



Board of Peace Officer Standards and Training

1600 University Avenue, Suite 200, Saint Paul, MN 55104

Main: (651) 643-3060 | www.mn.gov/post/

Advisory Rules Committee Meeting **Wednesday, January 8, 2025** **1:00 p.m.**

This meeting will be held at the MN POST Board, 1600 University Ave, Ste 200, St. Paul, MN 55104

1. Approval of Minutes from 12/19/24.
2. 0100.
3. 2500.
4. 2100.
5. 2200.
6. 2300.
7. 2400.
8. Adjournment.



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Advisory Rules Committee Meeting Minutes

December 19, 2024

9:00 a.m.

This was a hybrid meeting held at the POST Board office

Members Present:

Adam Meierding
Daniel Kurtz (Alt for Dawanna Witt)
Elliot Butay
Gae Davis
James Densley
Michelle Gross
Neil Bauer
Pat Nelson
Rick Hodsdon
Tracy Stille
Tom Draper
Vincent Scheckel

Staff Present:

Alicia Popowski
Erik Misselt
Katie Cederstrom
Rob Skoro

Ms. Popowski began the meeting on December 19, 2024 at 9:00 a.m.

1. Approval of Minutes from December 4, 2024: The Committee accepted the minutes as drafted.
2. Review of 6700.0600 final draft: The Committee discussed 6700.0600.
3. 6700.0600 consensus conversation: The Committee reached consensus of the final draft of 6700.0600.

6700.0600 LICENSING EXAMINATIONS.

Subpart 1. Examination eligibility and Application. ~~An applicant for any of the licensing examinations shall submit an application and documentation as required by the board. An application shall be accompanied by the appropriate nonrefundable fee under subpart 2. Applications are valid for one year from the date they are approved by the board.~~ Examination applicants are eligible to take the examination if they:

- A. Possess a postsecondary degree awarded by a postsecondary institution which is accredited by a federally recognized accrediting association or recognized as meeting accreditation by a member of the National Association of Credential Evaluation Services (NACES) and have successfully completed the peace officer licensing curriculum as described in part 6700.0300; or
- B. meet the reciprocity requirements described in part 6700.0501 or Minnesota Statute 626.8517.

Applications must include a transcript showing the completion of a postsecondary degree and documentation that the applicant successfully completed the peace officer licensing curriculum. Applicants must also pay the nonrefundable fee under subpart 2.

Subp. 2. **Nonrefundable fee Examination Fees.** A nonrefundable fee determined by the Board shall be paid to the board before taking a licensing examination. ~~the following licensing examinations:~~

- ~~A. peace officer licensing examination, \$105; and~~
- ~~B. reciprocity examination, \$105.~~

Subp. 3. **Retaking examinations.** An applicant who fails an examination will be allowed to retake that examination two times. ~~upon furnishing to~~ For each retake of the examination, an applicant must submit to the board a renewed written application and appropriate fee. The third examination application will require the applicant to successfully complete remedial training as described in subpart 4. Documentation of completion of remedial training must be supplied to the Board for review before applying to take the examination a third time. No individual will be allowed to take the examination more the three times unless they re-enroll in and complete the peace officer licensing curriculum.

Subp. 4. **Remedial examination procedures.** A third ~~or subsequent retake of the examination application will require the applicant, in collaboration with Board staff, to submit and complete a remedial training plan prior to taking the examination. The applicant must provide proof that the objectives listed in the plan were completed. to the executive director for board approval. This plan must be directed at deficiencies indicated in previous examinations and must include, at a minimum, the following:~~ Supporting documents must be submitted to the Executive Director for approval.

- ~~A. training activities to be completed;~~ A remedial training plan completed by an applicant must be directed at the deficiencies indicated in the applicant's previous examination and may include the following documentation:

- 1) the training activities and/or courses completed; and
- 2) a certificate of completion from the instructor or organization delivering the training activity or course, including documentation of the date the training activity or course was completed.

~~B. evaluation process to be used in verifying satisfactory completion of the listed activities; and~~

~~C. date of completion of all activities.~~

~~An additional written application and appropriate fee will be required for each administration of the examination.~~

Subp. 5. Reciprocity examinations. Reciprocity applicants will not be allowed to take the examination

more than three times. The third examination application will require the applicant to submit a remedial training plan as described in subpart 4.

~~Subp. 5~~ **6. Reinstatement eligibility Application expiration.** The eligibility for a person to take the an examination in ~~subpart 2~~ shall be void one year after the application to take the examination was received by the board. The fee and any supporting documents are invalid at the same time the application becomes invalid. In order to ~~reinstatement eligibility~~ reapply for an examination, the person shall comply with subparts 1 and 2.

Subp. 7. License eligibility. Upon successful completion of one of the peace officer licensing examinations listed in subpart 2, a person is eligible to be licensed for three years. If the person is not licensed after three years, the person may ~~reinstatement eligibility~~ by passing one of the peace officer licensing examinations. Upon successful completion of one of the examinations, a person will be eligible to be licensed for another three years.

- A. If the individual is not licensed during the second eligibility period, they must again complete the peace officer licensing curriculum before taking the examination to reinstate their eligibility.
- B. Regardless of when the initial examination is taken, an applicant has six years to become licensed after completing the peace officer licensing curriculum.

Items A and B do not apply to reciprocity examination applicants.

4. **6700.0601:** The Committee reached consensus of the final draft of 6700.0601.

6700.0601 PROHIBITED EXAMINATION CONDUCT AND SANCTIONS STANDARDS.

Subpart 1. **~~Grounds for denial~~ Prohibited Conduct.** Violations of the following standards shall be grounds to deny an applicant to take an examination or to deny or revoke eligibility for a license: The following conduct is prohibited and may result in discipline by the board.

- A. ~~making~~ Making any false material statement to the board;
- B. ~~communicating with any other person in any way during an examination, except with the express permission of the monitor;~~ Communicating with another person, without express permission from the proctor, in any way during the examination.
- C. ~~referring to books or any study material during the examination, except with the express permission of the monitor;~~ Using or referring to study materials or study aids during the examination.
- D. ~~obstructing~~ Obstructing a board investigation;
- E. ~~without board authorization, possessing a copy of any of the board's examinations;~~ Possessing or attempting to possess or manufacture a copy of the board's examination without the Board's permission.
- F. ~~aiding another person to violate items A to E; or~~ Violating the rules of the testing center or being banned from testing center locations.
- G. ~~failing to meet the minimum selection standards for licensure as a peace officer under part 6700.0700.~~ Aiding another individual in attempting or executing an act of prohibited examination conduct as listed in items A through F.

H. Falsely claiming or failing to meet the minimum selection standards for peace officer licensure as described in part 6700.0700 except for subpart 1, items C, J, and K.

Subp. 2. [Repealed, 47 SR 1120]

Subp. 3. [Repealed, 47 SR 1120]

Subp 4. **Sanctions.** A violation of any of the provisions listed in subpart 1 may be grounds for the board to deny or revoke:

- A. an individual's application to take one of the licensing examinations; or
- B. an individual's license eligibility after successfully completing an examination.

Subp. 5. **Procedures.** Disciplinary proceedings under this part shall be conducted pursuant to the Administrative Procedure Act, Minnesota Statutes, chapter 14 and Examining and Licensing Boards, Minnesota Statutes, chapter 214.

5. **6700.0401:** The Committee reached consensus of the final draft of 0401.

6700.0401 CLASSROOM PROGRAM DISCRIMINATION; PROCEDURES.

Subpart 1. **Procedures.** Every certified organization delivering the peace officer licensing curriculum program ~~certified school~~ must establish written published procedures for the investigation and resolution of allegations of classroom discrimination within the program. These procedures must minimally specify:

- A. the person to whom the formal complaint must be made;
- B. the process by which complaints will be investigated;
- C. the sanctions that may be imposed if a complaint is sustained;
- D. the appeal process ~~for the offending party;~~
- E. the process that will be used to notify the complainant of the investigation and disposition; and
- F. the effective date of the procedures or subsequent modifications of procedures.

Subp. 2. **Summary.** The coordinator program director must provide all new students participants enrolled in the ~~who are in courses taught as a part of the professional peace officer education program~~ peace officer licensing curriculum program a summary of the written published procedures required under subpart 1. The coordinator program director must provide all faculty instructors and staff members who participate in courses as a part of the professional peace officer education program a copy of the written published procedures required under subpart 1. Also, the coordinator program director must make the procedures required under subpart 1 available to anyone else upon request.

Subp. 3. **Complaints.** Complaints which allege classroom discrimination within the program at a certified school must be processed according to the written published procedures adopted by the certified school required in subpart 1.

6. **6700.0100:** The Committee is currently working on 6700.0100. Once a final draft has been approved by the Committee then it will be posted in the minutes.
7. **6700.2500:** The Committee is currently working on 6700.2500. Once a final draft has been approved by the Committee then it will be posted in the minutes.

Ms. Popowski reminded the Committee that their statements regarding consensus or no consensus with points of arguments are due on January 3, 2025.

8. **Adjournment:** Meeting adjourned at 11:00 a.m.

DRAFT

6700.0100 DEFINITIONS.

Subpart 1. **Scope.** For the purpose of this chapter, the terms in this part have the meanings given them, unless another intention clearly appears.

Subp. 2. **Law enforcement agency or Agency.** "Law enforcement agency or Agency" has the meaning given it in Minnesota Statutes, section 626.84, subdivision 1, paragraph (f).

Subp. 3. **Appointing authority.** "Appointing authority" means the public official, board, commission, or other person or group of persons responsible for the initial appointment and continued tenure of persons employed by the agency as peace officers and part-time peace officers.

Subp. 4. **Appointment.** "Appointment" means the official declaration provided by the agency to the POST Board which indicates that the agency has engaged the services of a peace officer or part-time peace officer beginning on a specified date.

Subp. 5. [Repealed, 14 SR 12]

~~Subp. 5a. **Professional peace officer education.** "Professional peace officer education" means:~~

~~A. a postsecondary degree that includes instruction as specified in part 6700.0300, subpart 1; or~~

~~B. a postsecondary certificate that includes instruction as specified in part 6700.0300, subpart 1, and is awarded by a certified school to individuals who already possess a postsecondary degree.~~

Subp. 5b. Peace officer licensing curriculum. "Peace officer licensing curriculum" means the curriculum developed and maintained by the board that is delivered by a certified organization and is required for licensure.

Subp. 6. **Board or POST Board.** "Board" or "POST Board" means the Board of Peace Officer Standards and Training.

Subp. 7. **Certified organization Certification.** "Certified organization Certification" means an entity that has been certified by the board to deliver the peace officer licensing curriculum and meets the requirements described in part 6700.0300 to 6700.0401. official acknowledgment by the board that a school meets all of the criteria listed in parts 6700.0300 and 6700.0400 to offer professional peace officer education or the academic component or clinical skills component of the professional peace officer education.

Subp. 8. **Chief law enforcement officer.** "Chief law enforcement officer" means the designated head and the highest ranking board-licensed peace officer within an a law enforcement agency.

Subp. 9. [Repealed, 14 SR 12]

Subp. 9a. **Conviction.** "Conviction" means that a person has been charged with a crime and the person was found guilty of that crime, whether the adjudication of guilt is withheld or not entered, regardless of length of or imposition or execution of any sentence received, any deferred finding of guilt or imposition of sentence by the court, any continuance for dismissal granted by the court, or any expungement of the offense records or conviction.

Subp. 10. **Program director or director Coordinator.** "Program director or director Coordinator" means a person who is appointed and employed full-time by a certified school, organization and designated by a certified school, approved by the Board to manage the day-to-day activities of the professional peace officer education program peace officer licensing curriculum.

Subp. 11. **Eligible to be licensed.** "Eligible to be licensed" means the status of an individual who has passed ~~the a~~ peace officer licensing examination ~~or the reciprocity examination~~, but who has not yet secured employment as a peace officer.

Subp. 12. **Executive director.** "Executive director" means executive director of the board.

Subp. 12a. **Felony.** "Felony" means a crime ~~punishable by more than one year in prison~~ as defined in Minnesota Statute, section 609.02, subdivision 2.

Subp. 13. [Repealed, 18 SR 1961]

Subp. 14. [Repealed, L 2005 c 10 art 1 s 82]

Subp. 15. **Guest lecturer.** "Guest lecturer" means a person who is invited by the instructor to teach occasionally in a ~~school~~ peace officer licensing curriculum or a board-approved ~~course in~~ continuing education course.

Subp. 16. **Inactive licensed officer.** "Inactive licensed officer" means an individual who holds a currently valid peace officer license issued by the board, but who is not currently employed by ~~an a~~ a law enforcement agency.

Subp. 17. **Instructor.** "Instructor" means a person who is recognized as being qualified to teach ~~in a school~~ the peace officer licensing curriculum according to part 6700.0300 or a board-approved continuing education course.

Subp. 18. **Part-time peace officer.** "Part-time peace officer" has the meaning given it in Minnesota Statutes, section 626.84, subdivision 1, paragraph (d).

Subp. 19. **Peace officer.** "Peace officer" has the meaning given it in Minnesota Statutes, section 626.84, subdivision 1, paragraph (c).

Subp. 20. **School.** "School" means a postsecondary institution which is accredited by ~~one of the six regional accrediting associations and authorized to award academic degrees including, but not limited to, Associate of Arts (A.A.) degrees, Associate of Science (A.S.) degrees, Bachelor of Arts (B.A.) degrees, and Bachelor of Science (B.S.) degrees,~~ a federally recognized accrediting association or recognized as meeting accreditation by the National Association of Credential Evaluation Services (NACES).

Subp. 21. [Repealed, 18 SR 1961]

Subp. 22. **Postsecondary degree.** "Postsecondary degree" means an academic degree awarded by a school an academic degree awarded by a school. The school or post-secondary institution must be authorized to award degree.

Subp. 23. **Postsecondary certificate.** "Postsecondary certificate" means ~~an non~~ a ~~non~~ credential awarded by a school that shows completion of a specific course of study.

Subp. 24. **Certified school.** "Certified school" means a school that has been given certification to deliver the peace officer licensing curriculum.

Subp. 25. **Classroom discrimination.** "Classroom discrimination" means oral, written, graphic, or physical conduct directed against any person or group of persons because of their race, color, creed, religion, national origin, sex, age, marital status, status with regard to public assistance, sexual orientation, disability, or veteran's status that has the purpose or reasonably foreseeable effect of demeaning or intimidating that person or group of persons.

Commented [PA(1): Part of 2023 Package

Subp. 26. **Discriminatory conduct.** "Discriminatory conduct" means a pattern of conduct or a single egregious act that evidences knowing and intentional discrimination based on the actor's perception of a person's race, color, creed, religion, national origin, disability, sex, sexual orientation, gender identity, or public assistance or any other protected class as defined in Minnesota statutes or federal law; and would lead an objectively reasonable person to doubt the actor's ability to perform the duties of a peace officer in a fair and impartial manner. Membership in a religious organization as a lawful exercise of the freedom of religion is not discriminatory conduct.

Commented [PA(2): Part of 2023 Package

Subp. 27. **Seasonal position.** "Seasonal position" means a position which is necessary due to recurring seasonal fluctuations in staffing needs and does not exceed 16 consecutive weeks in duration.

Subp. 28. **Temporary position.** "Temporary position" means a short term of employment that may not exceed 300 hours with a designated end date of six months or less.

Subp. 29. **Hate or extremist group.** "Hate or extremist group" means a group that, as demonstrated by its official statements or principles, the statements of its leaders or members, or its activities:

A. promotes the use of threats, force, violence, or criminal activity:

(1) against a local, state, or federal entity, or the officials of such an entity;

(2) to deprive, or attempt to deprive, individuals of their civil rights under the Minnesota or United States Constitution; or

(3) to achieve goals that are political, religious, discriminatory, or ideological in nature;

B. promotes seditious activities; or

C. advocates for differences in the right to vote, speak, assemble, travel, or maintain citizenship based on a person's perceived race, color, creed, religion, national origin, disability, sex, sexual orientation, gender identity, public assistance status, or any protected class as defined in Minnesota statutes or federal law.

6700.2500 DOCUMENTATION OF COMPLAINTS.

The chief law enforcement officer ~~or designee or designees~~ shall maintain data concerning alleged misconduct by licensees employed or appointed by the agency according to the provisions of Minnesota Statutes, sections 15.17 ~~and 15.171~~. The board may request copies of this data. The chief law enforcement officer shall supply the data ~~in and an affidavit of compliance with part 6700.2200, item B~~ to the board within five days ~~of the request, or by the date specified in the Board's request, of the request, whichever is longer~~, excluding Saturdays, Sundays, and legal holidays. If compliance is not possible within that time, the chief law enforcement officer shall inform the board and shall have an additional five days to comply with the request, excluding Saturdays, Sundays, and legal holidays.

Commented [AP1]: Alleged misconduct?

Commented [AP2]: Record Retention
<https://www.revisor.mn.gov/statutes/cite/15.17>

Commented [AP3]: Misconduct written procedures
<https://www.revisor.mn.gov/rules/6700.2200/>

6700.2100 ~~SCOPE~~ PURPOSE.

The board recognizes the importance of the need for each agency and appointing authority to have and to use written procedures for the investigation and resolution of allegations of misconduct. ~~The agency and appointing authority have the responsibility to impose the disciplinary sanctions they find appropriate for misconduct that occurs. Nothing in parts 6700.2000 to 6700.2600 shall be interpreted or is intended to authorize the board to approve, deny, or modify in any manner sanctions which may or may not be imposed by the agency or appointing authority.~~

6700.2200 DEVELOPMENT OF WRITTEN PROCEDURES.

~~On or before October 1, 1984, the~~ The chief law enforcement officer shall establish ~~written~~ procedures for the investigation and resolution of allegations of misconduct against licensees employed or appointed by the chief's agency. These procedures shall minimally specify:

- A. the misconduct which may result in disciplinary action;
- B. the process by which complaints will be investigated;
- C. the sanctions which may be imposed if a complaint is sustained;
- D. the appeal process for the licensee;
- E. the process which will be used to notify the complainant of the investigation and disposition; and
- F. the effective date of the procedures or subsequent modifications of the procedures.

The procedures established according to this part must comply with model policies and Minnesota Statute, section 626.845, subdivision 1.

~~6700.2300 AFFIRMATION OF COMPLIANCE.~~

~~The chief law enforcement officer shall affirm to the board compliance with part 6700.2200 no later than October 15, 1984. If an agency begins operation after October 1, 1984, the chief law enforcement officer shall affirm to the board compliance with part 6700.2200 no later than 15 days after the agency begins operation.~~

6700.2400 COPIES OF PROCEDURES.

Copies of current ~~written~~ procedures governing allegations of misconduct shall be available to the public on request. Copies of written procedures governing allegations of misconduct and any subsequent modifications of the procedures shall be distributed by an agency to licensees who are employed or appointed by the agency.