plans and supporting material for each subject contained in the compulsory minimum training standards. The certified training academy shall submit to the department its curriculum and other information as designated within time limits established by the department.

E. Certified academies that are approved shall be subject to inspection and review by the director.

F. The department may suspend or revoke the approval of a certified training school academy upon written notice to the academy's director. The notice shall contain the reason(s) upon which the suspension or revocation is based. The academy's director may request a hearing before the director or his designee. The request shall be in writing and must be received by the department

~~within 15 days of the date of the notice of suspension/revocation. The school's director may appeal the decision of the director or his designee to the board. Such request shall be in writing and must be received by the board within 15 days of the date of the decision of the director or his designee.~~

6VAC20-50-70. Grading Attendance, testing, and grading.

~~A. All certified training academies shall utilize testing procedures that indicate that every officer, prior to satisfactory completion of the training, has passed the criteria for testing and met the training objectives related to each performance outcome specified in the document entitled "Performance Outcomes for Compulsory Minimum Training Standards for Jailors or Custodial Officer, Courthouse and Courtroom Security Officers and Process Service Officers."~~

A. Attendance.

1. Deputy sheriffs, jail officers, courthouse and courtroom security officers, and deputy sheriffs designated to serve process attending approved training are required to attend all classes and shall not be placed on duty or on call except in cases of emergency (e.g., natural disaster, etc.). In the event of such an emergency, the agency administrator or designee shall determine if it is appropriate to place officers on duty or on call and shall advise the academy director within 24 hours.

2. Officers shall be responsible for any material missed during an excused absence.

B. Academy testing.

1. Deputy sheriffs, jail officers, courthouse and courtroom security officers, and deputy sheriffs designated to serve process shall meet all the training objectives and pass all criteria for testing related to each performance outcome approved by the COT [of the board].

2. The officer may be tested and retested as may be necessary within the time limits of 6VAC20-50-40 A and each certified [criminal justice] training academy's written policy. An officer shall not be certified as having complied with the compulsory minimum training standards unless all applicable requirements have been met.

~~C. Certified training academies shall maintain accurate records of all tests, grades and testing procedures. Academy training records must be maintained in accordance with the provisions of these rules and §§ 42.1-76 through 42.1-91 of the Code of Virginia.~~

6VAC20-50-80. Failure to comply with rules and regulations.

Any individual A. Individuals attending a certified [criminal justice] training academy shall comply with the rules and regulations promulgated by the department. The academy director shall be responsible for enforcement of all rules and regulations established to govern the conduct of attendees.

~~If the academy director considers a violation of the rules and regulations~~ B. Individuals violating the rules and regulations governing the certified [criminal justice] training academy determined to be detrimental to the welfare of the academy, the academy director may expel the officer from the academy or the safety of officers, visitors, or personnel may be expelled. Notification of such action shall an expulsion will immediately be reported, in writing, to the agency administrator of the officer in accordance with rules and regulations within the authority of the certified training academy individual and the department.

6VAC20-50-90. Administrative requirements.

~~The academy director shall maintain a final curriculum that includes performance outcomes, hours and instructor names.~~

~~A. [Criminal justice agencies will receive a roster containing the names of those deputy sheriffs, jail officers, courthouse and courtroom security officers, and deputy sheriffs designated to serve process who have satisfactorily completed the compulsory minimum training standards within 60 days of completion].~~

~~[B. Field training shall be completed in accordance with the requirements in 6VAC20-50-40.]~~The agency shall complete the appropriate department authorized field training completion form (Form J-1, Form CS-1, and Form CP-1) documenting the completion of field training for officers.

~~[C. B]~~ The agency administrator shall sign and submit the field training completion form to the department for each officer [within 12 months of hire or appointment].

~~[D. C.]~~ Records and documentation shall be open to audit, inspection, and review by the department upon request.

~~[E. D.]~~ Training records shall be maintained in accordance with the provisions of this chapter and the Virginia Public Records Act (§ 42.1-76 et seq. of the Code of Virginia).

6VAC20-50-120. Certification status and in-service training.

A. Full-time and part-time law-enforcement officers of a police department or sheriff's office that is part of or administered by the Commonwealth or any political division, law-enforcement officers as defined in § 9.1-101 of the Code of Virginia, and all jail officers as defined in § 53.1-1 of the Code of Virginia must be certified through the successful completion of training at ~~an approved~~ a certified criminal justice training academy in order to remain eligible for appointment or employment.

B. Deputy sheriffs, jail officers, courthouse and courtroom security officers, and deputy sheriffs designated to serve process shall comply with in-service training and firearms training requirements identified in 6VAC20-30.

6VAC20-50-130. Certified training academies.

Every criminal justice agency under the purview of the department shall be a member or a certified criminal justice training academy.

NOTICE: The following forms used in administering the regulation were filed by the agency. The forms are not being published; however, online users of this issue of the Virginia Register of Regulations may click on the name of a form with a hyperlink to access it. The forms are also available from the agency contact or may be viewed at the Office of the Registrar of Regulations, 900 East Main Street, 11th Floor, Richmond, Virginia 23219.

FORMS (6VAC20-50)

~~Application for Exemption from Virginia Compulsory Minimum Training Standards, Form W-2 (rev. 8/05)~~

~~[Application for Exemption from Virginia Compulsory Minimum Training Standards, Form W-2 (rev. 5/2018)]~~

~~Field Training: Jail Deputy and Jail Officer, J-1, (5/2018)~~

~~Field Training: Court Security Officer, CS-1, (5/2018)~~

~~Field Training: Civil Process Officers, CP-1, (5/2018)~~

DOCUMENTS INCORPORATED BY REFERENCE (6VAC20-50)

Virginia Department of Criminal Justice Services Field Training and On the Job Training Performance Outcomes, published September 2012, Virginia Department of Criminal Justice Services (Revised January 2018)

6VAC20-60. Rules Relating to Compulsory Minimum Training Standards for Dispatchers

6VAC20-60-10. Definitions.

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

"Academy director" means the chief administrative officer of a certified **[criminal justice]** training academy.

"Agency administrator" means any chief of police, sheriff, or agency head of a state or local law-enforcement agency, or non-law-enforcement head of a communications center.

"Board" means the Criminal Justice Services Board.

"Certified **[criminal justice]** training academy" means a training facility **[or campus]** in compliance with academy certification or recertification standards and operated by the state or local ~~unit(s)~~ unit[s] of government that is owned, leased, rented, or used exclusively for the purpose of ~~providing instruction of compulsory minimum training standards~~ training criminal justice professionals regulated by department and board. Approved firing ranges, driving tracks, and defensive tactics training rooms are considered part of the academy facility, subject to review during academy certification and recertification.

"Committee on Training" or "COT" means the standing committee of the board that is charged with reviewing proposed changes to the standards, receiving and reviewing public comments, and approving changes to the standards as needed.

"Compulsory minimum training standards" means the written performance outcomes approved by the Committee on Training and minimum [training] hours approved by the Criminal Justice Services Board.

"Curriculum Review Committee" means the committee consisting of the following nine individuals: two members of the committee shall represent regional criminal justice [training] academies, two members of the committee shall represent independent criminal justice [training] academies, one member shall represent the Department of State Police Training Academy, and four experienced communications personnel shall represent emergency communication functions. The Committee on Training shall appoint members of the Curriculum Review Committee.

"Department" means the Department of Criminal Justice Services.

"Designee" means one who acts with the authority of the chief executive of the agency.

"Director" means the chief administrative officer of the ~~Department of Criminal Justice Services~~ department or the director's designee.

"Dispatcher" means any person employed by or in any local or state government agency either full time or ~~part-time~~ part time whose duties include the dispatching of law-enforcement personnel.

~~"Emergency medical dispatcher training" means training which meets or exceeds the training objectives as provided in Performance Outcome 1.6, which is set out in 6VAC20-60-100.~~

~~"Standard" means Performance Outcome, Training Objective, Criteria for Testing, and Lesson Plan Guide relating to compulsory minimum training for dispatchers and is found on the department's website.~~

~~"VCIN/NCIC training" means approved training as specified by the Virginia Department of State Police for dispatchers accessing Virginia Crime Information Network/National Crime Information Center information.~~

"Mandated training" means training that satisfies compulsory minimum training requirements (i.e., basic and in-service training).

"Satellite facility" means a temporary facility located away from the certified academy facility, which the certified academy uses exclusively to conduct in-service training.

6VAC20-60-20. Compulsory minimum training standards.

A. Pursuant to the provisions of subdivision 10 of § 9.1-102 (40) of the Code of Virginia, the department under the direction of the board establishes the categories of training as listed below in subsection B of this section as the compulsory minimum training standards for dispatchers: whose duties include dispatching for law enforcement.

B. Individuals hired as dispatchers shall meet or exceed the compulsory minimum training standards in the following categories at a certified [criminal justice] training academy:

1. ~~Category 1 – Communications.~~ Communication;

2. ~~Category 2 – Dispatcher Judgment.~~ judgment;

3. ~~Category 3 – Legal Issues;~~ and

4. ~~Category 4 – Professionalism.~~

5. ~~Category 5 – On the Job Training.~~

C. Individuals hired as dispatchers shall meet or exceed the performance outcomes in the category of on-the-job training identified in the Virginia Department of Criminal Justice Services Field Training and On the Job Training Performance Outcomes.

6VAC20-60-25. Approval authority.

A. The ~~Criminal Justice Services Board~~ board shall be the approval authority for the training categories of the compulsory minimum training standards identified in 6VAC20-60-20. Amendments to training categories shall be made in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).

B. The Committee on Training ~~of the Criminal Justice Services Board~~ (COT) shall be the approval authority for the performance outcomes, training objectives, criteria, and lesson plan guides that support the performance outcomes.

1. Performance outcomes, training objectives, criteria, and lesson plan guides supporting the compulsory minimum training standards may be added, deleted, or amended by the ~~Committee on Training~~ COT based upon ~~on~~ written recommendation of a chief of police, sheriff, agency administrator, academy director, non-law-enforcement head of a communications center, or the Curriculum Review Committee (CRC).

2. Suggestions received related to performance outcomes, training objectives, criteria, and lesson plan guides shall be reviewed by the CRC. The CRC shall present recommendations for revisions to the COT.

~~Prior to C. Before~~ approving changes to the performance outcomes, training objectives, criteria, or lesson plan guides, the ~~Committee on Training~~ COT shall ~~conduct a public hearing~~ schedule an opportunity for public comment during a meeting of the COT. ~~Sixty~~ A minimum of 60 days prior to before the public hearing meeting of the COT, the proposed changes shall be distributed to all ~~affected parties~~ certified training academies for the opportunity to comment. Notice of ~~change~~ changes to the performance outcomes, training objectives, criteria, and lesson plan guides shall be filed for publication in the Virginia Register of Regulations ~~upon adoption, change, or deletion.~~

D. The ~~department~~ Department shall notify each certified [criminal justice] training academy in writing of any new, revised, or deleted objectives COT approved revisions. Such adoptions, changes, or deletions shall become effective 30 days after notice of publication in the Virginia Register COT approved revisions require a minimum of 30 days' notice to certified training academies prior to becoming effective.

6VAC20-60-30. Applicability.

A. All Full-time or part-time dispatchers employed by or in any local or state government agency whose duties include the dispatching of law-enforcement personnel and who were hired on or after July 1, 1988, must meet compulsory minimum training standards ~~established at the time of their appointment,~~ and requirements as identified in 6VAC20-60-20 and 6VAC20-60-40 unless provided otherwise in accordance with subsection B of this ~~chapter~~ section.

B. The director may grant an exemption or partial exemption of the compulsory minimum training standards established ~~herein in this chapter,~~ in accordance with § 9.1-116 of the Code of Virginia.

C. Any dispatcher having previously and successfully completed the compulsory minimum training standards who resigns and is reappointed within 24 months from departure will not be required to complete the academy training class.

6VAC20-60-40. Time requirement for completion of training.

A. ~~Every dispatcher who is~~ Dispatchers required to comply with the compulsory minimum training standards must satisfactorily complete the required training set forth in 6VAC20-60-20, within 24 months of the date of hire or appointment as a dispatcher, unless provided otherwise in accordance with subsection B of this section.

B. The director [or the director's designee] may grant an extension of the time limit for completion of the compulsory minimum training standards ~~under~~ and requirements for the following ~~conditions:~~ reasons:

~~1. [The chief of police, sheriff, or agency administrator shall present written notification that the dispatcher was unable to complete the required training within the specified time limit due to:]~~

~~a. Illness~~ 1. Medical condition;

~~b. 2.~~ Injury;

~~c. 3.~~ Military service; or

~~d. Special duty assignment required and performed in the public interest;~~

~~e. 4.~~ Administrative leave involving the determination of workers' compensation or disability retirement issues; or suspension pending investigation or adjudication of a crime; or

~~f. Any other reason documented by the agency administrator. Such reason must be specific and~~

any C. The director or the director's designee may review and consider other reasons (e.g., natural disaster, family medical leave, etc.) for granting an extension. If approval is granted, the extension shall not exceed 90 days.

[D. The director or director's designee may review and consider requests to renew training extensions if the reason for the original training extension continues and the request occurs before the expiration date of the original extension.]

~~2. Any extension granted under subdivision 1 e of this subsection shall require the dispatcher to complete compulsory minimum training prior to resuming job duties. Requests may be granted for periods not to exceed 12 months.~~

[D E]. The director shall not grant an extension for failing to pass compulsory minimum training standards and requirements within specified time limits.

[E F] The agency administrator may request an extension from the director or the director's designee.

1. The request shall be in writing and include written documentation articulating the reason the individual is unable to complete the required training within the specified time limits.

2. The request shall be submitted to the department before the expiration of the specified time limits.

3. Dispatchers who do not satisfactorily complete compulsory minimum training standards ~~and on-the-job training~~ within 24 months of appointment as a dispatcher and who do not receive an extension of the time limit for completion of the requirements shall be subject to the provisions of § 9.1-115 of the Code of Virginia.

~~3. The agency administrator must request such extension prior to expiration of any time limit.~~

~~C. Any dispatcher having previously and successfully completed the compulsory minimum training standards who resigns and is reappointed within 24 months from departure will not be required to complete the academy training class.~~

6VAC20-60-50. Compliance with compulsory minimum training standards. (Repealed.)

~~A. The compulsory minimum training standards shall be accomplished by satisfactory completion of the academy training objectives at a certified training academy and the successful completion of on-the-job training objectives as provided by 6VAC20-60-30 B.~~

~~B. Dispatchers attending compulsory minimum training at a certified training academy are required to attend all classes and should not be placed on duty or call except in cases of emergency.~~

~~C. The Criminal Justice Services Board will provide a transition period for implementation of this chapter. The transition period shall begin January 1, 2002. During the transition period, certified training academies may conduct dispatcher entry-level training using the performance objectives within the "Rules Relating to Compulsory Minimum Training Standards for Dispatchers," effective January 1, 1994, or the performance outcomes and training objectives. Accordingly, any certified training academy may institute a curriculum transition by replacing existing performance objectives with the revised performance outcomes and training objectives. Effective January 1, 2003, all entry-level training programs shall meet the requirements of 6VAC20-60-100.~~

6VAC20-60-60. Approved training schools. (Repealed.)

~~A. Dispatcher classroom training may only be provided by a certified training academy. The certified training academy shall submit to the department the curriculum and other information as designated, within time limitations established by the department.~~

~~B. Each academy director will be required to maintain a file of all current lesson plans and supporting materials for each subject contained in the compulsory minimum training standards.~~

~~C. A certified training academy is subject to inspection and review by the director or staff.~~

~~D. To become a certified academy, a state or local unit of government must demonstrate a need that contains the following elements:~~

~~1. The inability to obtain adequate training from existing academies or a sufficient hardship that renders the use of other existing academies impractical.~~

~~2. Based upon a training needs assessment, a sufficient number of officers to warrant the establishment of a full-time training function for a minimum of five years.~~

~~E. In addition, the state or local unit of government must make the following commitments:~~

~~1. The provision of a full range of training to include entry-level training and specialized training.~~

~~2. The assignment of one position with primary responsibility as academy director and one clerical position to support training and training related functions and instructor certification.~~

~~3. The maintenance of a training facility adequate to conduct training in accordance with academy certification standards.~~

~~4. The commitment of sufficient funding to adequately support the training function.~~

~~F. Process.~~

~~1. The state or local governmental unit shall submit a justification to the Committee on Training as described in subsection D of this section. The Committee on Training shall review the justification and make a recommendation to the department as to whether the establishment of an academy is warranted.~~

~~2. If the Committee on Training recommends the establishment of the proposed academy, the department shall make a determination as to whether the establishment of the academy is warranted.~~

~~3. If the establishment of the academy is approved by the department, the proposed academy must successfully complete the academy certification process.~~

~~G. The certified training academy shall submit to the department its curriculum and other information as designated within time limitations established by the department.~~

~~H. Each academy director shall maintain a file of all current lesson plans and supporting material for training objectives, and shall provide this information to the director upon request.~~

~~I. A certified training academy is subject to inspection and review by the director or his staff.~~

~~J. The department may suspend or revoke the certification of any certified training academy upon written notice, which shall contain the reason or reasons upon which the suspension or revocation is based, to the academy's director. The academy's director may request a hearing before the director. The request shall be in writing and shall be received by the department within 15 days of the date of the notice of the suspension or revocation. The academy's director may appeal the director's decision to the board.~~

6VAC20-60-70. ~~Grading~~ Attendance, testing, and grading.

~~A. All certified training academies shall utilize testing procedures that indicate that every dispatcher has satisfactorily completed the criteria in each training objective approved by the Committee on Training of the Criminal Justice Services Board.~~ Attendance.

1. Dispatchers attending approved training are required to attend all classes and shall not be placed on duty or on call except in cases of an emergency. If there is an emergency (e.g., natural disaster, catastrophic event, etc.) the agency administrator or designee shall determine if it is appropriate to place dispatchers on duty or on call and shall advise the academy director within 24 hours.

2. Dispatchers shall be responsible for any material missed during an excused absence.

B. Academy testing.

1. Dispatchers shall comply with the requirements of 6VAC20-60-20.

2. Each dispatcher shall meet all the training objectives and pass each criteria for testing related to every performance outcome approved by the COT.

3. A dispatcher may be tested and retested as may be necessary within the time limits of 6VAC20-60-40 and in accordance with each the certified [criminal justice] training academy's written policy.

~~B. Certified training academies shall maintain accurate records of all tests, grades and testing procedures. Academy training records must be maintained in accordance with the provisions of this chapter and §§ 42.1-76 through 42.1-91 of the Code of Virginia.~~

~~C. Every individual attending compulsory minimum training shall satisfactorily complete each required performance outcome, training objective, and criteria, and any optional job related subject performance requirements, where applicable. Any individual who fails to satisfactorily complete any performance outcomes or objectives in any subject will be required to attend that subject in a subsequent approved dispatcher training school and satisfactorily complete the required performance objective or objectives.~~

6VAC20-60-80. Failure to comply with rules and regulations.

A. Any individual attending a certified [criminal justice] training academy shall comply with the rules and regulations promulgated by the department. The academy director shall be responsible for enforcement of all rules and regulations established to govern the conduct of attendees.

~~If the academy director considers a violation of the rules and regulations~~ B. Individuals violating the rules and regulations governing the certified [criminal justice] training academy determined to be detrimental to the welfare of the certified [criminal justice] training academy, the academy director may expel the individual or the safety of dispatchers, visitors, or personnel may be expelled from the certified [criminal justice] training academy.

~~C.~~ Notification of such action shall an expulsion will immediately be reported, in writing, to the agency administrator of the dispatcher and the director individual and the department.

6VAC20-60-90. Administrative requirements.

~~A. Reports will be required from the agency administrator and academy director on forms approved or provided by the department and at such times as designated by the director. [Agencies will receive a roster containing the names of those dispatchers who have satisfactorily completed the compulsory minimum training standards within 60 days of completion.]~~

[B.] The agency shall complete the department authorized on-the-job training completion form (Form D-1) documenting the completion of on-the-job training for dispatchers.

[C.B.] The agency administrator shall, within the time requirement set forth in subsection A of 6VAC20-60-40, sign and forward a properly executed on-the-job training form to the department for each dispatcher.

~~C. The academy director shall, within 30 days upon completion of the dispatcher training:~~

~~1. Submit to the department a roster containing the names of those dispatchers who have satisfactorily completed the compulsory minimum training standards.~~

~~2. Submit to the department the final curriculum with the training objectives and instructor names listed.~~

~~D. The academy director shall furnish each instructor with the performance based training and testing objectives for the assigned subject matter.~~

~~E. Each certified training academy shall maintain accurate records of all tests, grades and testing procedures.~~

~~[D. C.] Records and documentation shall be open to audit, inspection, and review by the department upon request.~~

~~[E. D.] Dispatcher training records shall be maintained in accordance with the provisions of these regulations this chapter and the Virginia Public Records Act §§ 42.1-67 through 42.1-94 (§ 42.1-76 et seq. of the Code of Virginia).~~

6VAC20-60-95. Certified training academies.

Every criminal justice agency under the purview of the department shall be a member of a certified [criminal justice] training academy.

NOTICE: The following forms used in administering the regulation were filed by the agency. The forms are not being published; however, online users of this issue of the Virginia Register of Regulations may click on the name of a form with a hyperlink to access it. The forms are also available from the agency contact or may be viewed at the Office of the Registrar of Regulations, 900 East Main Street, 11th Floor, Richmond, Virginia 23219.

FORMS (6VAC20-60)

~~Application for Exemption From Virginia Compulsory Minimum Training Standards, Form W-2, rev. 04/10.~~

~~On the Job Training Dispatchers, Form D-1, rev. 09/02.~~

~~[\[Application for Exemption from Virginia Compulsory Minimum Training Standards, Form W-2 \(rev. 5/2018\)\]](#)~~

~~[On the Job Training Dispatchers, Form D-1 \(rev. 5/2018\)](#)~~

DOCUMENTS INCORPORATED BY REFERENCE (6VAC20-60)

6VAC20-70. Rules Relating to Compulsory Minimum Training Standards for Noncustodial Employees of the Department of Corrections

6VAC20-70-10. Definitions.

The following words and terms, when used in this chapter, shall have the following ~~meaning~~ meanings, unless the context clearly indicates otherwise.:

~~"Approved training school" means a training school which provides instruction of at least the minimum training standards as mandated by the board and has been approved by the department for the specific purpose of training criminal justice personnel.~~

"Academy director" means the chief administrative officer of a certified [criminal justice] training academy.

"Agency administrator" means any chief of police, sheriff, agency head of a state or local law-enforcement agency, or the director of the Department of Corrections or his designee.

"Approved training" means training approved by the department to meet minimum training standards.

"Board" means the Criminal Justice Services Board.

"Certified [criminal justice] training academy" means a training facility [or campus] in compliance with academy certification or recertification standards and operated by the state or local unit[s] of government that is owned, leased, rented, or used exclusively for the purpose of training criminal justice professionals regulated by department and board. Approved firing ranges, driving tracks, and defensive tactics training rooms are considered part of the academy facility, subject to review during academy certification and recertification.

"Committee on Training" or "COT" means the standing committee of the board that is charged with reviewing proposed changes to the standards, receiving and reviewing public comments, and approving changes to the standards as needed.

"Compulsory minimum training standards" means the written performance outcomes approved by the Committee on Training and the minimum training hours approved by the Criminal Justice Services Board.]

"Curriculum Review Committee" means the committee consisting of nine individuals representing the Department of Corrections. Two members of the committee shall represent the western region, two members shall represent the eastern region, two members shall represent the central region, and three members shall represent the Department of Corrections administration.

"Department" means the Department of Criminal Justice Services.

"Designee means one who acts with the authority of the chief executive"

"Director" means the chief administrative officer of the department or the director's designee.

"External training location" means a training location approved by the department located away from the certified [criminal justice] training academy, which the certified [criminal justice] training academy uses to conduct mandated training, using full-time and part-time academy staff with general instructorships.]

"Noncustodial employee" ~~includes~~ means those employees [specifically designated by the director] of the Department of Corrections [who, by their appointment, must carry a weapon, who have been designated to carry a weapon by the Director of the Department of Corrections pursuant to § 53.1-29 of the Code of Virginia.]

~~"School director" means the chief administrative officer of an approved training school.~~

"Satellite facility" means a temporary facility located away from the certified academy facility, which the certified academy uses exclusively to conduct in-service training.

6VAC20-70-20. Compulsory minimum training standards for noncustodial employees.

Pursuant to the provisions of §§ 18.2-308 (5), 19.2-81.2, 9-170 and 53.1-29 of the Code of Virginia, the board establishes the following as the compulsory minimum training standards for noncustodial employees of the Department of Corrections:

	Hours
1. General	4
a. Orientation	
b. Evaluation	
2. Skills	4
a. Firearms (Four hours classroom plus range firing)	
3. Legal Matters	3
a. Corrections and Related Law	4
b. Legal Responsibility and Authority of Employees	2
TOTAL	8 plus range

A. Pursuant to the provisions of § 9.1-102 of the Code of Virginia, the department under the direction of the board shall establish the compulsory minimum training standards for the Department of Corrections, Division of Adult Institutions. Pursuant to §§ 19.2-81.2 and 53.1-29 of the Code of Virginia noncustodial employees of the Department of Corrections who have the authority to detain an individual and noncustodial employees who have been designated to carry a weapon by the Director of the Department of Corrections [and who have the authority to detain an individual per § 19.2-81.2 of the Code of Virginia] shall meet or exceed the compulsory minimum training standards at a certified [criminal justice] training academy [external training location] or satellite facility.

B. Noncustodial employees shall comply with the following noncustodial employee training that includes receiving a minimum of 80 hours of department approved training in the following categories:

1. Security and supervision;

2. Communication;

3. Safety;

4. Emergency response;

5. Conflict and crisis management;

6. Law and legal;

7. Duty assignments and responsibilities;

8. Professionalism; and

9. Firearms training.

6VAC20-70-25. Approval authority.

A. The board shall be the approval authority for the training categories and hours identified in 6VAC20-70-20 of the compulsory minimum training standards. Amendments to training categories shall be made in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).

B. The Committee on Training (COT) shall be the approval authority for the performance outcomes, training objectives, criteria, and lesson plan guides that support the performance outcomes. Performance outcomes, training objectives, criteria, and lesson plan guides supporting the compulsory minimum training standards may be added, deleted, or amended by the COT based upon written recommendation of the director of the Department of Corrections, a chief of police, sheriff, agency administrator, academy director, or the Curriculum Review Committee.

C. Before approving changes to the performance outcomes, training objectives, criteria, or lesson plan guides, the COT shall schedule an opportunity for public comment during a meeting of the COT. A minimum of 60 days before to the meeting of the COT, the proposed changes shall be distributed to all certified training academies for an opportunity to comment. Notice of changes to the performance outcomes, training objectives, criteria, and lesson plan guides shall be filed for publication in the Virginia Register of Regulations.

D. The department shall notify each certified [criminal justice] training academy in writing of any COT approved revisions. COT approved revisions require a minimum of 30 days' notice to certified training academies prior to becoming effective.

6VAC20-70-30. Applicability.

Every A. ~~[A person employed in a]~~ noncustodial ~~[position]~~ ~~[Noncustodial employees]~~ who by ~~[appointment to that position has]~~ pursuant to § 53.1-29 of the Code of Virginia ~~have]~~ been designated by the Director of the Department of Corrections to carry a weapon ~~must~~ ~~[and who have the authority to detain an individual per § 19.2-81.2 of the Code of Virginia]~~ shall meet the requirements and compulsory minimum training standards herein established in 6VAC20-70-20 and 6VAC20-70-40.

B. Noncustodial employees meeting all of the following conditions shall not be required to complete the compulsory minimum training standards:

1. The noncustodial employee was previously employed as a corrections officer;
2. The noncustodial employee originally complied with all the compulsory minimum training requirements of 6VAC20-100 (Rules Relating to compulsory Minimum Training Standards for Correctional Officers of the Department of Corrections, Division of Adult Institutions); and
3. At the time of appointment a period of 24 months or less has passed since the noncustodial employee served in the position of a corrections officer.

6VAC20-70-40. Time required for completion of training.

A. ~~Every~~ No noncustodial employee, ~~so designated as defined in this chapter,~~ shall ~~not~~ carry a weapon until the compulsory minimum training standards as set forth in 6VAC20-70-20 have been ~~satisfactorily~~ completed.

B. Every noncustodial employee, ~~so designated as defined in this chapter,~~ shall ~~satisfactorily~~ complete the compulsory minimum training standards for noncustodial employees within ~~120 days~~ 12 months of ~~assuming a position which that is being~~ designated as a noncustodial ~~position employee~~.

C. The director may grant an extension of the time limit for completion of the compulsory minimum training standards and requirements for the following reasons:

1. Medical condition;

2. Injury;

3. Military service; or

4. Administrative leave involving the determination of worker's compensation or disability retirement issues or suspension pending investigation or adjudication of a crime.

D. The director may review and consider other reasons (e.g., natural disaster, family medical leave, etc.) for granting an extension. If approval is granted, the extension shall not exceed 90 days.

[E. The director or director's designee may review and consider requests to renew training extensions if the reason for the original training extension continues and the request occurs before the expiration date of the original extension.]

[E. F.]The director shall not grant an extension for failing to pass compulsory minimum training standards within the specified time limits.

[F. G] Any noncustodial employee who originally complied with all training requirements and later separated from noncustodial employee or correctional officer status for a period of 24 months or

less, upon reentry as a noncustodial employee, shall be required to complete compulsory in-service training and complete annual firearms training set forth in 6VAC20-70-115.

[G. H] Any noncustodial employee who originally complied with all training requirements and later separated from noncustodial employee or corrections officer status for a period greater than 24 months, upon reentry as a noncustodial employee, shall be required to complete all compulsory minimum training standards set forth in this chapter.

6VAC20-70-50. How compulsory minimum training standards may be attained. (Repealed.)

~~A. The compulsory minimum training standards shall be attained by attending and satisfactorily completing an approved training school.~~

~~B. Noncustodial employees attending an approved training school are required to attend all classes and should not be placed on duty or on call except in cases of emergency.~~

6VAC20-70-60. Approved training schools. (Repealed.)

~~A. Noncustodial employees training schools must be approved by the department prior to the first scheduled class. Approval is requested by making application to the director on forms provided by the department. The director may approve those schools which on the basis of curricula, instructors, facilities, and examinations, provide the required minimum training. One application for all mandated training shall be submitted prior to the beginning of each fiscal year. A curriculum listing the subject matter, instructors, dates and times for the entire proposed training session shall be submitted to the department 30 days prior to the beginning of each proposed session. An exemption to the 30-day requirement may be waived for good cause shown by the school director.~~

~~B. Each school director will be required to maintain a current file of all current lesson plans and supporting material for each subject contained in the compulsory minimum training standards.~~

~~C. Schools which are approved will be subject to inspection and review by the director or staff, or both.~~

~~D. The department may suspend the approval of an approved training school upon written notice, which shall contain the reason(s) upon which the suspension is based, to the school's director. The school's director may request a hearing before the director or his designee. The request shall be in~~

~~writing and must be received by the department within 15 days of the date of the notice of suspension. The school's director may appeal the decision of the director or his designee to the board. Such request shall be in writing and must be received by the board within 15 days of the date of the decision of the director or his designee.~~

~~E. The department may revoke the approval of an approved training school upon written notice, which shall contain the reason(s) upon which the revocation is based, to the school's director. The school's director may request a hearing before the director or his designee. The request shall be in writing and must be received by the department within 15 days of the date of the notice of revocation. The school's director may appeal the decision of the director or his designee to the board. Such request shall be in writing and must be received by the board within 15 days of the date of the decision of the director or his designee.~~

6VAC20-70-70. Grading Attendance, requirements, testing, and grading.

~~A. All written examinations shall include a minimum of two questions for each hour of mandatory instruction. This requirement likewise includes the classroom instruction on performance-oriented subject matter.~~

~~B. All noncustodial employees shall attain a minimum grade of 70% in each grading category to satisfactorily complete the compulsory minimum training standards. Any noncustodial employee who fails to attain the minimum 70% in any grading category will be required to take all subjects comprising that grading category in a subsequent approved training school.~~

A. Attendance.

1. Noncustodial employees attending approved training are required to attend all classes and shall not be placed on duty or on call except in cases of an emergency (e.g., natural disaster, riot, etc.). In the event of such an emergency, the agency administrator or designee shall determine if it is appropriate to place the noncustodial employee on duty or on call and shall advise the academy director within 24 hours.

2. Noncustodial employees shall be responsible for any material missed during an excused absence.

B. Academy testing.

1. Noncustodial employees shall meet all the training objectives and pass all criteria for testing related to each performance outcome approved by the COT.

2. A noncustodial employee may be tested and retested ~~as may be necessary~~ within the time limits of 6VAC20-70-40 and each certified [criminal justice] training academy's written policy. A noncustodial employee shall not be certified as having complied with the compulsory minimum training standards unless all ~~applicable~~ requirements have been met.

~~C. Approved noncustodial employee training schools shall maintain accurate records of all tests, grades and testing procedures. Academy training records must be maintained in accordance with the provisions of these rules and §§ 42.1-76 through 42.1-91 of the Code of Virginia.~~

6VAC20-70-80. Firearms. (Repealed.)

The following firearms training will be applicable to noncustodial employees of the Department of Corrections who have been designated to carry a weapon:

~~1. Classroom – Service handgun, shotgun and special weapons (four hours).~~

~~a. Nonmenclature and Care of Weapons~~

~~b. Safety~~

~~c. Legal Aspects of Firearms Use~~

~~d. Principles of Shooting~~

~~e. Special Weapons (as utilized by the Department of Corrections) – Familiarization, no firing~~

~~2. Range.~~

~~a. Service Handgun.~~

~~(1) combat course (double action)~~

~~60 rounds~~

Silhouette Target

Qualification—70% (5 points per hit on silhouette)

(Minimum 210 points out of a possible 300 points)

~~(2) Course.~~

~~7 yards - two handed crouch - 6 rounds (one on whistle)~~

~~7 yards - two handed crouch - 6 rounds (two on whistle)~~

~~7 yards - two handed crouch - 12 rounds (30 seconds from whistle)~~

~~15 yards - two handed point shoulder - 6 rounds (one on whistle)~~

~~15 yards - two handed point shoulder - 6 rounds - (two on whistle)~~

~~15 yards - two handed point shoulder - 12 rounds (30 seconds from whistle)~~

~~25 yards - two handed point shoulder - 6 rounds (10 seconds/right hand)~~

~~25 yards - two handed point shoulder - 6 rounds (10 seconds/left hand)~~

b. Shotgun

10 rounds

Bobber Target

No. 4 Buck

Qualification—80% (10 points per hit on bobber target)

25 yards - shoulder position - 10 rounds

6VAC20-70-90. Recertification. (Repealed.)

~~A. All noncustodial employees shall recertify every other calendar year by satisfactorily completing the firearms training set forth in 6VAC20-70-80. The specific time frame for compliance by currently certified noncustodial employees is enumerated in subsections C and D. Any noncustodial employee who does not comply as set forth below in subsections C and D shall be subject to the provisions of § 9-181 of the Code of Virginia.~~

~~B. All noncustodial employees shall be required to qualify annually with service handgun and shotgun in accordance with 6VAC20-70-80.~~

~~C. All noncustodial employees whose recertification due date is in 1987 shall comply with the recertification requirements by December 31, 1987, and thereafter by December 31 of every other calendar year.~~

~~D. All noncustodial employees whose recertification due date is in 1988 shall comply with the recertification requirements by December 31, 1988, and thereafter by December 31 of every other calendar year.~~

6VAC20-70-100. Failure to comply with rules and regulations.

A. Noncustodial employees Any individual attending an approved training school certified [criminal justice] training academy shall comply with the rules and regulations promulgated by the department and ~~any other rules and regulations within the authority of the school director board~~. The academy director of the school shall be responsible for enforcement of all rules and regulations established to govern the conduct of attendees.

~~If the school director considers a violation of the rules and regulations~~ B. Any individual violating the rules and regulations governing the certified [criminal justice] training academy determined to be detrimental to the welfare of the school, the school director may expel the noncustodial employee certified [criminal justice] training academy or the safety of the noncustodial employees, officers, visitors, or personnel may be expelled from the school academy.

~~Consistent with Department of Corrections' policy, notification of such action shall~~ C. Notification of an expulsion will immediately be reported in writing to the supervisor of the individual expelled and the appropriate Department of Corrections Division Director agency administrator or designee and the department.

6VAC20-70-110. Administrative requirements.

~~A. Reports will be required from the school director on forms approved by the department and at such times as designated by the director.~~

~~B. The school director shall, within 30 days upon completion of an approved training school, comply with the following:~~

~~1. Submit to the department a roster containing the names of those noncustodial employees who have satisfactorily completed all training requirements and, if applicable, a revised curriculum for the training session.~~

~~C. The school director shall furnish each instructor with a complete set of course resumes and objectives for the assigned subject matter.~~

A. Records and documentation shall be open to audit, inspection, and review by the department upon request.

B. Training records shall be maintained in accordance with the provisions of this chapter and the Virginia Public Records Act (§ 42.1-76 et seq. of the Code of Virginia).

6VAC20-70-115. In-service training and annual firearms training.

A. Every two years, noncustodial employees as defined in 6VAC20-70-10 shall complete a total of 40 hours of in-service training as identified in this subsection by December 31 of the second calendar year after completing approved training at a certified [criminal justice] training academy or satellite facility.

1. Cultural diversity training for two hours.

2. Legal training for four hours.

3. Career development or elective training for 34 hours. Subjects to be provided are at the discretion of the academy director.

B. Firearms training. Every noncustodial employee [required-designated] to carry a firearm in the performance of duty shall qualify annually using the applicable firearms course approved by the COT

[of the board]. Annual range qualification shall include a review of issues and policies relating to weapons safety, nomenclature, maintenance, and use of force. With prior approval of the director, a reasonable modification of the firearms course may be approved to accommodate qualification on indoor ranges.

6VAC20-70-120. ~~Effective date.~~ (Repealed.)

~~These rules shall be effective on and after July 1, 1987, and until amended or repealed.~~

6VAC20-70-130. ~~Adopted: October 12, 1979.~~ (Repealed.)

~~Amended: April 1, 1987.~~

~~FORMS (6VAC20-70)~~

~~Criminal Justice Training Roster, Form 41, eff. 1/93.~~

6VAC20-90. Rules Relating to Regional Criminal Justice Training Academies

CHAPTER 90

RULES RELATING TO REGIONAL CRIMINAL JUSTICE TRAINING ACADEMIES

6VAC20-90-10. Definitions.

The following words and terms, when used in this chapter, shall have the following ~~meaning~~ meanings, unless the context clearly indicates otherwise:;

"Academy director" means the chief administrative officer of a certified [criminal justice] training academy.

"Agency administrator" means any chief of police, sheriff, or agency head of a state or local law-enforcement agency [or agency head of a local correctional facility as defined in § 53.1-1 of the Code of Virginia].

"Approved training" means any training approved by the department to meet minimum training standards.

"Board" means the Criminal Justice Services Board.

"Certified [criminal justice] training academy" means a training facility [or campus] in compliance with academy certification or recertification standards operated by the state or local unit[s] of government that is owned, leased, rented, or used exclusively for the purpose of training criminal justice professionals regulated by the department and board. Approved firing ranges, driving tracks, and defensive tactics training rooms are considered part of the academy facility, subject to review during academy certification and recertification.

"Committee on Training" or "COT" means the standing committee of the board that is charged with reviewing proposed changes to the standards, receiving and reviewing public comments, and approving changes to the standards as needed.

"Compulsory minimum training standards" means the written performance outcomes approved by the Committee on Training and the minimum [training] hours approved by the Criminal Justice Services Board.

"Department" means the Department of Criminal Justice Services.

"Designee" means one who acts with the authority of the chief executive.

"Director" means the chief administrative officer of the department.

"External [classroom training location]" means a training [room location] approved by the department located away from the certified [criminal justice training] academy, which the certified [criminal justice training] academy uses to conduct mandated training, using full-time [and part-time] academy staff with general instructorships.

"Mandated training" means training that satisfies compulsory minimum training requirements (i.e., basic and in-service training).

["Regional Academy" means-"] Regional Training Academy ["means a regional criminal justice training academy as defined by 15.2-1747 of the Code of Virginia].

"Satellite facility" means a temporary facility located away from the certified academy facility, which the certified academy uses exclusively to conduct in-service training.

6VAC20-90-20. Designation.

A. The regional academies set forth ~~below~~ in this subsection are designated as regional academies and are eligible to receive allocated funds from the department.

Cardinal Criminal Justice Academy

~~Salem, Virginia~~

Central Shenandoah Criminal Justice Training Academy

~~Waynesboro, Virginia~~

Central Virginia Criminal Justice Academy

~~Lynchburg, Virginia~~

Crater Criminal Justice Academy

~~Petersburg, Virginia~~

Hampton Roads Regional Academy of Criminal Justice

~~Newport News, Virginia~~

New River Criminal Justice Training Academy

~~Radford, Virginia~~

Northern Virginia Criminal Justice Academy

~~Ashburn, Virginia~~

Piedmont Regional Criminal Justice Training Academy

~~Martinsville, Virginia~~

Rappahannock Regional Criminal Justice Academy

~~Fredericksburg, Virginia~~

Skyline Regional Criminal Justice Academy

~~Front Royal, Virginia~~

Southwest ~~Law Enforcement~~ Virginia Criminal Justice Academy

~~Bristol, Virginia~~

B. Jurisdictions may operate their own certified independent training academies if approved by the department; however, no state funds will be available for such academies. A jurisdiction, within or without the Commonwealth, may join a regional academy ~~at any time~~ subject to complying with the ~~policies established by the board~~ requirements of §§ 15.2-1300 and 15.2-1747 of the Code of Virginia, and this chapter.

~~C. A regional academy site may be changed by the academy governing body with the approval of the board.~~

~~D. Training, where practical, shall be conducted at designated satellite locations throughout the geographical confines of the regional academy to ensure minimum travel for student officers.~~

~~E. The board shall define geographical boundaries of designated regional academies.~~

6VAC20-90-30. Academy governing body.

Each regional academy shall have a charter, which shall be established in accordance with ~~§ §§ 15.2-1300 and 15.2-1747~~ of the Code of Virginia. ~~The charter shall, in accordance with guidelines established by the board, create an academy governing body and specify the composition, authority and functions of the academy governing body and selection criteria and duties of the regional academy director.~~

6VAC20-90-40. Funds.

The department will disburse funds to the regional academies designated in 6VAC20-90-20 in accordance with the appropriations made to the department for the purpose of providing financial support to the regional training academies. ~~Financial reports~~ An operating budget and independent audit by a third-party auditor will be required as determined by the department to be submitted to the department annually.

6VAC20-90-60. Academy creation.

A. Conduct training needs assessment. To determine if a need exists for the creation of a certified [criminal justice] training academy, a state or local unit of government must complete a training needs assessment. The needs assessment will evaluate the following:

1. The inability to obtain adequate training from existing academies.
2. A hardship that renders the use of other existing academies impractical.
3. The number of criminal justice professionals (i.e., students) the certified [criminal justice] training academy would serve.
4. That there are a sufficient number of criminal justice professionals, financial resources, and academy personnel to support the creation and maintenance of a full-time regional or independent training academy for a minimum of five years.

B. Identify and acknowledge commitments. The state or local unit of government shall in writing make the following commitments:

1. The provision of a full range of training to include basic training, in-service training, and instructor certification and recertification training.

2. The assignment of one position with primary responsibility as academy director and one clerical, financial officer, or support position to support training and training-related functions.

3. The provision of adjunct instructors to instruct classes and courses.

4. The maintenance of a training facility adequate to conduct training in accordance with academy certification standards.

5. The commitment of sufficient funding to adequately support the training function.

C. Review and consideration.

1. The state or local governmental unit shall submit a training needs assessment and written commitments to the Committee on Training (COT) as described in subsections A and B of this section.

[The department and the COT shall review and consider assessments after review of mutual agreement documents signed by separating agency and academy.]

2. The COT shall review the assessment and make a recommendation to the department as to whether the creation of an academy is warranted.

3. If the COT recommends the creation of the proposed academy, the department shall make a determination as to whether the creation of an academy is warranted.

a. If the creation of a regional academy is approved by the department, the governing bodies or political subdivisions of the proposed academy must successfully complete the academy certification process and be in compliance with the provisions of § 15.2-1747 of the Code of Virginia.

b. If the creation of an independently operated academy is approved by the department, the governing body of the proposed academy must successfully complete the academy certification process and be in compliance with the provisions of subsection D of § 15.2-1747 of the Code of Virginia.

6VAC20-90-70. Academy certification.

A. An academy shall not conduct mandated training until the academy meets all certification requirements.

B. Training academies, all places of operation (i.e., satellite facilities, external [classrooms-training locations], firing range, driving course, etc.), and the records are subject to audit, inspection, and review by the department. Audits and inspections may be announced or unannounced.

C. The academy must formally request academy certification status from the department and meet the following requirements:

1. The department will establish a mutually agreeable date with the academy director and conduct the on-site assessment for academy certification.

2. The academy shall meet 100% the academy certification standards identified in the DCJS Certified Criminal Justice Training Academy Certification Checklist and Report in each of the following categories:

a. Administration;

b. Personnel;

c. Facility;

d. Instruction; and

e. Satellite facility.

3. Certification is valid for one year from the date of certification.

a. In order to maintain certification status, the academy must successfully complete the academy recertification process before the expiration of the original certification.

b. The recertification will extend the expiration date to June 30 of the third year following the date of recertification.

D. If the academy does not meet one or more certification standards identified in the DCJS Certified Criminal Justice Training Academy Certification Checklist and Report:

1. The academy director will receive written notification of the certification standards that have not been met and the date when a reassessment will be conducted.

2. The department shall provide the written notification and date of reassessment within five business days of the last date of assessment.

3. The academy will be given time to correct the situation, not to exceed 60 days.

4. Department staff shall reassess the academy. If the academy does not meet one or more of the certification standards upon reassessment, the department will provide written notification of the standards not met during reassessment to the academy director and agency administrator or board chairman of the academy. The academy will have a maximum of 30 days to comply with all certification standards.

5. A second reassessment will be conducted no later than 30 days following the first reassessment. If the academy is still not in compliance with all certification standards at the time of the second reassessment, the department shall not certify the academy.

6. The academy director may appeal the findings of the academy certification to the director. The decision of the director is final.

E. Academies failing to meet the certification requirements or losing on appeal shall restart the academy certification process identified within this section beginning with 6VAC20-90-70 C.

6VAC20-90-80. Academy recertification.

A. A certified [criminal justice] training academy shall not conduct mandated training for courses in which it is not in compliance with regulatory and certification requirements.

B. A certified [criminal justice] training academy, all places of operation (i.e., satellite facilities, firing range, driving course, etc.), and the records are subject to audit, inspection, and review by the department. Audits and inspections may be announced and unannounced.

C. The certified [criminal justice] training academy must successfully complete the academy recertification process before June 30 of the third year from the last date of recertification.

D. The department will establish a mutually agreeable date with the academy director and conduct the on-site assessment for academy recertification.

1. The certified [criminal justice] training academy shall ~~meet 100% of~~ be assessed for compliance with the academy certification standards identified in the DCJS Certified Criminal Justice Training Academy Recertification Checklist and Report in each of the following categories:

a. Administration;

b. Personnel;

c. Facility;

d. Instruction; and

e. Satellite facility.

2. If the certified [criminal justice] training academy does not meet one or more recertification standards identified in the DCJS Certified Criminal Justice Training Academy Recertification Checklist and Report:

a. The academy director will receive written notification of the recertification standards that have not been met along with a department drafted corrective action plan and the date when a reassessment will be conducted within five business days from the last date of assessment.

b. The certified [criminal justice] training academy will be given time to correct the situation, not to exceed 60 days.

c. The department staff shall reassess the certified [criminal justice] training academy. If the certified [criminal justice] training academy does not meet one or more of the certification standards upon reassessment, the department will provide written notification of the standards not met during reassessment to the academy director and agency administrator, or board chairman of the certified

[criminal justice] training academy. The certified [criminal justice] training academy will have a maximum of 30 days to comply with all certification standards.

d. A second reassessment will be conducted no later than 30 days following the first reassessment. If the certified [criminal justice] training academy is [still] not in compliance with all certification standards [or has failed to adopt and implement the department issued corrective action plan] at the time of the second reassessment, the director shall suspend the academies certification in accordance with 6VAC20-90-100 and conduct a hearing within 30 days to determine the status of the academy's certification.

E. The director shall review all pertinent documents.

1. The academy will have an opportunity to make a verbal presentation.

2. After a review of all pertinent information, the director shall determine the status of the academy certification.

F. The academy director may seek appeal to the enforcement actions identified in 6VAC20-90-100 of the academy recertification assessment.

1. The academy director may request a hearing before Executive Committee of the Criminal Justice Services Board. The request shall be in writing and shall be received by the department within 15 days of the date of the notice of probation, suspension, or revocation.

2. The academy will have an opportunity to make a verbal presentation before the executive committee.

3. After a review of all pertinent information, the executive committee shall determine the status of the certification.

6VAC20-90-90. Training requirements, approvals, audits, inspections, and reviews.

A. The certified [criminal justice] training academy shall conduct mandated (e.g., basic) training using the Virginia Criminal Justice Services Training Manual and Compulsory Minimum Training Standards for:

1. Law enforcement officers in accordance with the requirements of 6VAC20-20-21 B 1.
2. Deputy sheriffs and jail officers in accordance with the requirements of 6VAC20-50-20 B 1.
3. Courthouse and courtroom security officers in accordance with the requirements of 6VAC20-50-20 C 1.
4. Deputy sheriffs designated to serve process in accordance with the requirements of 6VAC20-50-20 D 1.
5. Dispatchers in accordance with the requirements of 6VAC20-60-20 B.
6. Noncustodial employees of the Department of Corrections designated by the Director of the Department of Corrections to carry a weapon in accordance with the requirements of 6VAC20-70-20.
7. Correctional officers of the Department of Corrections in accordance with the requirements of 6VAC20-100-20 B 1.

B. The certified [criminal justice] training academy shall submit to the department its curriculum containing the performance outcomes, instructor names, and the dates and times for all basic training, including all instructor schools and field training officer schools, and a letter requesting approval (e.g., memorandum of transmittal) at least 30 days before the start of the course.

C. The department shall review the documents submitted, and if approved, the department shall notify the certified [criminal justice] training academy in writing of course approval.

D. The certified [criminal justice] training academy shall approve in-service training in accordance with the requirements identified in 6VAC20-30.

E. The department shall conduct training audits, inspections, and review.

6VAC20-90-100. Enforcement actions for recertification.

A. The department shall use the enforcement actions provided in this subsection when identifying noncompliance of this chapter that varies from the intent of this chapter by academies and certified academies.

1. Probation is a written notification for violations of department rules or regulations requiring continuous oversight by the department for a specific duration of time.

2. Suspension is a written notification of the removal of authorization to conduct, instruct, or hold specified courses or schools for violations of this chapter for a specific duration of time.

3. Revocation is a written notification by the director of the deactivation and removal of authorization issued under certification to operate as a certified [criminal justice] training academy for violations of this chapter for an indefinite period of time.

B. The enforcement actions and procedures provided in this subsection are not mutually exclusive. The department may invoke as many enforcement actions as the situation requires.

1. The department may consider probation, suspension, or revocation status for a certified [criminal justice] training academy with documented noncompliance for one or more academy recertification standards when the certified [criminal justice] training academy has failed to correct the noncompliance in accordance with the recertification process and timeline identified in 6VAC20-90-80.

2. If there is a life, health, or safety issue or felonious criminal activity occurring during any department or academy approved training, at any location, the director may unilaterally revoke the academy's certification. The status of the revocation shall be reviewed at the next scheduled Criminal Justice Services Board meeting.

6VAC20-90-110. Enforcement actions for instruction and training.

A. The department shall use the enforcement actions provided in this subsection when identifying noncompliance of this chapter by certified training academies.

1. Probation is a written notification for violations of department rules or regulations requiring continuous oversight by the department for a specific course or class.

2. Suspension is a written notification of the removal of authorization to conduct, instruct, or hold specified courses or schools for violations of this chapter.

B. The department may conduct training audits inspections and reviews and immediately suspend a class, course, or training if there is a violation of academy certification or recertification standard or requirements or if there is a life, health, or safety issue or felonious criminal activity occurring at an academy or a satellite facility. The suspension shall remain in place until the noncompliance is corrected.

C. The department may assign probation status to a certified [criminal justice] training academy's course or class. This allows a certified academy to conduct a class with oversight from the department.

D. Probation and suspension status shall be reviewed by the department upon compliance with all requirements.

6VAC20-90-120. Attendance, testing, grading, and recordkeeping.

A. The certified [criminal justice] training academy shall establish, maintain, and follow a policy that requires criminal justice professionals to attend all classes except in emergency situations (i.e., natural disaster, catastrophic event, etc.) and notify criminal justice professionals of their responsibility for any material missed during an excused absence per academy policy.

B. The certified [criminal justice] training academy shall utilize testing procedures that indicate that every criminal justice professional has satisfactorily completed the criteria for every training objective and performance outcome approved by the Committee on Training of the Criminal Justice Services Board and located in the Virginia Criminal Justice Services Training Manual and Compulsory Minimum Training Standards.

C. A criminal justice officer may be tested and retested as may be necessary within the time limits of 6VAC20-20-40, 6VAC20-50-40, 6VAC20-60-40, 6VAC20-70-40, or 6VAC20-100-40 and in accordance with each certified [criminal justice] training academy's written policy.

D. Law-enforcement certification exam.

1. The department shall generate and proctor the law-enforcement certification exam.
2. All certified training academies shall document that each law-enforcement officer has complied with all minimum training standards in all categories identified in 6VAC20-20-21 before scheduling the law-enforcement certification exam.
3. Upon documented compliance with the minimum training standards identified in 6VAC20-20-21 officers will be eligible to complete the law-enforcement certification exam.

E. The academy director shall certify [all] criminal justice professional have complied with the applicable rules relating to the compulsory minimum training standards and requirements. The academy director shall submit the following information using the department's electronic training records management system within 60 days of the last day of completing the compulsory minimum training or in-service training.

1. Name of certified [criminal justice] training academy and academy director's name;
2. Start and end dates of training;
3. Name and type of course;
4. Social security number of criminal justice professionals;
5. Last name, first name, and middle initial of criminal justice professionals;
6. Name of criminal justice professional's employing agency; and
7. Academy director's signature and date.

F. Certified training academies shall maintain accurate records of all tests, grades, and testing procedures.

G. The certified [criminal justice] training academy director shall maintain a file of all current lesson plans and supporting material for training objectives and shall provide this information to the director upon request.

H. The certified [criminal justice] training academy shall maintain training records in accordance with the provisions of this chapter and the Virginia Public Records Act (§ 42.1-76 et seq. of the Code of Virginia).

6VAC20-90-130. Failure to comply with rules and regulations.

A. The academy director shall be responsible for enforcement of all rules and regulations established to govern the conduct of attendees.

B. Any individual attending a certified [criminal justice] training academy shall comply with the rules and regulations promulgated by the certified [criminal justice] training academy and the department.

C. Individuals violating the rules and regulations governing the certified [criminal justice] training academy or violating the rules of the certified [criminal justice] training academy determined to be detrimental to the welfare of the academy or the safety of criminal justice professionals, visitors, or personnel may be expelled.

D. Notification of expulsion will immediately be reported in writing to the agency administrator of the individual and the department.

DOCUMENTS INCORPORATED BY REFERENCE (6VAC20-90)

[DCJS Certified Criminal Justice Training Academy Certification Checklist and Report, May 2018, Virginia Department of Criminal Justice Services](#)

[DCJS Certified Criminal Justice Training Academy Recertification Checklist and Report, May 2018, Virginia Department of Criminal Justice Services](#)

[Satellite Facility Worksheet, May 2018, Virginia Department of Criminal Justice Services](#)

Virginia Criminal Justice Services Training Manual and Compulsory Minimum Training Standards, published online September 2012, (Revised March 2018) available on the Virginia Department of Criminal Justice Services website at <https://www.dcjs.virginia.gov/law-enforcement/manual>

6VAC20-100. Rules Relating to Compulsory Minimum Training Standards for Correctional Officers of the Department of Corrections, Division of Adult Institutions

6VAC20-100-10. Definitions.

The following words and terms, when used in this chapter, shall have the following ~~meaning~~ meanings, unless the context clearly indicates otherwise.:

"Academy director" means the chief administrative officer of a certified ~~criminal justice~~ training academy.

"Agency administrator" means any chief of police, sheriff or agency head of a state, or local law-enforcement agency, or the director of the Department of Corrections, or his designee.

~~"Approved training school" means a training school which provides instruction of at least the minimum training standards as mandated by the board and has been approved by the department for the specific purpose of training criminal justice personnel.~~

"Approved training" means training approved by the department to meet minimum training standards.

"Board" means the Criminal Justice Services Board.

~~"Corrections facility director/manager" means the chief administrative officer of a correctional facility.~~

"Certified ~~criminal justice~~ training academy" means a training facility ~~or campus~~ in compliance with academy certification or recertification standards and operated by the state or local unit[s] of government that is owned, leased, rented, or used exclusively for the purpose training criminal justice professionals regulated by department and board. ~~Approved firing ranges, driving tracks, and defensive tactics training rooms are considered part of the academy facility, subject to review during academy certification and recertification.~~

"Committee on Training" or "COT" means the standing committee of the board that is charged with reviewing proposed changes to the standards, receiving and reviewing public comments, and approving changes to the standards as needed.

"Compulsory minimum training standards" means the written performance outcomes approved by the Committee on Training and the minimum training hours approved by the Criminal Justice Services Board.

"Curriculum Review Committee" means the committee consisting of nine individuals representing the Department of Corrections. Two members of the committee shall represent the western region, two members shall represent the eastern region, two members shall represent the central region, and three members shall represent administration.

"Department" means the Department of Criminal Justice Services.

"Designee" means one who acts with the authority of the chief executive.

"Director" means the chief administrative officer of the department or the director's designee.

"External training location" means a training location approved by the department located away from the certified [criminal justice] training academy, which the certified [criminal justice] training academy uses to conduct mandated training, using full-time and part-time academy staff with general instructorships.]

~~"Full-time attendance" means that officers in training shall attend all classes and shall not be placed on duty or call except in cases of emergency for the duration of the school.~~

"Satellite facility" means a temporary facility located away from the certified [criminal justice] training academy facility, which the certified academy uses exclusively to conduct in-service training.

~~"School director" means the chief administrative officer of an approved training school.~~

6VAC20-100-20. Compulsory minimum training standards.

A. Pursuant to the provisions of § 9-170-7 of the subdivision 9 of § 9.1-102 of the Code of Virginia, the department under the direction of the board establishes the following as the compulsory

minimum training standards for full-time or part-time correctional officers of the Department of Corrections, ~~Division of Adult Institutions.~~

~~The performance objectives constituting the institutional and academy for staff development core and sub-core curricula is detailed in the document entitled, "Performance-Based Training and Testing Objectives for Compulsory Minimum Training for Correctional Officers of the Department of Corrections, Division of Adult Institutions" (June, 1986), which is incorporated by reference and made a part of these regulations.~~

~~A. Basic correctional officer training – institutional training.~~

~~1. Core curriculum.~~

~~4.0. Key Control~~

~~5.0. Tool Control~~

~~6.0. Control/Account for Inmates~~

~~10.0. Search Procedures – Persons~~

~~11.0. Search Procedures – Objects~~

~~12.0. Search Procedures – Vehicles~~

~~13.0. Search Procedures – Areas~~

~~14.0. Control of Movement In and Out of Facility – Perimeter~~

~~15.0. Control of Movement In and Out of Tower~~

~~16.0. Control of Movement In and Out of Sally Port~~

~~17.0. Control of Movement In and Out of Visiting Room~~

~~18.0. Control of Movement In and Out of Gates~~

~~19.0. Radio/Telephone Communications~~

~~20.0. Control of Movement – Control Room~~

~~21.0. Control of Movement – Master Control~~

~~22.0. Maintaining Effective Security Equipment~~

~~23.0. Control of Contraband~~

~~24.0. Control of Movement Using Restraints~~

~~24.1. Identification of Restraints~~

~~24.2. Use of Restraints~~

~~25.0. Control of Inmate Movement – Internal~~

~~26.0. Transportation and Escorting~~

~~32.0. Communication of Critical Information to Correctional Officers~~

~~33.0. Communication of Critical Information to Supervisors~~

~~34.0. Enforcing Laws, Rules and Regulations~~

~~35.0. Enforcing Laws, Rules and Regulations – Behavior Adjustment~~

~~36.0. Enforcing Laws, Rules and Regulations – Adjustment Committee~~

~~37.0. Enforcing Laws, Rules – IGC~~

~~43.0. Use of Force – Firearms~~

~~44.0. Emergency Preparedness and Response – Riot or Disturbance~~

~~45.0. Emergency Preparedness and Response~~

~~46.0. Emergency Preparedness and Response – Hostage~~

~~47.0. Emergency Preparedness and Response – Minor Disturbance~~

~~48.0. Emergency Preparedness and Response – First Aid~~

~~50.0. Inmate Supervision – Providing Information~~

~~52.0. Inmate Supervision – Work/Recreation~~

~~53.0. Inmate Welfare – Receiving~~

~~54.0. Inmate Welfare – Medical Care~~

~~55.0. Inmate Welfare – Mail~~

~~56.0. Inmate Welfare – Personal Property~~

~~57.0. Inmate Welfare – Housekeeping/Laundry~~

~~.....TOTAL INSTITUTIONAL CURRICULUM HOURS – 80~~

~~B. Basic correctional officer training – academy for staff development.~~

~~1. Core curriculum.~~

~~1.0. Role of the Correctional System~~

~~2.0. Corrections Within the Criminal Justice System~~

~~3.0. Corrections As a Profession~~

~~7.0. Law Enforcement Techniques~~

~~8.0. Secure and Safeguard of Crime Scene~~

~~9.0. Testifying~~

~~10.0. Search Procedures – Persons~~

~~23.0. Control of Contraband~~

~~23.1. Control of Drug Use~~

~~23.2. Identification of Controlled/Abused Substance~~

~~23.3. Identification of Materials Used to Achieve Intoxication~~

~~23.4. Identification of Materials Used to Make Weapons~~

~~23.5. Procedure for Handling Contraband~~

~~24.0. Control of Movement Using Restraints~~

~~24.1. Identification of Restraints~~

~~24.2. Use of Restraints~~

~~28.0. Crisis Prevention/Inmate~~

~~29.0. Crisis Prevention/I.D. of Potential Problems~~

~~30.0. Crisis Prevention/I.D. of Mentally Disturbed Inmates~~

~~31.0. Conflict Management/Crisis Intervention~~

~~34.0. Enforcing Laws, Rules and Regulations~~

~~35.0. Enforcing Laws, Rules and Regulations – Behavior Adjustment~~

~~38.0. Enforcing Laws, Rules – Grievance~~

~~39.0. Use of Force~~

~~40.0. Use of Force – Defensive Tactics~~

~~41.0. Use of Force – Baton~~

~~42.0. Use of Force – Chemical Agents~~

~~43.0. Use of Force – Firearms~~

~~44.0. Emergency Preparedness and Response – Riot or Disturbance~~

~~45.0. Emergency Preparedness and Response~~

~~46.0. Emergency Preparedness and Response – Hostage~~

~~49.0. Inmate Supervision – Interpersonal Communications~~

~~50.0. Inmate Supervision – Providing Information~~

~~51.0. Inmate Supervision – Limitations~~

~~52.0. Inmate Supervision – Work/Recreation~~

~~.....TOTAL CORE CURRICULUM HOURS - 120~~

~~2. Sub-core curriculum (required for all correctional officers who, in the performance of duties, are required to transport inmates by vehicular means).~~

~~27.0. Vehicle Operation.~~

~~..... TOTAL SUB-CORE CURRICULUM HOURS - 16~~

~~..... TOTAL CURRICULUM HOURS - 216~~

B. Individuals hired as correctional officers as defined in § 53.1-1 of the Code of Virginia shall meet or exceed the compulsory minimum training standards at a certified [criminal justice] training academy [external training location, or satellite facility] and complete field training requirements. Correctional officers shall comply with the following:

1. Successfully complete basic correctional officer training at a certified [criminal justice] training academy [external training location,] or satellite facility, which includes receiving a minimum of 400 hours of department approved training in the following categories:

a. Security and supervision;

b. Communication;

c. Safety;

d. Emergency response;

e. Conflict and crisis management;

f. Law and legal;

g. Duty assignments and responsibilities;

h. Professionalism;

i. Basic corrections officer firearms training; and

j. Physical fitness training.

2. Successfully complete a minimum of 200 hours of approved training in the category of field training identified in the Virginia Department of Criminal Justice Services Field Training and On the Job Training Performance Outcomes.

6VAC20-100-25. Approval authority.

A. The board shall be the approval authority for the training categories and hours identified in 6VAC20-100-20 of the compulsory minimum training standards. Amendments to training categories shall be made in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).

B. The Committee on Training (COT) shall be the approval authority for the performance outcomes, training objectives, criteria, and lesson plan guides that support the performance outcomes. Performance outcomes, training objectives, criteria, and lesson plan guides supporting the compulsory minimum training standards may be added, deleted, or amended by the COT based upon written recommendation of the director of the Department of Corrections, a chief of police, sheriff, agency administrator, academy director, or the Curriculum Review Committee.

C. Before approving changes to the performance outcomes, training objectives, criteria, or lesson plan guides, the COT shall schedule an opportunity for public comment during a meeting of the COT. A minimum of 60 days before to the meeting of the COT, the proposed changes shall be distributed to all certified training academies for an opportunity to comment. Notice of changes to the performance outcomes, training objectives, criteria, and lesson plan guides shall be filed for publication in the Virginia Register of Regulations.

D. The department shall notify each certified [criminal justice] training academy in writing of any COT approved revisions. COT approved revisions require a minimum of 30 days' notice to certified training academies prior to becoming effective.

6VAC20-100-30. Applicability.

A. ~~Every~~ A person employed as a full-time or part-time correctional officer, ~~and who has not met the compulsory minimum training standards for correctional officers subsequent to the effective date of these regulations,~~ in accordance with subdivision 9 of § 9.1-102 of the Code of Virginia, shall meet the compulsory minimum training standards herein and requirements established in 6VAC20-100-20 and 6VAC20-100-40 unless provided otherwise in accordance with subsection B of this section.

B. The director may grant an exemption or partial exemption of the compulsory minimum training standards established herein, in accordance with ~~§ 9-173~~ § 9.1-116 of the Code of Virginia.

6VAC20-100-40. Time requirement for completion of training.

A. ~~Every correctional officer~~ Correctional officers who ~~is~~ are required to comply with the compulsory minimum training standards [, field training and requirements] shall satisfactorily complete such training within 12 months of the date of appointment unless provided otherwise in accordance with subsection B of this section.

B. The director may grant an extension of the time limit for completion of the compulsory minimum training ~~required upon presentation of evidence by the agency administrator that the officer was unable to complete the required training within the specified time limit due to illness, injury, military service or special duty assignment required and performed in the public interest. However, each agency administrator shall request such extension prior to expiration of any time limit.~~ standards and requirements for the following reasons:

1. Medical condition;

2. Injury;

3. Military service; or

4. Administrative leave involving the determination of worker's compensation or disability retirement issues or suspension pending investigation or adjudication of a crime.

~~C. Any correctional officer~~ The director may review and consider other reasons (e.g., natural disaster, family medical leave, etc.) for granting an extension. If approval is granted, the extension shall not exceed 90 days. [

[D. The director or director's designee may review and consider requests to renew training extensions if the reason for the original training extension continues and the request occurs before the expiration date of the original extension.]

~~[D E.]~~ The director shall not grant an extension for failing to pass compulsory minimum training standards within the specified time limits.

~~[E, F]~~ Correctional officers who do not [satisfactorily complete compulsory minimum training standards, field training, and requirements within 12 months or hire or appointment as a correctional officer, or who do not] receive an extension of the time limit for completion of requirements shall be subject to the provisions of § 9.1-115 of the Code of Virginia.

~~[F G]~~ The department shall notify the agency administrator of individuals not in compliance with the requirements of this section.

~~[G, H]~~ Correctional officers who originally complied with all training requirements and later separated from correctional officer status, more than 12 months but less than for a period of 24 months or less, upon reentry as a correctional officer, will be required to complete all compulsory minimum training standards set forth in 6VAC20-100-20 A 4 in-service and firearms training requirements set forth in 6VAC20-30.

~~D. Any correctional officer~~ H. Correctional officers who originally complied with all training requirements and later separated from correctional officer status, in excess of for a period greater

~~than 24 months, upon reentry as a correctional officer shall be required to complete all compulsory minimum training standards unless provided otherwise in accordance with 6VAC20-100-20-A 4 required for correctional officers as set forth in this chapter.~~

~~6VAC20-100-50. How minimum training may be attained. (Repealed.)~~

~~A. The compulsory minimum training standards shall be attained by attending and satisfactorily completing an approved training school.~~

~~B. Officers attending an approved training school are required to be present for all classes and should not be placed on duty or on call except in cases of emergency. In the event of such an emergency, the agency administrator shall advise the school director within 24 hours. Officers will be responsible for any material missed during an excused absence.~~

~~C. All approved training schools which begin on or after January 1, 1989, shall be conducted in conformance with the Rules Relating to Compulsory Minimum Training Standards for Correctional Officers of the Department of Corrections, Division of Adult Institutions, as adopted by the board on October 7, 1987. However, the period January 1, 1988, through December 31, 1988, shall serve as a transition period wherein training schools may be approved by the department to conduct training in accordance with the Rules Relating to Compulsory Minimum Training Standards For Correctional Officers of the Department of Corrections, Division of Institutional Services, as amended by the board on February 12, 1982, or according to the Rules Relating to Compulsory Minimum Training Standards for Correctional Officers of the Department of Corrections, Division of Adult Institutions, as adopted by the board on October 7, 1987. Every correctional officer satisfactorily completing training approved by the department under the rules amended February 12, 1982, or under the rules adopted on October 7, 1987, shall be deemed to have complied with the compulsory minimum training standards for correctional officers.~~

~~6VAC20-100-60. Approved training schools. (Repealed.)~~

~~A. Correctional officer training schools shall be approved by the department prior to the first scheduled class. Approval is requested by making application to the director on forms provided by the department. The director may approve those schools, which, on the basis of curricula, instructors, facilities and examinations provide the required minimum training. One application for all mandated training shall be submitted prior to the beginning of each fiscal year. A curriculum listing~~

~~performance objective by number, the instructors, dates, and times for the entire proposed session shall be submitted to the department 30 days prior to the beginning of each such proposed session. An exemption to the 30-day requirement may be granted for good cause shown by the school director.~~

~~B. Each school director shall be required to maintain a file of all lesson plans and supporting material for each subject contained in the compulsory minimum training standards.~~

~~C. Schools which are approved shall be subject to inspection and review by the director or staff.~~

~~D. The department may suspend the approval of an approved training school upon written notice, which shall contain the reason(s) upon which the suspension is based, to the school's director. The school's director may request a hearing before the director or his designee. The request shall be in writing and must be received by the department within 15 days of the date of the notice of suspension. The school's director may appeal the decision of the director or his designee to the board. Such request shall be in writing and must be received by the board within 15 days of the date of the decision of the director or his designee.~~

~~E. The department may revoke the approval of an approved training school upon written notice, which shall contain the reason(s) upon which the revocation is based, to the school's director. The school's director may request a hearing before the director or his designee. The request shall be in writing and must be received by the department within 15 days of the date of the notice of revocation. The school's director may appeal the decision of the director or his designee to the board. Such request shall be in writing and must be received by the board within 15 days of the date of the decision of the director or his designee.~~

6VAC20-100-70. Grading Attendance, requirements, testing, and grading.

~~A. Each officer shall comply with the requirements of all the performance objectives set forth in 6VAC20-100-20 and the document entitled, "Performance-Based Training and Testing Objectives for Compulsory Minimum Training for Correctional Officers of the State Department of Corrections, Division of Adult Institutions" (June, 1986). All approved training schools shall utilize testing procedures which indicate that every officer, prior to satisfactory completion of the training school, has met the requirements set forth in each performance objective specified in the document entitled, "Performance-Based Training and Testing Objectives for Compulsory Minimum Training for~~

~~Correctional Officers of the State Department of Corrections, Division of Adult Institutions" (June, 1986). An~~

~~B. The school director shall submit a grade report on each officer on forms provided by the department.~~

~~C. The following firearms training will be required for each officer attending an approved school:~~

~~1. Nomenclature and care of service revolver;~~

~~2. Safety (on the firearms range, on duty and off duty);~~

~~3. Legal responsibilities and liabilities of firearms;~~

~~4. Service revolver (handling, firing principles);~~

~~5. Dry firing and application of basic shooting principles;~~

~~6. Prequalification shooting (60 rounds, minimum);~~

~~7. Basic Correctional Firearms Qualification Course - Minimum 70% qualification required~~

~~8. Shotgun Qualification Course - Minimum 80% qualification required~~

~~9. Special Weapons Qualification Courses - Minimum 80% qualification required~~

~~a. .223 caliber mini-14 rifle~~

~~b. AR-15 semi-automatic rifle~~

A. Attendance.

1. Correctional officers attending approved training are required to attend all classes and shall not be placed on duty or on call except in cases of an emergency (e.g., natural disaster, etc.) In the event of such an emergency, the agency administrator or designee shall determine if it is appropriate to place officers on duty or on call and shall advise the academy director within 24 hours.

2. Correctional officers shall be responsible for any material missed during an excused absence.

B. Academy testing.

1. Correctional officers shall meet all the training objectives and pass all criteria for testing related to each performance outcome approved by the COT.

2. A correctional officer may be tested and retested ~~as may be necessary~~ within the time limits of 6VAC20-100-40 and in accordance with each certified [criminal justice] training academy's written policy. An officer shall not be certified as having complied with the compulsory minimum training standards unless all ~~applicable~~ requirements have been met.

6VAC20-100-80. Failure to comply with rules and regulations.

~~Any correctional officer~~ A. Any individual attending an approved training school a certified [criminal justice] training academy shall comply with the rules and regulations promulgated by the department and board ~~and any other rules and regulations within the authority of the school director~~. The school academy director shall be responsible for enforcement of all rules and regulations established to govern the conduct of attendees.

~~If the school director considers a violation of~~ B. Any individual violating the rules and regulations governing the certified [criminal justice] training academy determined to be detrimental to the welfare of the school, the school director the certified [criminal justice] training academy or the safety of officers, visitors, or personnel may ~~expel the officer~~ be expelled from the school academy.

~~C. Notification of such action shall~~ an expulsion will immediately be reported, in writing, to the ~~corrections facility director manager of the officer and the director~~ agency administrator or designee and the department.

6VAC20-100-90. Administrative requirements.

~~A. Reports shall be required from the agency administrator and school director on forms approved or provided by the department and at such times as designated by the director.~~

~~B. The school director shall, within 30 days upon completion of an approved training school session, comply with the following:~~

~~1. Prepare a grade report on each officer maintaining the original for academy records and forwarding a copy to the corrections facility director/manager of the officer.~~

~~2. Submit to the department a roster containing the names of those officers who have satisfactorily completed all training requirements and, if applicable, a revised curriculum for the training session.~~

~~C. The school director shall furnish each instructor with the applicable performance objectives for the assigned subject matter.~~

~~D. Approved correctional officer training schools shall maintain accurate records of all tests, grades and testing procedures.~~

[A. Field training shall be completed in accordance with the requirements in 6VAC20-100-40.] The superintendent or warden shall sign and submit the field training completion form to the department for each officer.]

[A. B] Records and documentation shall be open to audit, inspection, and review by the department upon request.

[B. C] Training school records shall be maintained in accordance with the provisions of these rules this chapter and §§ the Virginia Public Records Act (§ 42.1-76 through 42.1-91 et seq. of the Code of Virginia).

6VAC20-100-100. ~~Effective date.~~ (Repealed.)

~~These regulations shall be effective on and after January 1, 1988, and until amended or repealed.~~

6VAC20-100-110. ~~Rescission of previous rules.~~ (Repealed.)

~~The Rules Relating to Compulsory Minimum Training Standards for Correctional Officers of the Department of Corrections, Division of Institutional Services, as amended on February 12, 1982, are hereby rescinded effective January 1, 1989.~~

NOTICE: The following form used in administering the regulation was filed by the agency. The form is not being published; however, online users of this issue of the Virginia Register of Regulations may click on the name of a form with a hyperlink to access it. The form is also available from the

agency contact or may be viewed at the Office of the Registrar of Regulations, 900 East Main Street, 11th Floor, Richmond, Virginia 23219.

FORMS (6VAC20-100)

~~Application for Exemption From Virginia Compulsory Minimum Training Standards, Form W-2, eff. 1/91.~~

~~Criminal Justice Training Roster, Form 41, eff. 1/93.~~

[Application for Exemption from Virginia Compulsory Minimum Training Standards, Form W-2 \(rev. 5/2018\)](#)

DOCUMENTS INCORPORATED BY REFERENCE (6VAC20-100)

[Virginia Department of Criminal Justice Services Field Training and On the Job Training Performance Outcomes, published September 2012, Virginia Department of Criminal Justice Services \(Revised January 2018\)](#)