**Board of Peace Officer Standards and Training**
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# STATEMENT OF NEED AND REASONABLENESS

## Board Of Peace Officer Standards and Training

In the Matter of the Proposed Rules Governing Peace Officer Education, Examinations, Reciprocity, and Investigation & Resolution of Misconduct Investigations, Administrative Rules, chapter 6700; Revisor Number 4750

August 13, 2026

## General Information

1. **Availability:** The Statement of Need and Reasonableness (SONAR) and the proposed rules are available for public inspection on the Peace Officer Standards and Training Board's (POST Board's) website on the "current rulemaking activity" page. https://mn.gov/post/boardscommittees/rules/currentrulemakingactivity/

2. **Older Rulemaking Records:** Older rulemaking records are accessible on the Office of the Revisor of Statutes' website. https://www.revisor.mn.gov/rules/status/

3. **How to Read a Minnesota Statute Citation:** Minn. Stat. § 999.09, subd. 9(f)(1)(ii)(A) is read as Minnesota Statutes, section 999.079, subdivision 9, paragraph (f), clause (1), item (ii), subitem (A).

4. **How to Read a Minnesota Rule citation:** Minn. R. 9999.0909, subp. 9(B)(3)(b)(i) is read as Minnesota Rules, chapter 9999, part 0909, subpart 9, item B, subitem (3), unit (b), subunit (i).

5. **POST Board Contact Information, Documents, or Alternative Formats:** Upon request, the SONAR will be made available in alternative formats, such as large print, braille, or audio. To make a request, contact:

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## Acronyms

| | |
|---|---|
| APA | Administrative Procedure Act |
| ALJ | Administrate Law Judge |
| CAH | Court of Administrative Hearings |
| CLEO | Chief Law Enforcement Officer |
| IADLEST | International Association of Directors of Law Enforcement Standards and Training |
| LEA | Law Enforcement Agency |
| LEO | Law Enforcement Officer |
| LRL | Legislative Reference Library |
| MMB | Minnesota Management and Budget |
| MN | Minnesota |
| MN BCA | Minnesota Bureau of Criminal Apprehension |
| MPOTB | Minnesota Peace Officer Training Board |
| NACES | National Association of Credential Evaluation Services |
| PAC | Preservice Advisory Committee |
| PPOE | Professional Peace Officer Education |
| POPP | Peace Officer Preservice Program |
| POST Board | Peace Officer Standards and Training Board |
| RFC | Request for Comments |
| SONAR | Statement of Need and Reasonableness |

# Introduction

The Minnesota Peace Officer Training Board (MPOTB) was created by the legislature in 1967 to regulate law enforcement in Minnesota (MN). In 1968, in an effort to standardize law enforcement training, MPOTB was tasked with creating a formal certification process for all law enforcement agencies. In 1977, the legislature replaced the MPOTB with

the Board of Peace Officer Standards and Training (POST Board). The POST Board was tasked with creating the first occupational licensing system for law enforcement officers (LEOs) in the United States under Minnesota Administrative Rules, chapter 6700, Training and Licensing (Minnesota Legislative Reference Library, 2024). Today, the POST Board regulates more than 10,000 (active and inactive) peace officers and approximately 369 law enforcement agencies across the state.

As part of its regulatory authority and duties, the POST Board maintains administrative rules in chapter 6700 regarding the training and licensing of peace officers. In 2020, the POST Board conducted a comprehensive review of chapter 6700 to ensure the rules were reflective of evidence-based and current business practices. The review prompted the board to initiate a series of rulemaking projects, the first of which was completed in 2023 (R4641). This is the board's second rulemaking project based on the 2020 review. The goal of this rulemaking project is to promote public safety through the continued development and refinement of peace officer education, training, and licensing standards.

# Statutory Authority

Minnesota Statutes, sections 626.843 and 626.845 authorize the POST Board to adopt rules regarding the education, training, and licensing of peace officers. Specifically, Minnesota Statute, section 626.843, subdivision 1 states the board shall adopt rules with respect to:

- the certification of postsecondary schools to provide professional peace officer education;
- the minimum courses of study, equipment, and facilities required at each certified school within the state;
- the minimum qualifications for coordinators and instructors at certified schools offering peace officer education within Minnesota (MN);
- the minimum standards of physical, mental, and educational fitness which shall govern the admission to peace officer education programs and the licensing of peace officers within the state, by any state, county, municipality, or joint or contractual combination thereof, including members of the Minnesota State Patrol;
- the development of educational learning objectives that must be met within a certified school's peace officer education program;
- the standards and procedures for the investigation and resolution of allegations of misconduct; and

- such other matters that may be necessary consistent with sections 626.84 to 686.863.

Minnesota Statute, section 626.843, subdivision 2 describes the board's authority further by stating the board may visit and inspect any certified school that offers a peace officer education program. Finally, Minnesota Statute, section 626.845 describes the powers and duties of the POST Board. These powers and duties include, but are not limited to:

- certifying postsecondary schools to provide peace officer preservice training based on the board-approved learning objectives,

- issuing certificates to postsecondary schools and revoking certification when necessary to maintain the purpose and objectives of section 626.841 to 626.863, and

- developing and administering licensing examinations.

The statutes discussed above give the POST Board the statutory authority to adopt these proposed rules.

# General Statement of Need

This rulemaking package is focused on the rules within chapter 6700 that pertain to peace officer preservice education, licensing examinations, reciprocity, and the investigation and resolution of misconduct allegations. These rule sections have not been comprehensively reviewed, in some cases, for decades. This section of the Statement of Need and Reasonableness (SONAR) discusses the general need for the proposed rule changes. A more detailed explanation of the proposed rule changes is provided in the Rule-by-Rule Analysis.

## Peace Officer Preservice Education

Currently, LEO preservice training is completed via a bifurcated system consisting of two parts the academic component and the psychomotor skills component. The POST Board reviews and makes changes to the learning objectives certified schools are required to teach law enforcement students on a regular basis. However, the rules within chapter 6700 on preservice education and training have not been comprehensively reviewed since the 1990s, which is when the rules were first promulgated. Concerned that the rules may not reflect current evidence-based practices in law enforcement training, the board initiated an in-depth review of the rules. In 2020, the board commissioned the International Association of Directors of Law Enforcement Standards and Training (IADLEST) to conduct an audit of the board's business practices, standards, and rules.

IADLEST identified several areas where the POST Board could improve preservice education and provided recommendations on how to do so. The recommendations made by IADLEST were based on national trends and evidence-based practices. Some of the recommendations made by IADLEST regarding the board's preservice training program are listed below.

- ". . . a 3-year renewal/review cycle would better address potential and unseen issues in a timely manner to make sure programs continue to deliver education and training at an exemplary level" (IADLEST, 2020, p. 12).

- "While some latitude is necessary when scheduling complex training occurring over several months and years, too much latitude creates different outcomes in learning and application. The board should develop a template to better inform the educational and training instructions as to the optimum structure of the curriculum to achieve maximum retention and performance from the students as well as ensuring a basic foundational training is shared amongst all the State's officers regardless of their location of employing agency" (IADLEST, 2020, p. 12).

- "Best practices would have the board create lesson plans that are the foundation for PPOE training and education" (IADLEST, 2020, p. 13).

- "Test performance should be correlated to the PPOE program from which the candidate graduated to determine if there are patterns of deficiencies in knowledge or performance from specific institutions, either as a whole or in certain topic areas." (IADLEST, 2020, p. 15)

Current rule allows certified schools to develop their own curricula to cover the learning objectives set by the board. Therefore, the training content and topics covered during preservice training varies from school to school. This is especially true for psychomotor skills training. The IADLEST report identified curricula discrepancies as an area of concern because it "means that not all officers are trained in the same skills and to the same level of proficiency. And worse yet, a department can have officers who have just graduated from training who have different skill and competency levels creating gaps and disconnects within that department" (IADLEST, 2020, p. 13). The report goes on to say, "this also raises the distinct possibility of inconsistency in the training of specific tactics. This can lead to adverse consequences in multi-agency responses" (IADLEST, 2020, p. 13). These concerns were also vocalized by law enforcement practitioners during focus group meetings held by the board. For these and other reasons not specifically discussed in this section, there is a significant "need" for the proposed rules.

The 2020 IADLEST Audit Report is included in the official rulemaking record as exhibit 14.

## Licensing Examinations

The POST Board uses a vendor, Talogy, to proctor the various licensing examinations. Over the past few years, licensing examination misconduct has become more complex. The examination misconduct reported to the board ranges from cheating on the examination to displaying conduct so deplorable that law enforcement was called to the testing center location. It is needed and reasonable for the board to revise the rules regarding examination standards to ensure the rules are reflective of the role technology plays in our society as well as the complexity of reported incidents of misconduct. In addition to updating the rule provisions regarding examination misconduct, there is a need for the board to implement a limit on the number of examination attempts an individual may have.

In 2024, IADLEST compiled data from law enforcement licensing boards across the country on law enforcement standards, training, certification, and licensing. IADLEST published the data it collected in a comprehensive publication called the IADLEST Sourcebook (IADLEST, 2024). According to IADLEST (2024), most states require applicants to complete additional or remedial training after failing the licensing examination. Most states also limit the number of times an individual may take the peace officer licensing examination. The POST Board is an outlier because it does not limit the number of examination attempts an individual may have. As will be discussed in the Rule-by-Rule Analysis, statistics maintained by the board demonstrate that an increase in examination attempts does not result in an increased likelihood of passing the examination. Therefore, it is needed and reasonable for the board to implement an examination attempt limit. There is also a need for the board to implement a limit on licensure eligibility after completing preservice training to ensure individuals have received training reflective of current evidence-based practices.

## Reciprocity

In the last 5 years, there was an increase in the number of variance requests received by the board regarding reciprocity. The number of variance requests received by the board regarding part 6700.0501 are as follows:

- 5 variance requests received in 2025,
- 13 variance requests received in 2024,
- 9 variance requests received in 2023,
- 5 variance requests received in 2022, and
- 4 variance requests received in 2021.

The increase in the number of variance requests received by the board in 2023 and 2024 prompted a review of part 6700.0501. During its review, the board concluded there were several areas in need of improvement or additional clarity. First, the board determined that the definition for the term "years of experience" was unnecessary because it was not used in the rule. Second, the board noted that the definition of "law enforcement officer" did not include tribal law enforcement officers – making tribal officers ineligible for the reciprocity examination. This was not the board's intent, therefore, the language in the definition needs to be updated to include tribal peace officers in the pool of applicants eligible for reciprocity. Third, the definition of "postsecondary degree" was determined to be misaligned with a memo released by the United States Department of Education regarding the accreditation of postsecondary schools. Finally, in light of the peace officer shortage, the board determined the years of service requirements described in rule 6700.0501, subpart 7 were too high and that the rule's purpose could be achieved with a lower years of service requirement. The proposed changes in part 6700.0501 and the addition of part 6700.0502 are needed to ensure the rules are accurate and fulfill their intended purpose. The purpose being to allow qualified law enforcement professionals from other states, tribal, and federal law enforcement agencies to take the reciprocity licensing examination to become licensed peace officers in Minnesota.

### Investigation and Resolution of Misconduct Allegations

A review was conducted on the "Investigation and Resolution of Misconduct Allegations" section of chapter 6700 (parts 6700.2000 to 6700.2600) because there was a statutory reference that was no longer accurate because it had been repealed. The statutory reference, which was reported to the legislature in the board's mandatory Obsolete Rules Report, was in part 6700.2500. In addition to striking the repealed statutory reference, the board determined this section needed to be consolidated to increase clarity and better inform Chief Law Enforcement Officers (CLEOs) of their responsibilities. It is needed and reasonable for the board to amend these rules to make the board's expectations and requirements of CLEOs clearer. Doing so will allow CLEOs to carry out their duties more effectively and promote rule compliance.

## Public Participation and Stakeholder Involvement

### Request for Comments

**First Request.** On October 26, 2023, at a properly noticed meeting, the POST Board passed a rulemaking resolution that directed POST staff to publish a Request for Comments (RFC) in the State Register. In accordance with MN Statute, section 14.101, subdivision 1, the POST Board published its first RFC on December 4, 2023. The RFC announced the POST Board's intent to review, edit, and amend Minnesota Rules, chapter 6700 which governs peace officer education, training, and licensing. The announcement stated, among other things, that the objective of the rulemaking project was to simplify language, reorganize rules to make it easier to find information, remove unnecessary requirements, and update the rules in the entire chapter. The notice also stated that the POST Board anticipated giving special attention to rules related to the following areas: professional peace officer education; licensing examinations; school certification requirements; reciprocity; and preservice structure, curriculum, and training. In addition to being published in the State Register, notice of the RFC was published on the POST Board's website and emailed to all licensees with a valid email address on file. Per the Additional Notice Plan, the POST Board distributed notice of the RFC to individuals on the board's rulemaking notification list as well as groups or individuals who may be impacted by the rule changes. Six comments were received during the initial comment period.

**Second Request.** On January 22, 2026, at a properly noticed meeting, the POST Board passed a rulemaking resolution that directed POST staff to publish a second RFC in the State Register. The POST Board published the second RFC on February 23, 2026. The RFC announced the POST Board's intent to amend its rules regarding professional peace officer education (or preservice training), school certification, licensing examinations, examination standards, reciprocity, and the investigation/resolution of misconduct allegations. The rule parts listed in the RFC were: 6700.0100, 6700.0300, 6700.0400, 6700.0401, 6700.0500, 6700.0501, 6700.0600, 6700.0601, 6700.0800, 6700.2100, 6700.2200, 6700.2300, 6700.2400, and 6700.2500. Readers were informed the board had posted a preliminary draft of the proposed rules on its website for the public to inspect. A draft copy of the Rule-by-Rule Analysis was also posted on the board's website. Pursuant to the Additional Notice Plan, notice of the second RFC was published on the POST Board's website and emailed to all licensees with a valid email address on file. The POST Board also sent notice of the second RFC to individuals on the board's rulemaking notification list as well as individuals or groups who may be impacted by the rule changes. Three comments were received during the second comment period.

## Advisory Rules Committee

The first RFC gave the public notice that the POST Board would be utilizing an Advisory Rules Committee to draft the proposed rules in accordance with Minnesota Statutes, section 14.101, subdivision 2. The notice included information about the application process and stated applications were due by 4:30 p.m. on January 2, 2024. The notice stated applicants would be appointed to the committee by the board. The appointment of Advisory Rules Committee members was delegated to the board's subcommittee on rules. On January 22, 2024, the Rules Committee reviewed 19 applications and subsequently appointed 12 individuals to serve on the Advisory Rules Committee. The members appointed to the advisory committee represented a wide range of stakeholders including law enforcement, higher education, and various community, professional, and civic organizations. The advisory committee's charter and a list of its members are attached to this SONAR.

The advisory committee was initially tasked with drafting rules that would change MN's preservice training system to an academy model. The board asked the committee to do this because it wanted to see what the rules for a fully standardized training system could look like. The committee was then asked to consider the areas of the rules regarding licensing examinations, reciprocity, and the investigation/resolution of misconduct allegations. All advisory committee meetings were open to the public and held at the POST Board's office. The committee met a total of 15 times between February 2024 and January 2025. In an effort to promote transparency, all meeting materials and recordings were posted on the board's website, making them available for public review and inspection. The committee completed a draft of the rules in January 2025, but the group did not reach consensus on all rule parts. The rule parts lacking consensus were documented in a report which was tendered to the board for its review. On July 24, 2025, during a properly noticed meeting, the board considered the academy model proposed rules and compared it to other preservice standardization options. The board considered the following three options: 1) do not make any changes to the current PPOE system, 2) standardize skills and increase the level of integrations, and 3) switch to an academy model. The board opted to move forward with the standardization of skills. As a result of the board's decision, the rule drafts were rereferred to the Advisory Rules Committee.

Before the Advisory Rules Committee reconvened, POST staff edited the rule drafts to reflect the board's decision to standardize skills. On October 15, 2025, the amended proposed rule drafts were brought before the Advisory Rules Committee for review. During its meeting, the Advisory Rules Committee amended the drafts and reached consensus on the proposed rule parts. From the advisory committee, the rule drafts were sent to the Rules Committee for review followed by the full board. The POST Board revised and approved the proposed rule changes during a properly noticed meeting on January 22, 2026.

*Appendix A: Advisory Committee Charter and Member List*

## Focus Groups

During the rulemaking process, the POST Board asked staff to host focus group sessions with various stakeholders to discuss the standardization of preservice training and the proposed rules. In total, four focus group sessions were held at the POST Board; two sessions with law enforcement, one session with current Professional Peace Officer Education (PPOE) Coordinators, and one session with community organization leaders. The general consensus from all four of the focus group sessions was that the POST Board should work to standardize the psychomotor skills component of preservice training. A more detailed summary of each focus group session is attached to this SONAR.

*Appendix B: Law Enforcement Focus Group Summary*
*Appendix C: PPOE Coordinator Focus Group Summary*
*Appendix D: Community Member/Representative Focus Group Summary*

## Board and Board Committees

The POST Board's subcommittee on rules reviewed the proposed rule drafts as they were completed by the Advisory Rules Committee. The Rules Committee made changes, if desired, to the rule drafts promulgated by the advisory committee before the proposed rule segments were sent to the full board. All meetings held by the Rules Committee and the POST Board regarding the rule promulgation process were properly noticed, open to the public, and recorded. The meeting materials and recordings were uploaded to the board's website for public inspection. After a preliminary draft of the proposed rules was completed (January 22, 2026), the board passed a resolution to publish a second RFC in the State Register pursuant to MN Statutes, section 14.101, subdivision 1.

On July 23, 2026, the board passed a resolution authorizing staff to publish a Dual Notice of Intent to Adopt Rules in the State Register pursuant to Minnesota Statutes, section 14.22, subdivision 1. The notice will be posted in the State Register after the 60-day RFC period ends. A draft of the proposed rules will be published with the notice in the State Register and be uploaded to the board's website for public inspection.

# Notice Plan and Additional Notice Plan

The POST Board's Additional Notice Plan was reviewed by the Court of Administrative Hearings and approved by Administrative Law Judge (ALJ) Barbara J. Case on November 6, 2023. The order stated that the board's Additional Notice Plan was approved provided the board added the following organizations: Communities Against Police Brutality, Black Lives Matter MN, Racial Justice Network, and Brooklyn Center Multicultural Advisory Committee and Community Police Partnership. In accordance with the Additional Notice Plan, stakeholders were notified via postal mail or email of the POST Board's rulemaking project. The first notice informed readers 1) that the (first) RFC would be posted in the December 4th, 2023, edition of the State Register, 2) that the board would be taking advisory committee member applications, and 3) of the due dates for stakeholder comments and committee applications. The board followed the additional Notice Plan before publishing the second RFC as well.

On or near the day both RFCs were published in the State Register, the board provided notice of its rulemaking activities via mail or email to the following individuals and organizations:

- individuals and organizations on the board's rulemaking notification list;

- law enforcement associations and labor organizations including the Minnesota Chiefs of Police Association; Minnesota Sheriff's Association; St. Paul Police Federation; Law Enforcement and Labor Services (LELS); Minnesota Police and Peace Officers Association (MPPOA); Minnesota State Patrol Troopers Association; National Latino Police Officers Association- Minnesota Chapter; Police Officers Federation of Minneapolis; and the Minnesota Association of Women Police;

- community, professional, and civic organizations, and associations including the National Association for the Advancement of Colored People (NAACP) Chapters- MPLS, St. Paul, Duluth, St. Cloud, Rochester, and Statewide Minnesota; League of Minnesota Cities; Association of Minnesota Counties; Minnesota Association of County Attorneys; Black Lives Matter Twin Cities Metro; Council of American-Islamic Relations Minnesota; Families Supporting Families Against Police Violence; Minnesota Justice Coalition; Minnesota Justice Research Center; National Association of Mental Illness Minnesota; Minnesota Indian Women's Resource Center; Twin Cities Coalition for Justice for Jamar; Minnesota Transgender Alliance; Confederation of Somali Community; Minneapolis American Indian Center; Violence Free Minnesota; Voices for Racial Justice; the Citizens League; Brooklyn Center Multicultural Advisory Committee and Community Police Partnership; the Racial Justice Network; Communities United Against Police Brutality; and Black Lives Matter Minnesota; and

- state agencies and tribal governments including the Minnesota Board of Psychology; Bureau of Criminal Apprehension; Minnesota Department of Natural Resources; Minnesota Board of Public Defense; Minnesota Indian Affairs Council; Minnesota Council of Asian-Pacific Minnesotans; Council of Minnesotans of African Heritage; Minnesota Council on Latin Affairs; Bois Forte Band of Chippewa; Fond du Lac Band of Lake Superior Chippewa; Leech Lake Band of Ojibwe; Lower Sioux Indian Community; Mille Lacs Band of Ojibwe; Prairie Island Indian Community; Red Lake Nation; Shakopee Mdewakanton Sioux Community; Upper Sioux Community; Gichi-Onigaming/Grand Portage band of Lake Superior Chippewa; and White Earth Nation.

The Commissioner of Agriculture was not included in the Additional Notice Plan because the rules do not affect farming operations under Minnesota Statues, section 14.111.

Throughout the rulemaking process, the POST Board will take the following steps to continue to provide notice to stakeholders. On or near the day of publication in the State Register, the board will ensure the steps described below are executed.

- The board will mail or email notice of the Dual Notice of Intent to Adopt Rules with a hyperlink to the webpage where electronic copies of the notice, proposed rules, and SONAR can be viewed by those on the rulemaking notification list/additional notice plan.

- As required by Minnesota Statutes, section 14.116, the board will send a copy of the Dual Notice of Intent to Adopt Rules and the SONAR to the Legislative Reference Library (LRL).

- The board will mail or email copies of the Dual Notice of Intent to Adopt Rules with a hyperlink to the webpage where electronic copies of the notice, proposed rules, and SONAR can be viewed to the chairs and ranking minority party members of the legislative policy and budget committees with jurisdiction over the subject matter of the proposed rules.

The board will post the Dual Notice of Intent to Adopt Rules on the board's website with a PDF copy of the proposed rules and SONAR before the notice is published in the State Register.

# Performance-Based Rules

Minnesota Statutes, sections 14.002 and 14.131, require the SONAR to describe how the agency, in developing the proposed rules, considered and implemented performance-based standards that emphasize superior achievement in meeting the agency's regulatory objectives and maximum flexibility for the regulated party and the agency in meeting those goals. To achieve maximum flexibility, the board engaged with stakeholders and those subject to the board's authority throughout the rulemaking process. The board took the constructive feedback it received and revised the rule drafts to increase the flexibility of the rules when feasible. The Rule-by-Rule Analysis and Regulatory Analysis sections of this SONAR provide a more comprehensive description of the flexibility built into the proposed rules. A general description of the flexibility provided by the proposed rules is provided below.

## Option-Based Compliance Requirements

Some of the requirements in the proposed rules provide more than one mechanism for compliance. For instance, proposed rule part 6700.0300, subpart 11, item A, describes the necessary training and experience required to be appointed as a program director. In subitem 5, the board gave candidates two options for compliance. Specifically, subitem 5 states program directors must have two years of experience teaching or have completed 32 hours of instructional supervision or evaluation training before or within the first two years of appointment. This rule segment gives both the certified school and the applicant a great deal of flexibility while upholding the purpose of the requirement, which is to ensure program directors have either the necessary experience or training to manage a program and other instructors. The flexibility of the rule is further evidenced by the two-year grace period for completing the required training.

## Non-Prescriptive Requirements

Some of the requirements in the proposed rules are intentionally non-prescriptive, which gives the individuals the ability to decide how to satisfy the requirement(s). For example, proposed rule part 6700.0600, subpart 8, requires examination applicants to develop and complete a remedial plan aimed at the individual's testing deficiencies before taking the licensing examination a third or fourth time. However, this subpart does not specifically prescribe what the remedial plan must cover or how. Due to the non-prescriptive nature of this provision, individuals have the flexibility to design a remedial plan that is tailored to their needs and learning preferences.

### Exemption Clause

To differentiate between the current preservice training program and the proposed preservice training program, the proposed rules change the name of the board's program. The proposed rules include an exemption clause for Professional Peace Officer Education (PPOE) Coordinators who do not meet the proposed requirements for Peace Officer Preservice Program (POPP) directors. Under proposed rule part 6700.0300, subpart 11, item B, an individual who was appointed as a PPOE coordinator before August 1, 2029, is exempt from the new POPP director requirements. This means a PPOE coordinator can be appointed as a POPP director so long as the other provisions described in rule are met. This exemption clause creates flexibility and ensures continuity of service by mitigating program disruption.

### Exemptions

Some of the provisions in the proposed rules carve out exemptions for specific individuals when compliance was determined to be unreasonable. The exemptions described in the proposed rules create flexibility because individuals who would otherwise be subject to a requirement do not have to comply. For example, proposed rule part 6700.0300, subpart 7, which outlines instructor requirements, exempts guest lecturers from having to satisfy all the instructor requirements in item E. This exemption allows certified programs to utilize subject-matter experts on a limited basis without requiring the guest lecturers to satisfy stringent instructor requirements.

### Delayed Implementation

Some of the proposed rules will require individuals and entities to make noteworthy changes to their day-to-day operations. As a result, some of the proposed rules have a delayed implementation date of August 1, 2029. The rule segments that will not go into effect until 2029 are parts 6700.0100, 6700.0300, 6700.0400, and 6700.0401. This delayed implementation creates flexibility because it gives individuals and entities time to generate a transition plan that best suits them to achieve compliance.

## Local Implementation and Cost for Small Businesses or Cities

As required by Minnesota Statutes, section 14.128, subdivision 1, the POST Board has considered whether the proposed rule will require a local government to adopt or amend any ordinances or other regulations to comply with the proposed rules. The POST Board has determined local governments will not have to amend or adopt any new ordinances or regulations because the rules pertain to colleges/universities, program participants, examination applicants, and licensees.

Minnesota Statutes, section 14.127 requires the POST Board to consider whether the cost of complying with the proposed rules will exceed $25,000 for small businesses or cities within the first year of adoption. The POST Board has determined the proposed rules will not affect small businesses or cities because the rules pertain to colleges/universities, program participants, examination applicants, and licensees.

## Consultation with MMB on Local Government Impact

As required by Minnesota Statutes, section 14.131, the POST Board must consult with Minnesota Management and Budget (MMB) to determine the fiscal impacts of the proposed rules on local governments. Before the Dual Notice of Intent to Adopt Rules was published, the board sent MMB the following documents for review:

- the Governor's Office Proposed Rule and SONAR form,
- the proposed rules, and
- the SONAR.

The POST Board will submit any responses received from MMB to the Court of Administrative Hearings (CAH).

## Rule-by-Rule Analysis

This section of the SONAR discusses the proposed rule changes to chapter 6700. Some of the proposed rule changes are necessary and reasonable on their face, thus, the explanations for those changes are brief. The more complex proposed rule changes are discussed in further detail to help readers understand the need and reasonableness of the recommended changes. This section is formatted to align with the proposed rule changes and is best read side by side with the proposed rule draft.

### 6700.0100 Definitions

Some of the definitions in this section were renumbered. This was done so the definitions more closely reflect alphabetical order. This is a needed and reasonable change to increase the clarity and readability of this rule part.

**Subpart 2.** Subpart 2 is repealed so this section can be organized alphabetically. The definition that was in subpart 2 was changed and moved to subpart 17a. This is a needed and reasonable change to increase the clarity and readability of this rule part.

**Subpart 2a.** Subpart 2a intro duces a new definition for the term "academic component." Within MN's bifurcated law enforcement preservice training system, this term specifically describes categories 1 and 2 of the board's established learning objectives. Formally adding this definition to the rules is needed to create a clear legal distinction between the academic coursework and the psychomotor skills components of LEO preservice training. This clearly is necessary to explicitly delineate which certified schools are responsible for satisfying the specific mandates prescribed in part 6700.0300 and 6700.0400. This amendment is reasonable because it codifies existing agency practice, aligning the rule langue with the historical usage and understanding of the term by stakeholders and certified institutions.

**Subpart 2b.** The addition of subpart 2b defining “adjunct instructor” is needed to provide essential clarity to the instructor qualification requirements set forth in part 6700.0300. During the rule development process, certified postsecondary institutions identified an acute shortage of adjunct instructors- particularly within the psychomotor skills training component- and demonstrated that imposing standard, full-time professional requirements would cause sever operational hardship to their programs. Defining this specific class of instructor is necessary to establish legal mechanism to exempt adjunct faculty from certain burdensome mandates in part 6700.0300. This addition is reasonable because it directly mitigates the documented regulatory hardship on statewide preservice programs, ensuring continuity of training. The definition is further reasonable because it mirrors standard academic employment structures, distinguishing part-time adjunct faculty from full-time instructional staff. Finally, the specific parameters of this definition reflect a consensus reached among rulemaking stakeholders, including representatives from the impacted postsecondary institutions.

**Subpart 5a.** No changes.

- **A.** The proposed rules transition the state's preservice law enforcement education system by sunsetting the current PPOE framework and establishing a new model effective August 1, 2029. This amendment is needed to establish an unambiguous regulatory deadline for the existing system and a certain commencement date for the updated model. The August 1, 2029, implementation date is reasonable because it precedes the traditional fall academic semester. This buffer ensures that certified postsecondary institutions have adequate lead time to modify curricula, align admissions practices, and adapt program structures without disrupting active cohorts.

- **B.** Applying an identical sunset timeline to the certificate pathway is needed to maintain structural consistency across all preservice education tracks and to guarantee that every candidate entering the system after this threshold is trained under the board’s modern standards. This date is reasonable for the same administrative and logistical justifications detailed in item A; it prevents dual-standard training tracks and aligns cleanly with higher education calendars to streamline institutional compliance.

**Subpart 7.** MN’s law enforcement preservice training is structurally bifurcated, divided into distinct academic and psychomotor skills components. Historically, this bifurcated model emerged as certified postsecondary institutions adapted their programs to deliver the board’s core learning objectives. Because this foundational framework has not previously been codified, this amended definition is needed to formally integrate the existing bifurcated system into the rule text. The amendment is reasonable because it accurately reflects current operational realities while clarifying that “certification” constitutes formal authorization by the board to instruct the academic component, the psychomotor skills component, or both pathways within the POPP. This clear definition ensures precise regulatory oversight over both training tracks.

**Subpart 8.** The amendments to Subpart 8 consist of technical, non-substantive grammatical and formatting modifications. These changes are needed to correct clerical errors within the existing rule text. These updates are reasonable because they do not alter the substantive obligations of regulated parties, but rather ensure that the rule remains internally consistent, accurate, and easy for stakeholders to navigate.

**Subpart 9a.** The proposed definition of "conviction" is substantively similar to the current rule but has been amended to make the board's intent clearer and the language more concise. The wording of the proposed definition is modeled in part in Minnesota Statutes, section 145A.061, subdivision 4, which defines "conviction" for criminal background study purposes, but is tailored to the context of professional peace officer licensing. For licensing purposes, the board's definition appropriately includes expunged offenses, Alford pleas, pleas of no contest, and other forms of adjudication, because "conviction" may be broader in the professional licensing context than in the criminal sentencing context. An expansive definition of "conviction" is needed and reasonable because of the extraordinary public trust, constitutional authority, and access to private data inherent to the peace officer profession. Public safety demands that individuals with histories of criminal sexual misconduct, domestic violence, or other violent offenses remain ineligible for licensure, regardless of subsequent judicial leniency or alternative sentencing mechanisms. Allowing individuals with such histories to hold a license severely undermines public trust, compromise victim safety, and erode the profession's ethical foundation. Because professional licensing standards serve a protective public interest rather than a punitive sentencing function, a broader definition than that used in criminal sentencing is justified. The criteria for a "conviction" are listed in items A-D.

- **A.** Item A lists the types of pleas that constitute a conviction. Identifying specific pleas is needed to prevent individuals from utilizing alternative plea structures to circumvent licensing disqualifications. This is reasonable because it ensures uniform application of the rule regardless of localized plea-bargaining strategies.

- **B.** Item B states that, for the board's purposes, conviction refers to findings of guilt even if the adjudication was stayed or withheld. Including findings of guilt where adjudication was stayed or withheld is needed to focus on the commission of the underlying conduct rather than the final disposition. This is reasonable because the underlying behavior, once legally established, poses the same risk to public safety regardless of a stayed adjudication.

- **C.** Item C states that, for the board's purposes, convictions are considered even if the imposition of execution of the sentence was stayed. The language in item C is needed to maintain strict licensing standards despite judicial sentencing leniency. This is reasonable because a stayed sentence does not negate the existence of the criminal conviction or the character implications of the offense.

- **D.** Item D states that, for the board's purposes, convictions are considered even if the conviction was later expunged. Accounting for expunged convictions in item D is needed because executive or judicial expungements are designed for broader societal reintegration, not to create public safety risks. This is reasonable because courts have routinely recognized that licensing boards have a distinct, heightened obligation to vet individuals for certain professions despite an expungement order.

**Subpart 10.** The amendments to Subpart 10 sunset the term "coordinator," which is specific to the PPOE framework. Incorporating the program sunset date of August 1, 2029, into this definition is needed to establish an explicit expiration date for the "coordinator" role, thereby preventing role confusion during the transition period. This timeline is reasonable because it mirrors the overarching system-wide sunset date established in Subpart 5a, ensuring regulatory consistency across the entire rule chapter. Additionally, a minor technical amendment was made to correct a grammatical error within this section. This update is needed and reasonable to ensure clarity and internal linguistic accuracy without altering any substantive duties.

**Subpart 10a.** This subpart relocates the definition of "discrimination," which was previously under subpart 25, to arrange this part in alphabetical order. While the core substance of the definition remains unchanged, the title was changed from "classroom discrimination" to "discrimination" because the previous phrasing resulted in an overly narrow regulatory application. Gender identify was also added to the listed as a protected status to ensure the rule is consistent with Minnesota Statutes, section 363A.02, subdivision 1(a)(5). This amendment is needed because discrimination can occur in any educational or operational setting, not merely within in a physical classroom. Expanding this term is necessary to guarantee that the POST Board retains clear regulatory oversight over all allegations of discrimination occurring within any environment where board-regulated education, training, or activities take place. This modification is reasonable because it aligns the rule text with the board's statutory mandate to oversee preservice programs holistically, ensures protections for students and peace officer candidates across all training environments, and eliminates an arbitrary geographic loophole that could otherwise compromise accountability.

**Subpart 12.** The amendment to subpart 12 is a technical, non-substantive grammatical modification. These changes are needed to correct a clerical error within the existing rule text. This update is reasonable because it ensures the text is grammatically correct.

**Subpart 12a.** The definition of "felony" was changed to reference the statutory definition which can be found in MN Statutes, section 609.02, subdivision 2. This modification is needed to eliminate redundant text within the rules and to ensure the rule is consistent with statute regardless of any changes made by the legislature. This update is reasonable because it prevents potential future conflicts between state statute and administrative rule, providing absolute consistency between the two.

**Subpart 15.** The definition of "guest lecturer" was updated to make the language clearer and to reflect the changes made to part 6700.0300. These changes are needed to correct clerical errors within the existing rule text. These updates are reasonable because they do not alter the substantive obligations of regulated parties, but rather ensure that the rule remains consistent, accurate, and easy for stakeholders to navigate.

**Subpart 16.** The phrase "a law enforcement" was added to the definition to make it clearer and consistent with the definition in subpart 17a. This change was needed to clarify the text within the existing rule. This update is reasonable because it does not alter the substantively alter the definition, but rather it ensures that the rule remains consistent, accurate, and easy for stakeholders to navigate.

**Subpart 17.** Subpart 17 is amended to insert direct cross-references to Minnesota Rules parts 6700.0300 and 6700.0900 to clarify the definition of "instructor." The board regulates instructional staff across two distinct operational contexts: preservice education and continuing education. This amendment is needed to explicitly differentiate between these two training areas, ensuring stakeholders can easily identify which regulatory requirements apply to each context. This update is reasonable because it does not alter the substantive obligations or qualifications of instructors; rather, it establishes precise cross-references to the exact rule parts governing instructors.

**Subpart 17a.** This amendment relocates the definition from subpart 2 and amends the term that is defined to achieve alphabetical organization within the definitions section and consistency with state statute. The relocation is needed to improve the readability and overall structural organization of the definitions section for stakeholders. Additionally, amending the term in this subpart is needed to properly align and maintain consistency with the specific language used in MN Statutes, section 626.84, subdivision 1, paragraph (f). This amendment is reasonable because it consists of a non-substantive reorganization that clarifies the rule without altering the obligations of entities subject to the board's authority.

**Subpart 19.** The amendment to subpart 19 is a technical, non-substantive grammatical modification. This change is needed to correct a clerical error within the existing rule text. This update is reasonable because it ensures the text is grammatically correct.

**Subpart 19a.** This subpart establishes a new definition for the Peace Officer Preservice Program (POPP). Formally defining this updated framework under a distinct title is needed to clearly differentiate the proposed instructional model from the Professional Peace Officer Education (PPOE) program. Establishing distinct nomenclature is necessary to eliminate administrative and operational confusion for certified postsecondary institutions, candidates, and board staff during the multi-year transition process. Defining POPP by direct reference to the board-maintained learning objectives is reasonable because the updated preservice program is fundamentally rooted in the learning objectives, which candidates must complete to qualify for the peace officer licensing examination. Furthermore, incorporating an explicit effective date of August 1, 2029, into the definition is reasonable because it perfectly synchronizes this definition with the system-wide sunset timeline established for the PPOE program in Subpart 5a. This alignment prevents conflicting training standards and ensures a predictable regulatory transition across the state.

**Subpart 20.** The amendment to subpart 20 aligns the board's education criteria with updated federal standards. In February of 2020, the United States Department of Education released a memo in which the department effectively eliminated the distinction between regional and national accreditation. As a result, the requirement that a postsecondary degree be awarded by a postsecondary institution that is accredited by a member of one of the six regionally accrediting associations has become arbitrary. Removing this requirement is needed to prevent conflict with federal standards and to avoid arbitrary restrictions on otherwise qualified applicants. Removing the list of degree examples is also needed because the list was non-exhaustive. Removing it streamlines the rule text by eliminating unnecessary content. The amended rule now states that the postsecondary institution must be accredited by a federally recognized accrediting association or recognized as meeting accreditation by the National Association of Credential Evaluation Services (NACES). These modifications are reasonable because the amended language replaces obsolete requirements with a flexible standard. For additional details, please see the justification for the changes made to rule 6700.0501, subpart 5.

**Subpart 23.** The amendments to Subpart 23 consist of technical, non-substantive language modifications to correct an inaccurate classification of postsecondary certificates. While postsecondary certificates are academic credentials in nature, they do not constitute academic titles. This update is needed to correct this structural classification error within the rule text. The modification is reasonable because it ensures that the rule text accurately and precisely references the academic nature of a postsecondary certificate without altering the substantive requirements, legal rights, or obligations of regulated parties.

**Subpart 23b.** The proposed amendments in part 6700.0300 establish a permanent Preservice Advisory Committee to assist the board in the development and maintenance of its learning objectives. Because this group is designed to function as a permanent standing committee, defining the group within this subpart is needed to formally establish its function and purpose. This definition is reasonable because it provides an essential organizational framework that directly supports the substantive committee provisions in part 6700.0300, thereby ensuring internal consistency across the rule chapter without imposing any unauthorized regulatory or administrative burdens.

**Subpart 23c.** Due to MN's bifurcated preservice training system, law enforcement students frequently attend two separate schools to complete their preservice training – one school for the academic component and another for the skills component. Establishing a definition for "primary certified school" is needed to differentiate between the multiple schools a student may attend and to clarify which school bears the responsibility for satisfying the regulatory requirements described in parts 6700.0300 and 6700.0400. This definition is reasonable because it establishes a clear line of institutional accountability and prevents conflicting or overlapping requirements between schools. It provides a simple, logical mechanism to ensure that students, certified postsecondary schools, and the board have a uniform understanding of which entity is responsible for various program requirements.

**Subpart 23e.** Under the proposed rules, the preservice training program will be managed by a program director or director appointed by a certified school. The term 'program director' replaces 'coordinator,' which was specific to the prior PPOE program. The title change is needed because the proposed rules establish additional and different requirements for program directors than those that apply to PPOE coordinators. Formally defining this new title is reasonable because it cleanly distinguishes between the two roles. Furthermore, the inclusion of an exemption clause in part 6700.0300 for current PPOE coordinators underscores the necessity of separating the coordinator role from the new program director role associated with the POPP.

**Subpart 23f. "**Psychomotor skills component" is a term used in the proposed bifurcated preservice training system to describe categories 3 and 4 of the board's learning objectives, which have historically been treated as the skills portion of peace officer preservice training. Formally adding this definition to the rules is needed to create an explicit legal distinction between the psychomotor skills component and the academic component. This clarity is necessary as it makes it explicit to determine which certified school is responsible for satisfying a given requirement. This amendment is reasonable because it codifies existing agency practice, aligning the rule language with the historical usage and understanding of the term by stakeholders and certified instructors.

**Subpart 24.** An explicit cross-reference to part 6700.0400 was added to subpart 24 to clarify the specific certification process for postsecondary institutions. This reference is needed to provide absolute clarity regarding the exact regulatory mechanism to which this definition applies, thereby eliminating any potential ambiguity for stakeholders. This modification is reasonable because it is a non-substantive, clarifying amendment that does not alter any existing compliance requirements.

**Subpart 25.** The definition previously under subpart 25 has been relocated to subpart 10a, and subpart 25 is repealed. This amendment is needed to organize the definitions section in alphabetical order, thereby improving the overall readability and structural navigation of the rules for stakeholders. This modification is reasonable because it represents a non-substantive reorganization. It does impose new compliance requirements or regulatory burdens upon any person or entity subject to the board's authority.

**Subpart 27a.** Having a primary school suggests there is a secondary school- therefore, a definition for "secondary certified school" is added to further differentiate between the multiple schools a student may attend to complete their preservice training. If a student goes to a secondary school, they do so to complete the psychomotor skills component. Therefore, the "secondary certified school" is defined as the school a student enrolls with to complete the psychomotor skills component if the institution is different than the primary certified school. This definition is needed to clarify which school is responsible for meeting the requirements described in rule 6700.0300 and 6700.0400.

## 6700.0300 ~~Professional~~ Peace Officer ~~Education~~ Preservice Program

Following a review of MN's PPOE program and a comparison with similar training models in other states, the POST Board determined that the current PPOE system is not operating as efficiently or effectively as intended. This conclusion is supported by several factors. Certified schools are required to integrate the POST Board's learning objectives into curricula they develop and maintain independently, resulting in significant variation among programs. The inconsistencies in how and when learning objectives are taught create several challenges. Chief among them is the difficulty for the board, as the regulatory authority, to verify compliance with the learning objectives and other rules outlined in chapter 6700. A comprehensive review of the current PPOE program would require auditing every PPOE class at every certified school to confirm that each objective is addressed—an undertaking beyond the board's available time, staff, and resources.

Second, the current PPOE structure makes it difficult for the POST Board to determine how many instructional hours each school devotes to individual learning objectives. This lack of transparency is problematic because, as the regulatory authority, the board should be able to account for and respond to public inquiries regarding preservice training hours. Even if such data were available, how schools integrate the learning objectives and for how long would be inconsistent among the various programs. This concern is reinforced by reports from CLEOs statewide, who have noted significant disparities in the training of new recruits. Increasingly, CLEOs report that new hires often lack the fundamental knowledge and skills expected of entry-level peace officers, requiring agencies to reteach material that should have been mastered during preservice training. This additional instruction demands time and resources that agencies would otherwise dedicate to matters of public safety and service. In its report, IADLEST (2020) stated:

> Even with consistent learning objectives, course content can vary greatly, as personally observed by members of the audit team. This means that it is possible (and likely) that peace officers who graduate from different schools have nuanced differences in their training and knowledge. This can be exacerbated when those officers work in the same department. Moreover, if content varies from school to school, this means that no two schools provide the very best training. (p. 13)

The remedy IADLEST (2020) suggested to resolve this issue was for the board to develop lesson plans that would be the basis of a preservice education program. This would allow the board to set the number of hours required for each learning objective and determine how the learning objectives would be taught. In addition to promoting consistency, a uniform program created by the board would better guarantee that preservice training is consistent with evidence-based best practices.

Lastly, due to the nature of the current bifurcated training system, the PPOE program does not integrate the board's learning objectives as well as it could or should. Historically, entry level law enforcement training has been conducted with little to no integration – concepts are taught in "silos" and instructors move forward from one topic to the next without referencing prior learning objectives. More recent research shows that integrated learning is best for the reinforcement and retention of foundational knowledge (Beer-Maxwell et al., 2024). According to Beer-Maxwell et al. (2024), who conducted a randomized control study on integrated law enforcement training principles, "integrating curriculum provides learners with beneficial problem-solving skills, encourages critical thinking, and positively impacts performance on knowledge measurements (p. 2)." A standardized training program set by the board will ensure the learning objectives are being integrated throughout the program. In turn, this will help training program participants better retain the information they are taught and alleviate the pressure on law enforcement agencies who find themselves having to re-train new hires.

Based on the findings and conclusions discussed above, the board voted to standardize the psychomotor skills component of preservice training. The proposed changes to part 6700.0300 reflect this decision. By standardizing skills, the board will be better able to regulate preservice training by ensuring the training(hours and method) is consistent and integrated. There are other program defects that were identified during the rulemaking process by IADLEST, law enforcement practitioners, preservice instructors, and the general public that the proposed rules also aim to remedy. These defects will be identified throughout this section. Readers will note that the term Professional Peace Officer Education (PPOE) is replaced in the proposed rules with Peace Officer Preservice Program (POPP). The name change is needed and reasonable to help individuals differentiate between the "old" and "new" standards set by the board.

**Subpart 1.** The title of subpart 1 was amended to include waivers, which was previously discussed in subpart 2. The text in subpart 1 is removed because it was inconsistent with the structure of the board's current learning categories and objectives. Specifically, the previous text listed a non-exhaustive list of items from the board's learning objectives when a list of the board's broader learning categories would be more logical. All of the topics removed from this section will still be covered in the board's program via the learning objectives and accompanying rubrics. Removing the reference to specific, individual learning objectives in rule is needed to provide the board administrative flexibility to dynamically revise the learning objectives based on evolving best practices, statutory mandates, and contemporary law enforcement industry standards. Now, subpart 1 broadly lists the learning objectives that will be (and currently are) included in the board's preservice program. Listing over 400 individual learning objectives directly within the permanent rule text is administratively impractical and unreasonable, as it would require a lengthy and burdensome formal rulemaking process for minor learning objective updates. The revised language instead broadly outlines the four overarching categories of which the preservice program is composed. This change is reasonable because it maintains comprehensive transparency by establishing the foundational pillars of peace officer training while maintaining performance-based standards. This amendment aligns directly with the board's explicit statutory authority to establish law enforcement learning objectives as prescribed in MN Statute, section 626.843, subdivision 1(7).

**A.** Item A states that the peace officer preservice program teaches the learning objectives set by the board as prescribed. The learning objective categories are listed in items 1-4. Listing the general categories is needed to secure essential administrative flexibility for the board that is within the scope of jurisdiction granted by the legislature. This approach is reasonable because it maintains complete public transparency regarding the core educational pillars of the preservice program.

**1)** The first category listed in the proposed rule is "core competencies." This category covers a wide range of topics, including communication, ethical reasoning, critical thinking, problem-solving, decision-making, community service, cultural awareness, professionalism, and teamwork. Listing the category within rule rather than its highly specific underlying learning objectives is needed to provide the board administrative flexibility. This approach is reasonable because it maintains complete public transparency by codifying core professional concepts required of future licensees, while ensuring that the underlying learning objectives remain agile.

**2)** The second category listed in the proposed rule is "foundational knowledge." This category covers a wide range of topics, including legal studies, human behavior, types of crime, crisis intervention, and intelligence-led policing. Listing the category within rule rather than its highly specific underlying learning objectives is needed to provide the board administrative flexibility. This approach is reasonable because it maintains complete public transparency by codifying core professional concepts required of future licensees, while ensuring that the underlying learning objectives remain agile.

**3)** The third category listed in the proposed rule is "performance of officer duties and tasks." This category covers a wide range of topics, including practical law enforcement writing, interviewing, conflict management, legal process, and investigations. Listing the category within rule rather than its highly specific underlying learning objectives is needed to provide the board administrative flexibility. This approach is reasonable because it maintains complete public transparency by codifying core professional concepts required of future licensees, while ensuring that the underlying learning objectives remain agile.

**4)** The fourth category listed in the proposed rule is "tools, techniques, and tactics." This category covers a wide range of topics, including defensive tactics, firearms, use of force, radio use, and emergency vehicle operations. Listing the category within rule rather than its highly specific underlying learning objectives is needed to provide the board administrative flexibility. This approach is reasonable because it maintains complete public transparency by codifying core professional concepts required of future licensees, while ensuring that the underlying learning objectives remain agile.

**B.** Item B states that the board must provide certified schools with time to adopt and implement any changes the board may make to the learning objectives. This provision is needed to ensure the board provides certified schools with the time necessary to incorporate learning objective updates to their active programs. A fixed timeline is intentionally not prescribed in this section because learning objective updates vary significantly in scope and urgency. For example, comprehensive learning objective overhauls require longer transition periods, whereas other changes, such as those driven by sudden statutory mandates, demand immediate implementation. This provision is reasonable because it allows the board and stakeholders the necessary administrative latitude to establish tailored and appropriate deadlines based on the scope and urgency of the change. This item is performance-based because it emphasizes superior achievement in meeting the board's regulatory objectives while also maximizing flexibility for certified schools whenever possible.

**C.** Item C states that program directors may waive a participant's participation in learning objectives from learning categories 1 and 2 so long as the individual provides proof of equivalent training. This provision was previously in part 6700.0300, subpart 2. This provision is needed because it allows students who already have a degree to participate in "fast-track" licensure programs. Without this provision, fast-track programs will no longer be able to exist. Restricting this waiver authority strictly to the academic component is reasonable because the learning objectives from categories 3 and 4 (psychomotor skills) will be standardized by the proposed rules – meaning the learning objectives have to be taught as prescribed by the board. This item maximizes flexibility for instructors considering waivers for learning categories 1 and 2 as this rule part does not set overly prescriptive requirements as to how or why waivers may be granted.

**D.** Item D states the psychomotor skills component will be provided to the schools by the board and explicitly states learning categories 3 and 4 may not be waived. Formally standardizing the psychomotor skills component is needed to guarantee that all law enforcement students receive identical, baseline practical instruction. This provision is reasonable because anchoring the program to a uniform, state created template consisting of the board's learning objectives aligns MN with other national law enforcement raining models. According to the IADLEST Sourcebook, 84% of respondents indicated their state has a uniform statewide curriculum for basic law enforcement training (IADLEST, 2024). That statistic demonstrates that it is reasonable for MN to change its rules and preservice training program so it is aligned with the majority practice nationwide.

A copy of the current learning objectives may be found on the POST Board's website at https://mn.gov/post/applicants/ppoeprogram/.

**Subpart 2.** Subpart 2 is repealed. The substantive regulatory requirements previously prescribed under this subpart have been consolidated and relocated into subpart 1 of this rule part. This amendment is needed to eliminate redundant text, streamline the rule chapter's organization, and ensure that all related information regarding preservice program standards and waiver mechanisms is housed within a single, centralized subpart. This modification is reasonable because it represents a non-substantive reorganization that directly improves the readability and navigability of the rules for stakeholders.

**Subpart 2a.** Throughout the rulemaking process, law enforcement practitioners, preservice instructors, and members of the public expressed to the board they would like to participate more in the development and review of preservice training. The original text in subpart 2 was stricken and replaced. Subpart 2a discusses the Preservice Advisory Committee (PAC); a standing committee created by the board to provide support and assist in the development of the learning objectives and categories. Using this advisory committee is needed to ensure that the board remains transparent, collaborative, and accountable when modifying the core learning objectives of the preservice program. The development and use of the PAC is a reasonable way to promote transparency, increase stakeholder involvement, and ensure the preservice program follows evidence-based practices.

**A.** Item A describes the membership of the PAC. PAC members need to have expert knowledge in the topical areas related to the learning objectives and be representative of the board's stakeholders. Specifying these distinct roles is needed to guarantee that the committee possesses comprehensive, expert knowledge across all diverse topical areas covered by the board's learning objectives. The structured membership is reasonable because it prevents any single interest group or institution from dominating the advisory process. Subitems 1-11 list the PAC positions deemed necessary to ensure the group is able to fulfill the duties as prescribed by the board.

**1)** Subitem 1 states that the PAC must include two POPP directors, at least one of whom is from a school offering the psychomotor skills component. Including this specific role is needed because program directors possess critical, firsthand operational knowledge regarding the delivery, execution, and scheduling of the board's learning objectives. This requirement is reasonable because it guarantees that individuals directly responsible for managing the day-to-day administration of preservice programs have a voice in learning objective updates.

**2)** Subitem 2 states that the PAC must include two police chiefs (or their designees), one from the metro and one from greater MN. Including representation from both geographic regions is needed because localized resources, population densities, and unique community demands cause metropolitan and rural law enforcement agencies to view the foundational job tasks of an entry-level peace officer differently. This regional distribution is reasonable because it guarantees that the varying operational perspectives, training constraints, and needs of all law enforcement agencies across the state are equitably considered.

**3)** Subitem 3 states that the PAC must include two sheriffs (or their designees), one from the metro area and one from greater MN. Including representation from both geographic regions is needed because localized resources, population densities, and unique community demands cause metropolitan and rural law enforcement agencies to view the foundational job tasks of an entry-level peace officer differently. This regional distribution is reasonable because it guarantees that the varying operational perspectives, training constraints, and needs of all law enforcement agencies across the state are equitably considered.

**4)** Subitem 4 states that the PAC must include two peace officers currently designated as a field training officer or a field training officer supervisor, one from the metro area and one from greater MN. Field training officers and supervisors oversee the training of newly hired officers right after they have completed preservice training. These individuals are considered experts on what an entry level peace officer needs to know and are responsible for conducting any remedial training new hires may need. Including representation from both geographic regions is needed because localized resources, population densities, and unique community demands cause metropolitan and rural law enforcement agencies to view the foundational job tasks of an entry-level peace officer differently. This regional distribution is reasonable because it guarantees that the varying operational perspectives, training constraints, and needs of all law enforcement agencies across the state are equitably considered.

**5)** Subitem 5 states that the PAC must include one defensive tactics instructor. Defensive tactics is an important part of law enforcement training – especially during the psychomotor skills component. Including this specific instructional role is needed because defensive tactics and use-of-force training represent a high-liability and core component of the board's learning objectives. This requirement is reasonable because defensive tactics is a highly technical discipline that requires hands-on learning and application provided by an instructor with specialized expertise.

**6)** Subitem 6 states that the PAC must include one firearms instructor. Firearms training is an important part of law enforcement training – especially the psychomotor skills component. Including this specific instructional role is needed because firearms training is a high-liability core component of the board's learning objectives. This requirement is reasonable because firearms training is a technical discipline that requires hands-on learning and application provided by an instructor with specialized expertise.

7) Subitem 7 states that the PAC must include one emergency vehicle operations instructor. Emergency vehicle operations is an important part of law enforcement training – especially the psychomotor skills component. Including this specific instructional role is needed because emergency vehicle operations training is a high-liability core component of the board's learning objectives. This requirement is reasonable because emergency vehicle operations training is a technical discipline that requires hands-on learning and application provided by an instructor with specialized expertise.

8) Subitem 8 states that the PAC must include two county attorneys or an assistant county attorney designee, one from the metro area and one from greater MN. Although MN law does not necessarily change from one county to another, the board has decided it is important to ensure both the metro and greater MN receive representation on the PAC. Including representation from both geographic regions is needed because localized resources, population densities, and unique community demands cause metropolitan and rural county attorneys' offices to view the foundational job tasks of an entry-level peace officer differently. This regional distribution is reasonable because it guarantees that the varying operational perspectives, training constraints, and needs of all law enforcement agencies and county attorneys' offices across the state are equitably considered, preventing any single regional prosecutorial office from disproportionately shifting the board's learning objectives.

9) Subitem 9 states that the PAC must include one victims' rights advocate. The individuals and groups who have a vested interest in peace officer preservice training are not limited to law enforcement personnel; advocates and members of the public have a significant stake in learning objective development as well. Including this specific role is needed to ensure the preservice learning objectives remain aligned with contemporary, evidence-based practices regarding victim advocacy, trauma-informed response, and community policing. This requirement is reasonable because peace officers frequently interact with individuals experiencing trauma or who have been victimized. This position guarantees that future licensees will continue to be trained to interact with victims in a manner that preserves the public trust and minimizes re-traumatization.

10) Subitem 10 states that the PAC must include one mental health professional. The inclusion of a mental health professional reflects the ongoing importance of mental health and crisis intervention in law enforcement. Including this specific role is needed to ensure the preservice learning objectives remain aligned with contemporary, evidence-based practices regarding mental health and crisis response. This requirement is reasonable because peace officers frequently interact with individuals who have mental health concerns or who are experiencing a crisis. This position guarantees that future licensees will

continue to be trained on how to effectively engage with a person experiencing a mental health problem or crisis.

**11)** Subitem 11 states that the PAC must include two public members, one from the metro area and one from greater Minnesota. Although people across Minnesota share many of the same concerns, the board determined it is important to ensure that both the metro and greater MN are represented on the PAC. Including non-law enforcement citizens within this framework is needed to provide direct civilian oversight, ensuring that community expectations and public safety concerns are actively integrated into the core learning objectives. These positions are intentionally broad to allow members of the public or representatives of public organizations to contribute to the development and revision of the board's preservice learning objectives. This regional distribution is reasonable because it guarantees that the distinct viewpoints of both urban and rural communities are equitably represented, preventing localized biases. Furthermore, securing public representation is a rational method to enhance regulatory transparency and strengthen community trust in the board's processes.

**B.** Item B explicitly details the specific duties, responsibilities, and advisory functions of the PAC. Outlining these specific functions is needed to establish clear institutional boundaries, ensuring that committee members understand their precise advisory role in the development and maintenance of the board's core learning objectives. Formally prescribing these responsibilities prevents confusion over the committee's focus and objectives. This provision is reasonable because it sets parameters and ensures that the PAC operates without imposing any unauthorized regulatory burdens on the board's staff or certified schools.

**1)** Subitem 1 states the PAC must conduct an annual review of the preservice program and provide a report to the board's subcommittee on training by December 1st of each year. Establishing a recurring annual mandate is needed to prevent stagnation, ensure accountability, and provide the committee with an operational objective each year. The specific reporting deadline of December 1st is reasonable because it aligns with the end of the calendar year and the board's quarterly meetings. This timing allows the committee to evaluate learning objective outcomes from the year and collect any data it may need.

**2)** Subitem 2 states the PAC must provide formal program recommendations to the board, as needed, based on the findings of its annual review. This provision is needed to bridge the gap between curriculum evaluation and structural reform. It establishes a formal mechanism to guarantee that observations, field data, and insights compiled during the annual review are directly communicated to the board, rather than remaining unacted upon. This requirement is reasonable because it creates an evidence-based process for program evolution. It ensures that the board's law enforcement program remains accurate and modern.

3) Subitem 3 states the PAC will advise the board of any changes in case law, industry standards, or best practices that affect the program. This requirement is needed to ensure the learning objectives are reflective of current law and modern, evidence-based best practices. This requirement is reasonable because, as active practitioners, the PAC members will have a frontline operational awareness regarding changes within the industry. To ensure the learning objectives are effective in training POPP participants, changes need to be communicated to the board.

4) Subitem 4 states the PAC will complete any other task assigned by the board within the advisory committee's purview. This provision is needed to ensure the board has the administrative flexibility to utilize the committee for targeted tasks and responsibilities directly related to its core function that may arise outside of the annual review. This provision is reasonable because it allows the board to efficiently leverage a diverse committee of subject-matter experts for targeted guidance, research, or learning objective modifications. For example, if the board is evaluating updates to its use-of-force learning objectives, this provision enables the board to formally request that the PAC research alternative force models and present their findings. Utilizing the committee for specific, specialized directives in this manner guarantees that the board makes highly informed, evidence-based decisions regarding the preservice program without expanding the committee's scope beyond its advisory intent.

**C.** Item C establishes that individuals appointed to the PAC by the board under Item A will serve a four-year term, after which they are eligible to apply for reappointment. Establishing a definite term duration is needed to prevent indefinite appointments, which will ensure new practitioners and subject-matter experts have the opportunity to bring a fresh perspective to the committee. A four-year term length is reasonable because it provides long-term operational stability and allows members time to develop a deep understanding of the board's learning objectives as well as the committee's responsibilities. By permitting consecutive reappointments, this rule balances the need to maintain members with vital knowledge and the appointment of new members who may bring new viewpoints and information to consider.

**D.** Item D establishes the explicit authority of both the board and the PAC to consult with external individuals or organizations possessing specialized training or expertise in topics covered by the preservice program. This provision is needed to formally empower the board and the PAC to seek outside expertise when evaluating highly technical, evolving, or specialized subject matter. Securing this authority ensures that advisory recommendations and board updates are informed by the most current data and specialized knowledge available, rather than being strictly limited to internal agency resources. This provision is reasonable because it creates an objective, evidence-based mechanism to inform curriculum modifications. Formally affirming this right enables the board and committee to invite targeted subject-matter experts to collaborate on complex learning objectives.

**Subpart 3.** Under the amended rule, certified postsecondary institutions may seek formal certification to deliver the academic component, the psychomotor skills component, or both pathways of the preservice program. This structural amendment is needed to formally integrate the board's bifurcated training framework directly into the institutional certification process. Adding the clarifying qualifier "as applicable to their certification" is necessary to provide explicit notice to schools that they are only legally accountable for satisfying the specific learning objectives for which they hold active board authorization. Striking obsolete, unintegrated language is further needed to eliminate administrative redundancy and align the rule segment with the new program. These modifications are reasonable because they accurately reflect the operational realities of a bifurcated system, allowing schools to specialize in either academic or practical coursework according to their institutional resources and expertise.

**Subpart 4.** Subpart 4 is repealed. The requirements regarding the board's right to revise the learning objectives were relocated to subpart 1 of the proposed rules. Repealing this section is needed to prevent regulatory confusion and to eliminate defunct administrative requirements from the rule chapter. This modification is reasonable because the removal of obsolete text ensures that the rule remains accurate, clean, and easy for stakeholders to navigate, while imposing no new compliance burdens on postsecondary institutions.

**Subpart 4a.** Subpart 4a introduces a new provision governing compliance reviews to verify that certified schools strictly adhere to the regulatory mandates established in Chapter 6700. Formally authorizing ongoing compliance reviews is needed to modernize the board's quality-assurance mechanisms, directly aligning state oversight with formal recommendations detailed on page 12 of the 2020 IADLEST Audit Report. Historically, the board has lacked a formal mechanism to perform unannounced inspections or active spot checks; institutional reviews were restricted exclusively to the standard recertification process, which occurred only once every five years. Establishing compliance review authority is necessary to close this oversight gap and to ensure accountability. This provision is reasonable because it replaces an outdated, passive review cycle with an active, standard-driven oversight model. In turn, this oversight model will allow the board to identify and remedy deficiencies before they impact program participants or result in official disciplinary action.

- **A.** Item A explicitly establishes that a postsecondary institution certified by the board must adhere strictly to the regulatory requirements set forth in Minnesota Rules parts 6700.0300 and 6700.0400. As the statutory regulatory agency tasked by the legislature with overseeing peace officer preservice training, this provision is needed to formally codify the board's foundational compliance expectations for certified institutions. This clear framework is necessary to establish the exact legal benchmarks that board staff will verify during routine compliance reviews. This provision is reasonable because it does not impose any new or unexpected regulatory burdens; rather, it simply links the compliance review process directly to pre-existing rule parts that certified schools are already legally mandated to follow.

- **B.** Item B states that certified schools must fully cooperate with both scheduled and unannounced compliance reviews conducted by the board. Formally requiring institutional cooperation is needed because, as the state's designated regulatory agency responsible for overseeing preservice law enforcement training, the board must possess an enforceable mechanism to execute its oversight duties. Authorizing both scheduled and unannounced reviews is necessary to ensure a reliable, authentic quality-assurance process, providing board staff with a realistic assessment of daily program operations and continuous compliance with rules that carry the effect of law. This provision is reasonable because compliance reviews are an effective, standard-driven tool to ensure regulatory uniformity across all training tracks. Compliance reviews are an effective strategy for the board to provide administrative support or guidance to certified schools.

**C.** Item C establishes that each certified institution will be subject to a formal compliance review at least once every two years, while explicitly reserving the board's statutory right to conduct targeted compliance reviews at any time. Enacting a mandatory two-year verification window is needed to close the oversight gap between renewal cycles. Because the standard program recertification cycle operates on a three-year schedule, a two-year review cycle guarantees that every certified campus receives at least one mid-cycle review. This frequency is necessary to continuously monitor curriculum delivery, while reserving the right to conduct unannounced reviews provides the board with an essential enforcement tool to investigate localized complaints or sudden training deficiencies immediately. This timeline is reasonable because it creates a logical, predictable quality-assurance schedule without over-burdening school administrators or program directors.

**D.** Item D establishes that the board's compliance reviews must encompass a formal inspection of an institution's training materials, physical facilities, and tactical equipment. It further mandates that certified schools must supply the board with any necessary program records or student documentation as permitted by law. Formally authorizing the inspection of these specific components is needed because a certified school's delivery of the board's program cannot be evaluated in a vacuum. The board must possess clear verification authority to ensure a certified school physically maintains the proper facilities and safety equipment necessary to deliver the board's preservice program, such as a firearms range and emergency vehicle operations track. Additionally, requiring the production of records is needed to give board staff a mechanism to verify that institutions are strictly enforcing students' compliance with the minimum selection standards and psychomotor skills component entry prerequisites. This comprehensive review scope is reasonable because it directly aligns the board's auditing authority with the physical realities of modern law enforcement training. Furthermore, because record production is explicitly restricted by the qualifier "as permitted by law," this provision protects student privacy rights under state and federal data practices acts while also ensuring accountability.

**Subpart 5.** The title of this subpart is amended to explicitly clarify the specific regulatory parameters it governs, which are all certified schools. This modification was needed because the bifurcated preservice model has been officially codified in rule. Therefore, there are different regulatory requirements prescribed in the rules based on the component a school is certified to deliver. The modification to this subpart was needed to make it clear that the requirements of this subpart apply to all certified schools, regardless of their type of certification. This universal application is reasonable because it ensures regulatory uniformity among certified schools on matters that affect both components of the board's preservice program.

**A.** The amendments to item A consist of non-substantive grammatical modifications, the removal of obsolete text in the context of the new POPP framework, and a specific cross-reference to the minimum selection standards. The final sentence is amended to clarify that a certified school's enrollment standards must disqualify any applicant who fails to meet the minimum selection and licensure criteria described in part 6700.0700, subpart 1, item D. This modification is needed to prevent administrative gaps in the POPP enrollment process. Students attending certified schools are permitted to enroll in standard higher education courses to earn a general college degree; however, they are legally barred from enrolling, participating in, or completing the board's preservice program for law enforcement licensure if they do not meet the minimum selection standards. Codifying this distinction is necessary to provide clear notice to certified schools to ensure they do not inadvertently progress an unqualified candidate. This restriction is reasonable because it directly anchors a school's program entry standards to the board's mandatory state licensure criteria, ensuring that students do not spend time and tuition on a specialized peace officer pathway if an existing background factor legally disqualifies them from ever holding the license.

**B.** The original text in item B is stricken (including subitems 1 and 2). The updated language mandates that if an applicant fails to cooperate with a certified school or is unable or refuses to satisfy the enrollment criteria established in item A, the institution must deny the student entry into the board's preservice program until they achieve full compliance. Furthermore, if entry is denied, the certified school must provide the applicant with a written explanation detailing the exact basis for the denial. This provision is needed to establish an explicit, enforceable barrier at the institutional level, ensuring that unqualified candidates cannot circumvent state licensing mandates. While individuals retain a broad right to general higher education, participation in a state-regulated peace officer licensure program is a conditional privilege reserved for those who meet the baseline criteria prescribed in chapter 6700. Additionally, the written notification mandate is needed to prevent arbitrary or opaque institutional rejections, providing essential transparency and giving candidates a clear roadmap to remedy minor or temporary compliance issues where possible. This framework is reasonable because it balances necessary public safety screening with administrative fairness and due process for the student. Forcing institutions to document their decisions in writing acts as a vital safeguard against arbitrary denials, while restricting program entry to qualified candidates protects the integrity of the profession and ensures that scarce instructional resources are dedicated exclusively to viable licensure candidates.

**C.** The original text of item C is stricken. The text previously listed as item D has been re-lettered as the item C, incorporating minor technical modifications to optimize rule clarity. This reorganization is needed to ensure alphabetical and sequential order within the subpart, and align the vocabulary to achieve congruency with the newly implemented POPP framework. Re-lettering the section is necessary to provide an unbroken, easy-to-navigate reference trail for stakeholders. This amendment is reasonable because it constitutes a non-substantive, ministerial cleanup of the rule text.

The modification does not alter any existing compliance mandates. The relevant concepts stricken from the original item C were moved to subpart 5a, item D of this part.

**D.** There are some provisions within part 6700.0700 that cannot be verified through a criminal history background check. As a result, item D is needed to require applicants to sign the board's standardized advisory form. By signing the form, the applicant will attest they meet the minimum selection standards prescribed in rule (part 6700.0700). According to item D, if an applicant is found not to meet the minimum selection standards or the applicant violates the standards while enrolled in POPP, the applicant or participant may be denied entry to or dismissed from the preservice training. This item states that applicants do not need to meet the requirements in MN Rules, part 6700.0700 subpart 1, items C, J, or K. Applicants are exempt from these items because they have to do with the hiring process, not preservice education. This provision is needed to ensure applicants are personally responsible for disclosing any background information that may make them ineligible for a peace officer license. This provision is reasonable because individuals are not eligible for licensure if they do not meet the minimum selection standards.

**Subpart 5a.** This subpart is a new section that discusses applicant enrollment requirements for schools delivering the psychomotor skills component. In this section, the requirements for entering the psychomotor skills component are more stringent than in subpart 5 to ensure participants are eligible for licensure after completing the skills component. Under the current system, an individual may complete a PPOE program without being eligible for peace officer licensure. The requirements in subpart 5a are needed to ensure only individuals who are licensure-eligible may enroll in the psychomotor skills component. As the regulatory agency, the board has the authority to be more selective regarding who may participate in the psychomotor skills component because it is directly tied to licensure; individuals should only enter the skills program for the purpose of becoming a peace officer. This provision is reasonable because it functions as a vital consumer-protection measure for student candidates. In the past, students have paid for and completed both an academic degree and the skills component, only to subsequently learn that a pre-existing background factor disqualified them from sitting for the licensure examination. Forcing stricter, early alignment between skills program entry and state licensure eligibility is a rational, balanced mechanism that prevents students from wasting thousands of dollars in tuition on a professional track they can never legally utilize, while ensuring public safety vetting across the state.

**A.** Item A states that an applicant must complete the board's application and meet the requirements described in this part to enroll in the psychomotor skills component. This part designates the program director as the responsible party for ensuring an applicant meets the listed requirements. This structured application process and designation are needed to ensure that all certified institutions utilize a uniform screening mechanism before admitting candidates into the skills component. Explicitly naming the program director as the responsible entity is needed to establish a clear line of administrative accountability. Without a designated individual tasked with enforcing these pre-enrollment checks, the board would lack a viable mechanism to monitor institutional compliance or hold a specific entity accountable if a disqualified candidate is improperly admitted. This provision is reasonable because the program director is the individual responsible for overseeing a certified school's daily preservice program operations. Aligning this compliance mandate with the director's existing leadership role is a rational and efficient allocation of regulatory duties that ensures thorough student vetting without creating an unpredictable or duplicative administrative framework for the schools.

**B.** In the State of Minnesota, individuals must have a valid driver's license to operate a motor vehicle, therefore, peace officers must have a valid driver's license to drive a squad car. During the psychomotor skills component, program participants will be required to drive and operate a vehicle as part of their emergency vehicle operations training. This necessitates that the student possesses a valid driver's license. For this reason, this provision is needed to require applicants to possess a valid driver's license prior to entering the psychomotor skills component. To verify the validity and status of an applicant's license, it is necessary that the applicant provide an official copy of their driving record to the certified school. If the applicant is licensed in another state, the applicant must provide a driving record from that state in addition to a record from MN. Out of state licensed drivers need to supply both records because MN may revoke or suspend an individual's driving privileges within the state while the individual's out-of-state license remains valid. For example, if a non-Minnesota resident is arrested for driving under the influence of a controlled substance, MN may revoke that individual's privilege to drive in MN, even though the person's license remains valid in the other state. This requirement is reasonable to ensure that applicants and program participants are driving with valid licenses and that their MN driving privileges have not been revoked or suspended.

**C.** Currently, PPOE program applicants are required to complete a physical (medical) evaluation form and return it to the certified school prior to entering the program. This requirement is explicitly codified in rule in item C for the POPP. This requirement is needed as it ensures students are free from any physical condition that would pose a threat to the health or safety of the applicant, other participants, or program instructors. The physical evaluation form also states whether the licensed medical professional believes the applicant is able to perform the duties of a peace officer. Currently, each certified school uses its own form, and no two forms are the same. Item C is needed to standardize the physical (medical) evaluation process. Under item C, the board will create a standard physical evaluation form for certified schools to provide applicants during the psychomotor skills component enrollment process. This provision is reasonable to ensure the safety of the applicant, program instructors, program participants, and the public.

**D.** Item D mandates that all applicants complete a comprehensive psychological screening before enrolling in the psychomotor skills component of the board's program. The evaluation must be conducted by a licensed psychologist who must provide a written opinion to the certified institution stating whether the candidate is fit to enter the POPP. A candidate is deemed fit if they do not pose any health or safety threat to themselves or others. This provision also specifies that evaluations are valid for one year and permits a primary school to complete and transfer results to a secondary school. This provision is needed to replace the problematic language in current rule under MN Rules part 6700.0300, subpart 5, which barred enrollment only if an applicant posed a "serious threat." That language was deficient because it implied that candidates posing minimal or marginal safety threats could be admitted into the program, which contradicts the core regulatory intent of the board. Tightening this standard is needed to protect other students and instructors. Restricting the evaluation to a licensed psychologist, rather than a general mental health professional, is needed to achieve strict regulatory alignment with the pre-employment psychological screening mandates in MN Rules part 6700.0675, item A. This framework is reasonable because it codifies what is already standard practice among certified institutions, avoiding the imposition of new, unexpected operational hurdles. Requiring a licensed psychologist is reasonable because these specific professionals possess specialized, industry-specific experience conducting pre-employment LEO evaluations. Finally, the one-year validity window and the institutional transfer mechanism are reasonable because they maximize flexibility for applicants and certified schools navigating a bifurcated training model, preventing them from incurring duplicative costs or requirements.

**E.** Applicants to the preservice training program are required to supply a criminal history background check obtained from the MN Bureau of Criminal Apprehension (MN BCA) to the certified school's director for review. This is needed to ensure the applicant does not have any convictions on their record that would prohibit or disqualify them from becoming a peace officer under MN Rules part 6700.0700. This provision is reasonable as it prevents those who are licensure ineligible from entering the psychomotor skills component. A MN BCA criminal history will only detail MN specific offenses. As a result, the last sentence of this section states that if, as an adult, the applicant has been arrested or lived in another state, they need to provide an equivalent report from that state to the program director. This provision is only concerned about adult offenses because juvenile criminal histories cannot be used for licensing purposes according to Minnesota Statutes, section 260B.245. This provision is reasonable to prevent individuals who are ineligible for licensure from enrolling in the psychomotor skills component.

**F.** Item F makes it explicitly clear to applicants and program directors that if an applicant does not comply with items A-E, they will be denied entry into the psychomotor skills component. The denial will last until the applicant meets the requirements. If an applicant is denied entry into the psychomotor skills program, this provision states that the applicant must be notified in writing of the basis for the denial. This provision is needed to enforce the entry requirements and to protect students from arbitrary denials. This provision is reasonable to keep all parties informed and accountable during the application/denial process. Mandating that rejections be documented in writing provides essential administrative fairness, ensures that candidates are fully apprised of their official status, and provides them with a clear roadmap to achieve compliance.

**G.** Item G mandates that an applicant must execute the necessary data release waivers to authorize certified schools to communicate and share relevant educational and vetting data with one another. This provision is needed to overcome the restrictive data-sharing barriers established under the Minnesota Government Data Practices Act (MGDPA), Minnesota Statutes, chapter 13. Formally requiring this paperwork is necessary to give secondary schools the legal authority to verify that incoming transfer students for the psychomotor skills component have successfully completed all prerequisite coursework and screening requirements. This requirement is reasonable because it provides a practical, low-burden mechanism to ensure absolute regulatory compliance across a bifurcated training model. Restricting data sharing strictly to the documentation required for program entry balances student privacy interests with regulatory compliance.

**Subpart 6.** Subpart 6 defines the formal administrative and regulatory responsibilities of certified schools. The previous language in items A through D is removed and replaced with the updated frameworks established in items A through E. Overhauling this section is needed to structurally align institutional obligations with the new bifurcated (POPP) system. Updating the scope of this subpart is necessary to create separate, clear operational rules for certified schools providing either the academic component, the psychomotor skills component, or both, thereby preventing regulatory gaps. This reorganization is reasonable because it creates an orderly, predictable, and easy-to-navigate template for the specific item justifications that follow.

**A.** Item A states that certified schools must implement a record retention schedule and keep any data/materials that show their compliance with the POPP requirements. Records must be retained according to applicable data practices laws or, minimally, for seven years. This provision is more specific than the stricken text of item A. This provision is needed to give certified schools adequate guidance on what data they should be keeping and for how long. The 2020 IADLEST Audit Report suggested data should be kept the length of a law enforcement officer's career– which could be thirty-five or more years respectively. The record retention period suggested by IADLEST was determined by the board to be overly burdensome. A thirty or more year-long retention period may have resulted in certified schools incurring additional costs to keep enrollment and program data for that long. This requirement is reasonable because it actively balances regulatory oversight with institutional cost containment. Selecting a seven-year baseline is highly reasonable because it represents a standard, widely accepted record-retention benchmark utilized across public and private administrative systems, satisfying the board's quality-assurance needs without creating an unmanageable regulatory burden.

**B.** Item B is similar to what was stricken in the previous item B, but this provision focuses on records that demonstrate a participant completed the POPP. This provision states that certified schools must implement a records retention schedule to document an individual completed POPP and that those records must be retained according to applicable data practices laws, or, minimally, for seven years. A term of seven years was selected to keep the data retention period the same as item A. This provision is needed to ensure student data documenting the completion of the POPP is available for seven years after they complete the program. Selecting a seven-year baseline is reasonable because it represents a standard, widely accepted record-retention benchmark utilized across public and private administrative systems, satisfying the board's quality-assurance needs without creating an unmanageable regulatory burden.

**C.** Item C states that the certified school's director is responsible for ensuring applicants of the psychomotor skills component meet all of the requirements in subpart 5a. There have been documented incidents of students making it through the skills program and then applying for the licensure examination despite the fact that they do not qualify for licensure under MN Rule part 6700.0700. In these cases, the board has been unable to act because the current rules do not state who is ultimately responsible for ensuring students satisfy all the program entry requirements. This provision is needed to ensure the rules are adhered to and clarify who is directly responsible if a rule is violated. Knowing who is responsible for a rule violation also helps the board determine who may need additional guidance or education on the rules. This segment also states that primary and secondary schools must communicate with one another if there is a change in an individual's enrollment eligibility. This provision is needed to ensure primary and secondary schools are both kept informed as to a student's eligibility status. This provision is reasonable because it ensures students are eligible to take the examination and be hired after completing the board's training program.

**D.** Item D states that primary schools must complete an acknowledgement of training form and provide it to the secondary school prior to an applicant enrolling in the psychomotor skills component. Currently, schools offering the psychomotor skills component take academic schools at their word that an applicant has received all of the learning objectives required in learning categories 1 and 2. This item is needed to formalize the process as it requires the primary schools to officially attest that an applicant has received and completed the learning objectives the primary school was responsible for covering. Secondary schools are then responsible for ensuring they receive this form from the primary school during a participant's enrollment process. This is a reasonable method of holding each school accountable for the learning objectives they are certified to teach. It creates a practical, low-burden quality-assurance check that ensures neither institution is forced to guess the compliance status of a transferring student, while holding each certified school accountable exclusively for its board-certified coursework.

**E.** Item E constitutes an updated and re-lettered framework of what was item C, directing certified institutions to complete and submit an affirmative action plan compliance report by June 1 of each year covering the preceding calendar year. This provision is needed to ensure continuous awareness of, and strict compliance with, a statutory mandate enacted under Laws of Minnesota 1997, Chapter 239, article 1, section 9. Formally codifying this historical legislative requirement into rule is necessary to remove it from obscurity, providing certified schools and board staff with an explicit, centralized reference point that prevents the reporting window from being inadvertently overlooked. This requirement is reasonable because it does not create a new, unexpected administrative or financial burden for the regulated parties; rather, it simply mirrors a pre-existing legal obligation that has governed these programs for nearly three decades.

**Subpart 7.** Subpart 7 establishes the updated, comprehensive qualification standards and certification requirements for instructors delivering the board's preservice program. Overhauling and expanding this section is needed to modernize instructor standards and eliminate ambiguities. Because law enforcement is a field that is continuously evolving, the board requires an explicit regulatory mechanism to verify that individuals teaching the board's learning objectives possess the necessary training, experience, and skills. Instructor requirements are necessary to ensure that instructional quality remains uniform across all certified institutions, directly protecting participants from outdated or legally non-compliant training. These expanded requirements are reasonable because they align instructor qualifications with active professional best practices and specialized field expertise.

**A.** The proposed rules regarding instructor requirements are more detailed and explicit than the current rules. In an effort to continue to professionalize law enforcement training, the board has set the minimum requirements for program instructors. This will ensure program instructors have the necessary experience and qualifications to be teaching the board's preservice program. Item A discusses the instructor requirements for certified schools delivering the academic component (learning categories 1 and 2) in subitems 1-4. Dividing the instructor qualifications requirements according to the bifurcated training system is needed because academic and psychomotor skills component schools specialize in different areas of the board's program. It is reasonable to prescribe different instructor requirements because there are different types of professionals working in these areas. For instance, the academic component routinely consists of career academic instructors whereas the psychomotor skills component consists of active or retired peace officers.

**1)** Subitem 1 requires instructors delivering the academic component to hold a postsecondary degree. This requirement is needed to establish a baseline educational standard for individuals responsible for delivering learning categories 1 and 2 of the board's program. Because law enforcement candidates in MN must hold a minimum of a two-year postsecondary degree to qualify for licensure, it is necessary and reasonable that the educators delivering their training hold an equivalent or higher credential. This provision is reasonable because it directly mirrors the existing minimum hiring and faculty credentialing standards already utilized by certified postsecondary institutions.

**2)** Subitem 2 requires instructors to have at least three years of professional experience in law enforcement or a criminal justice-related field or have recognized professional training or education in the category or subject matter that they are teaching. Some instructors are career researchers or have held a similar position. These individuals may not have the traditional "work" experience needed to teach in the program. This item is needed to ensure individuals delivering the board's program have the necessary training and expertise to train law enforcement students, while remaining flexible enough to allow career researchers and academics to deliver the board's program. This provision is reasonable because it sets a realistic minimum expectation of instructors while also exemplifying performance-based standards.

**3)** Subitem 3 states that instructors who have had a professional license or certificate revoked, rescinded, or currently or permanently suspended do not qualify to be an instructor for the board's preservice program. This provision is needed to make sure instructors are licensees in good standing with whichever licensing board's jurisdiction they are under. Setting a firm baseline for ethical and professional conduct is necessary to protect the integrity of the board's program and the state's licensing framework. This provision is reasonable because it ensures instructors teaching the board's preservice program have not undergone any disqualifying, major disciplinary actions resulting in the loss or restriction of their professional license. It is rational to bar disqualified or sanctioned professionals from training future peace officers because it preserves public trust and ensures that instructional staff demonstrate the same level of compliance with their licensing boards that is expected of the POST Board's licensees.

**4)** Subitem 4 states that individuals teaching the board's learning objectives must have the relevant training and experience to teach the program's subject matter. This requirement allows for attorneys, mental health professionals, law enforcement personnel, and other relevant subject matter experts to teach program materials related to their field of expertise. This provision is needed to ensure the board's program allows subject-matter experts outside of the criminal justice field to have the ability to deliver specific components of the board's program. It would be unreasonable for the board to prevent someone who is an expert in mental health from instructing components of the board's program to future peace officers because they do not have a criminal justice background. This provision is reasonable because it ensures instructors have the necessary training experience to deliver the board's program, but it is not so overly prescriptive that specialized experts are prohibited from delivering components of the board's program. It would be irrational for the board to prevent an expert in mental health or constitutional law from instructing future peace officers on those critical sub-topics simply because they do not carry a conventional law enforcement background.

**B.** Item B discusses the instructor requirements for certified schools delivering the psychomotor skills component (learning categories 3 and 4) in subitems 1-4. Dividing the instructor qualifications requirements according to the bifurcated training system is needed because academic and psychomotor skills component schools specialize in different areas of the board's program. It is reasonable to prescribe different instructor requirements because there are different types of professionals working in these areas. For instance, the academic component routinely consists of career academic instructors whereas the psychomotor skills component consists of active or retired peace officers.

**1)** Subitem 1 requires instructors delivering the psychomotor skills component to hold a postsecondary degree. This requirement is needed to establish a baseline educational standard for individuals responsible for delivering learning categories 3 and 4 of the board's program. Because law enforcement candidates in MN must hold a minimum of a two-year postsecondary degree to qualify for licensure, it is necessary and reasonable that the educators delivering their training hold an equivalent or higher credential. This provision is reasonable because it directly mirrors the existing minimum hiring and faculty credentialing standards already utilized by certified postsecondary institutions.

**2)** Subitem 2 requires instructors delivering the psychomotor skills component to possess at least three years of full-time professional experience in law enforcement or a criminal justice-related field. This minimum experience threshold is needed to verify that individuals delivering the board's program have a proven baseline of operational field experience. Setting the benchmark at three years is necessary to ensure that instructors have experienced a diverse multitude of real-world calls, critical incidents, and field scenarios, thereby directly enhancing their capacity to articulate tactical realities to students.

**3)** Subitem 3 states that instructors who have had a professional license or certificate revoked, rescinded, or currently or permanently suspended do not qualify to be an instructor for the board's preservice program. This provision is needed to make sure instructors are licensees in good standing with whichever licensing board they are under the jurisdiction of. Setting a firm baseline for ethical and professional conduct is necessary to protect the integrity of the board's program and the state's licensing framework. This provision is reasonable because it ensures instructors teaching the board's preservice program have not undergone any disqualifying, major disciplinary actions resulting in the loss or restriction of their professional license. It is rational to bar disqualified or sanctioned professionals from training future peace officers because it preserves public trust and ensures that instructional staff demonstrate the same level of compliance with their licensing boards that is expected of the POST Board's licensees.

**4)** Subitem 4 states that individuals teaching the board's learning objectives must have the relevant training and experience to teach the program's subject matter. This requirement allows for attorneys, mental health professionals, law enforcement personnel, and other relevant subject matter experts to teach program materials related to their field of expertise. This provision is needed to ensure the board's program allows subject-matter experts outside of the criminal justice field to have the ability to deliver specific components of the board's program. It would be unreasonable for the board to prevent someone who is an expert in mental health from instructing components of the board's program to future peace officers because they do not have a criminal justice background. This provision is reasonable because it ensures instructors have the necessary training experience to deliver the board's program, but it is not so overly prescriptive that specialized experts are prohibited from delivering components of the board's program. It would be irrational for the board to prevent an expert in mental health or constitutional law from instructing future peace officers on those critical subtopics simply because they do not carry a conventional law enforcement background.

**C.** Item C requires instructors to complete 16 hours of training in adult learning theory, instructor development, or curriculum development either prior to or within the first two years of being employed as an instructor. This instructional training mandate is needed because adults process information and acquire practical skills differently than children. As a result, instructors must be equipped to recognize these fundamental differences and utilize evidence-based instructional tools tailored specifically for an adult learning environment. Requiring this training supports the board's mission of professionalizing law enforcement education by ensuring that subject-matter experts are trained in effective teaching as well as their discipline. This provision is reasonable because the mandated training hours reflect the median number of hours observed among currently available training courses in these topical areas. Existing courses on this topic range from 5 to 50 hours. Furthermore, the rule is highly reasonable because it permits internal campus workshops, faculty development days, and in-service training to fully satisfy the requirement. By explicitly omitting any mandate for an official, costly postsecondary certificate, the rule maximizes both scheduling and monetary flexibility for instructors and schools while ensuring a highly trained instructor baseline.

**D.** Item D explicitly mandates that certified institutions maintain documentation for each instructor who delivers any portion of the preservice program. This mandated file must include, at a minimum, the instructor's professional resume and verified documentation of their relevant qualifications. This provision is needed to establish an enforceable accountability record at each certified school. Because the board is authorized for routine compliance reviews under subpart 4a, board staff will be able to verify instructional staff meet the required qualifications via the certified school's records. This record-keeping requirement is reasonable because it relies on standard, low-burden human resources practices that postsecondary institutions already execute during their routine faculty hiring and vetting processes. Forcing schools to compile basic professional resumes and credential verifications does not impose an unexpected financial or administrative burden.

**E.** Item E states that subpart 7 does not apply to guest lecturers. Guest lecturers are not full-time or adjunct staff; therefore, it would be unreasonable to require guest lecturers to meet the requirements of this part before providing instruction to program participants. This provision is needed to exempt guest lecturers from meeting the requirements of this part. This provision is reasonable because it prevents certified schools from taking on additional financial burdens and training costs that would otherwise be incurred in order for guest lecturers to satisfy the requirements of this part.

**Subpart 8.** Subpart 8 is repealed. The regulatory requirements regarding safety policies have been relocated to subpart 12 of this part. Repealing this subpart is needed to reorganize this part in a way that is easy-to-navigate for stakeholders. This modification is reasonable because it constitutes a non-substantive cleanup of the rule text.

**Subpart 9.** Subpart 9 is repealed. The regulatory requirements regarding safety policies have been relocated to subpart 13 of this part. Repealing this subpart is needed to reorganize this part in a way that is easy-to-navigate for stakeholders. This modification is reasonable because it constitutes a non-substantive cleanup of the rule text.

**Subpart 10.** Subpart 10 is repealed. The relevant information concerning the POPP framework has been incorporated into proposed rule part 6700.0300, subpart 6, item B. Repealing this subpart is needed to reduce redundancy within the proposed rules. This modification is reasonable because it constitutes a non-substantive cleanup and reorganization of the rule text. Moving these provisions simply optimizes the chapter's layout for stakeholders and board staff without altering any existing compliance timelines or adding new administrative burdens onto certified schools.

**Subpart 11.** Subpart 11 introduces a new regulatory segment establishing the foundational minimum criteria and qualification standards necessary to be appointed as a certified school's program director. Creating a dedicated subpart for program director requirements is needed to establish the minimum qualifications an applicant must meet to oversee the board's preservice program. Because program directors handle complex regulatory compliance, vet instructors, and manage the delivery of the board's learning objectives, codifying minimum education, training, and field experience thresholds is necessary to prevent unqualified individuals from leading a certified school's program. Establishing these requirements is reasonable because the program director is the individual ultimately responsible for the integrity of the program and communication between the board and certified school. These requirements ensure the board's program is managed by professionals possessing verified administrative competence and law enforcement expertise, without imposing impossible burdens on the certified school.

> **A.** Item A establishes the mandatory compliance framework for the program director position, dictating that any individual appointed to oversee a certified school's preservice program must fully satisfy the objective qualification metrics set forth in subitems 1-4. Outlining these requirements under one item is necessary to provide certified school's clear and concise instruction. This format is reasonable because it creates an orderly and easy-to-navigate administrative requirement.
>
> > **1)** Subitem 1 states the program director must be employed full-time by the certified school as the program director. The POPP and its learning objectives are complex; therefore, the program director needs to be a full-time staff member. The program director carries extensive administrative duties and quality-assurance tasks that must be performed on a regular basis. Requiring a full-time position is necessary to ensure the integrity of the board's program, providing the director with sufficient working hours each week to complete specialized tasks, manage instructor vetting, and ensure absolute regulatory compliance. This requirement is reasonable because it guarantees that any operational or compliance issues within the program will be addressed in a timely manner, meaning critical problems will not have to be tabled until a part-time director's next scheduled shift. Furthermore, this provision is highly

reasonable because current PPOE coordinators have historically been full-time staff members. Therefore, codifying this standard into the new framework does not create a new operational requirement or impose a fresh fiscal burden on certified schools.

**2)** Subitem 2 states program directors must possess a bachelor's degree or an advanced degree in law enforcement, criminal justice, education, social or behavioral science, or a related field. This educational standard is needed to establish an appropriate academic benchmark for the program director who is tasked with managing the board's preservice program. Because program directors must navigate complex higher education structures, collaborate with the board, evaluate curriculum delivery, and evaluate program instructors, a four-year postsecondary degree is necessary to ensure the director possesses the advanced critical thinking and professional credentials required for leading a professional licensing program. This requirement is reasonable because it provides extensive flexibility to certified schools by recognizing a broad spectrum of relevant disciplines. Rather than enforcing a rigid, single-subject mandate, the rule rationally permits degrees spanning from tactical fields (law enforcement and criminal justice) to behavioral disciplines (social and behavioral sciences) and education fields. This allows certified schools to recruit program directors from a diverse pool of qualified applicants without arbitrary restrictions.

**3)** Subitem 3 states the program director must not have had a professional certificate or license revoked, rescinded, or currently or permanently suspended. This provision is needed to ensure program directors are licensees in good standing with whichever licensing board's jurisdiction they are under the jurisdiction of. Setting a firm baseline for ethical and professional conduct is necessary to protect the integrity of the board's program and the state's licensing framework. This provision is reasonable because it ensures program directors overseeing the board's preservice program have not undergone any disqualifying, major disciplinary actions resulting in the loss or restriction of their professional license. It is rational to bar disqualified or sanctioned professionals from overseeing the board's preservice program because it preserves public trust and ensures program directors demonstrate the same level of compliance with their licensing boards that is expected of the POST Board's licensees.

**4)** Subitem 4 requires directors to have, minimally, four years of experience as a full-time licensed or certified peace officer. Requiring program directors to have law enforcement experience is needed because the director will be overseeing learning objectives, training materials, and training scenarios directly for the board's POPP. The preservice training and the POPP are directly tied to licensure and the duties of a peace officer. Therefore, it is reasonable to expect the director of a "peace officer preservice program" to have law enforcement experience. The program director is nonsynonymous with a department chair or head at a college or university. This provision is reasonable to ensure the director of the program has the experience and expertise necessary to guide participants and other instructors in the delivery of the learning objectives.

**5)** Subitem 5 requires program directors to have previous teaching experience or to complete training in instructional supervision or evaluation. This requirement is needed for program directors to have the necessary experience or training to oversee the board's program. This requirement also supports the board's mission of professionalizing law enforcement training. It is reasonable to expect program directors to have prior experience or to complete training in instructional supervision or evaluation because program directors are responsible for the delivery of the board's program and the instructors delivering it. This provision is a performance-based rule as it provides two pathways of compliance. Certified schools and program director appointees are able to take the path most advantageous to their needs and professional backgrounds.

a) Unit (a) lists the first compliance pathway under subitem 5, stating that the program director must have two years of experience instructing or teaching. This requirement is needed to verify that the program director possesses firsthand, practical familiarity with classroom management, lesson planning, and student evaluations. Having a director with prior instructional experience is necessary to ensure they can effectively manage the board's program and complete their administrative duties. This provision is reasonable because it is an easily attainable metric for individuals who have prior teaching experience. This provision does not unnecessarily limit or restrict the applicant pool for the position of program director.

b) Unit (b) lists the second compliance pathway under subitem 5, stating that the program director must complete a minimum of 32 hours of training in instructional supervision or evaluation. According to the proposed rule, this training can be completed prior to appointment or within the first two years of being employed as the program director at a certified school. This training requirement is needed to establish a firm baseline for director candidates who lack the prerequisite of two years of active classroom teaching experience. Selecting a minimum of 32 hours is needed to reflect the administrative duties of a director; this benchmark is exactly twice the training length required of program instructors. Codifying this hour metric is necessary to ensure that individuals without teaching experience are thoroughly equipped to evaluate faculty performance and monitor curriculum delivery. This provision is reasonable because it establishes an easily attainable metric for individuals who may be transitioning to the education field. Because postsecondary personnel already routinely participate in professional continuing education, this requirement builds seamlessly upon existing institutional practices. Furthermore, the rule is highly reasonable due to its extensive compliance flexibility: it grants directors a generous two-year window to satisfy the hours and explicitly permits workshops or in-service training to count towards the required training hours. Therefore, this rule avoids implementing a heavy financial requirement on certified schools or director applicants.

**B.** Item B establishes an exemption clause that authorizes any active PPOE coordinator appointed before August 1, 2029, to transition into the role of a preservice program director. This exemption is conditional upon the individual remaining at the same certified institution where they previously served as coordinator, and requires that the appointment be entirely continuous. This provision is needed to ensure that experienced PPOE coordinators who are already successfully executing the daily duties of a program leader are not arbitrarily disqualified from appointment under the newly heightened criteria. Failing to codify this provision would negatively impact the employment of current PPOE coordinators and certified school staffing. This exemption clause is reasonable because it creates a balanced, compassionate, and non-punitive mechanism to mitigate unexpected employment hardships that a sudden change in credentials would otherwise cause. The date mentioned in this rule part coincides with the sunset period on the PPOE program.

**C.** Item C states certified schools must submit a director appointment form to the board for review to receive the board's approval before an appointee may take on the official capacity of director. This is a current practice. This provision is needed to codify the board's application and approval process into rule within the context of the new framework. This provision is a reasonable method of ensuring both directors and certified schools are satisfying the rule requirements. This segment is necessary to avoid unpromulgated rulemaking.

**D.** Item D describes what a certified school's responsibilities are when an individual is no longer appointed as director. In item D, the certified school is required to notify the board as soon as the director's last day of assignment is known and then follow the provisions of this subpart to appoint a replacement. This segment states that the board's subcommittee on training may appoint a temporary program director until a permanent director can be found. This provision is needed to ensure the board stays well informed as to who is responsible for each preservice program. This provision is also needed to implement a codified mechanism for the board to confirm appointments for temporary directors while a certified school seeks out a permanent replacement. This provision is reasonable because it ensures accountability and transparency between the board and certified schools.

**Subpart 12.** Subpart 12, which was relocated from subpart 8, discusses the safety policies certified schools must publish to deliver the POPP. The specific policy mandates required under this provision are systematically detailed in items A-F. Implementing these strict safety mandates is needed because law enforcement practical training is intensely physical and requires participants to operate a variety of tactical tools and specialized equipment that carry inherent risks of severe injury if handled improperly. The board requires an explicit regulatory mechanism to verify that certified schools are proactively mitigating these high-liability risks. This subpart is reasonable because it protects students from training hazards and institutions from catastrophic civil liability. To minimize administrative burdens on higher education partners, the board deliberately preserved the exact safety metrics from the original rule chapter, with the sole exception of newly introduced item C.

**A.** Item A was updated so that it is consistent with the language used throughout the proposed rules. It requires a safety policy that details a process for participant to identify any preexisting injuries or medical restrictions. This provision is needed to establish an active risk-mitigation checkpoint before students enter high-intensity training environments. This requirement is reasonable because it creates a confidential, low-burden communication mechanism that respects student health while prioritizing classroom safety.

**B.** Item B was updated so that it is consistent with the language used throughout the proposed rules. It requires a safety policy prohibiting harsh training activities or activities designed to humiliate program participants. This prohibition is needed to establish a modern, psychologically safe, and professional learning environment across all certified schools. This requirement is reasonable because it directly aligns the board's educational oversight with modern public safety best practices, risk-management guidelines, and professional ethics.

**C.** It is becoming increasingly popular for schools, treatment facilities, and employers to utilize what is referred to as "trauma informed practices" when working with students, patients, and staff. As a result, item C was added to the proposed rule to ensure certified schools notify program participants of the options available to support the mental health and overall well-being of program participants and instructors. This provision is needed to ensure students and staff are informed of the resources available to them in the event they need assistance. Many schools and employers already do this or something similar, so it is reasonable to request certified schools put what options are available in writing and supply that document to program participants and staff.

**D.** Item D, which was previously item C in subpart 8, was updated so that it is consistent with the language used throughout the proposed rules. It requires a safety policy that details the documentation process for participant injuries. This provision is needed to establish a formal, predictable administrative record whenever an injury occurs in a high-liability training environment. This record-keeping requirement is reasonable because it relies on standard, low-burden risk-management protocols that postsecondary institutions already execute under standard collegiate insurance and liability guidelines.

**E.** Item E, which was previously item D in subpart 8, was updated and grammatical errors fixed. It requires a safety policy that includes guidelines to reduce or modify instructional pace during extreme weather. This provision is needed to protect the physical well-being of program participants and instructors during high-exertion outdoor activities, such as firearms qualification or emergency vehicle operations training. This is especially true in MN, which features intense environmental extremes ranging from severe summer heat to dangerous sub-zero winter temperatures. This requirement is reasonable because it ensures students will be protected from the elements and it allows certified schools to adapt their safety protocols to their geographic location and facilities.

**F.** Item F, which was previously item E in subpart 8, was updated so that it is consistent with the language used throughout the proposed rules. It requires a safety policy prohibiting the deprivation of food and water to participants. This prohibition is needed to ensure the physical safety and well-being of program participants. This requirement is reasonable because it does not impose a financial or administrative burden on certified institutions, nor does it interfere with the tactical rigor of the psychomotor skills curriculum.

**Subpart 13.** This subpart represents a structural reorganization and title update of what was previously codified as Subpart 9. The language within this segment has been systematically revised to achieve alignment with the new POPP framework. These modifications are needed to maintain an accurate rule chapter and to prevent structural confusion among regulated entities. Replacing the term “students” with the more precise designation “participants” is necessary to accurately define the status of individuals enrolled the POPP. Furthermore, updating the reference from Subpart 8 to what is now Subpart 12 is needed to provide stakeholders with an accurate cross-reference across the subparts. This reorganization is reasonable because it constitutes a non-substantive cleanup of the rule. The text does not add any regulatory burdens.

**Subpart 14.** This provision establishes a formal regulatory bridge for legacy students, dictating that program participants enrolled in an approved Professional Peace Officer Education (PPOE) track prior to August 1, 2029, will have until August 1, 2033, to successfully complete their coursework and sit for the peace officer licensing examination. This transitional framework is needed to protect student candidates who began their education under the PPOE framework from being unfairly penalized by a sudden change in state requirements. Formally codifying an explicit multi-year teach-out period is needed to provide certified postsecondary institutions with a clear, stable timeline. This provision is reasonable because it would be highly inequitable and counter-productive for the board to force active program participants to abandon their completed coursework or restart their professional training from the beginning upon the implementation of the new rules. Setting this 4-year sunset is highly reasonable because it accommodates the operational timeframe required for a student to complete both a standard four-year baccalaureate degree and the practical skills components, thereby safeguarding students' financial tuition investments while maintaining a reliable pipeline of qualified candidates for the state.

## 6700.0400 Certification of Schools

**Subpart 1.** Subpart 1 is repealed. The relevant regulatory requirements previously listed in this subpart were relocated to subpart 1a. Repealing this subpart was needed to amend the organizational structure of this rule part and to allow for the logical expansion of related concepts and requirements. Reorganizing this section is necessary to make the information easy to understand and navigate for stakeholders. This modification is reasonable because makes this part more structurally sound.

**Subpart 1a.** Subpart 1a establishes that postsecondary institutions seeking certification to deliver a component of the board's program must formally apply to the board and submit the comprehensive baseline documentation described in item A-D. This framework is needed to codify the board's explicit application requirements within the rule chapter, providing a clear pathway for schools to achieve certification. This requirement is reasonable because it directly executes and codifies the board's statutory oversight authority as mandated by MN Statues, section 626.843.

**A.** Schools are required to provide proof of accreditation by a federally recognized accrediting agency. This is needed to ensure the institution seeking certification meets the board's definition of a "school." It is also needed to ensure that any institution seeking board certification meets objective, verifiable education criteria. Relying on a federally recognized accrediting agency provides the board an independent evaluation of the school's operations, ensuing it meets verifiable accreditation standards. This provision is reasonable because it utilizes an established, industry-standard benchmark for educational quality assurance. The significant public benefit of ensuring high-quality professional education for students outweighs the minor administrative burden on the institution, as schools already possess this standard documentation.

**B.** Schools are required to provide a signed acknowledgement by the school's president or designee to the board. This provision is needed to ensure absolute clarity and operational alignment between institutional leadership and the board's regulatory standards. Peace officer preservice training is a specialized field highly by the legislature and POST Board. Because higher education executives or generic school administrators may not have experience with law enforcement training mandates, the board must establish a mechanism ensuring they are explicitly aware of the board's regulatory oversight authority. Requiring a formal signature guarantees that the institution's leadership actively recognizes the specific compliance, curriculum, and safety rules required to maintain program certification. This provision is reasonable because a signed acknowledgement is the least restrictive and most cost-effective method to secure administrative accountability. It creates zero financial burden on the school and takes only a few moments of administrative time.

**C.** Schools are required to provide the board with identification information, certifications, and resumes for the appointed program director and all program instructors. This provision is needed to establish an enforceable verification process ensuring that all leadership and instructional staff satisfy the qualifications prescribed in part 6700.0300. Because the board bears ultimate statutory responsibility for the integrity of peace officer education, it must prevent individuals who do not meet prescribed rule requirements from delivering the board's program. Requiring resumes and professional certifications provides the board with the information necessary to independently confirm that instructors possess the required field experience, licenses, and pedagogical competency before a school is granted certification. This provision is reasonable because reviewing staff qualifications utilizes existing, standard professional documents, imposing a negligible administrative burden on the applicant institution. Furthermore, establishing a clear mechanism to withhold or deny certification to schools that fail to meet these baseline staffing requirements ensures a fair, transparent compliance framework and guarantees that certification is only granted to institutions capable of delivering preservice training in compliance with chapter 6700.

**D.** Schools are required to provide a strategic plan detailing the safety policies, facilities, equipment, and locations the school intends to use to deliver the board's program. This provision is needed because the board establishes core educational learning objectives but does not dictate the specific operational mechanics or physical environments of individual schools. Consequently, applicant institutions must demonstrate exactly how they will deliver the board's POPP. Peace officer preservice training involves high-risk instructional components, including firearms handling, emergency vehicle operations, and physical defensive tactics. The board needs to review localized safety policies, facility descriptions, and equipment inventories to ensure schools have the capacity to teach these objectives safely and effectively before granting certification. This provision is reasonable because a strategic plan is a standard administrative tool that ensures an institution possesses the physical infrastructure and risk-management protocols necessary to deliver the POPP. The substantial public and student benefits of preventing training accidents, avoiding student injuries, and ensuring that certified schools possess the tools necessary to meet state-mandated training objectives outweigh the minimal administrative burden of compiling this plan.

**Subpart 2.** This repeal is needed to eliminate the practice of issuing provisional certifications prior to a comprehensive regulatory evaluation. Granting a provisional status before completing an on-site inspection creates a significant risk that an institution could operate and enroll students while being ineligible under rule part 6700.0400. To ensure regulatory integrity, the board must establish a sequential process where actual compliance is verified before a school is certified. Under the revised framework, certification will only be granted after an applicant school has successfully satisfied every preliminary requirement. This repeal is reasonable because it protects prospective students from enrolling in programs that might ultimately fail inspection and face certification revocation, causing severe financial and academic disruption. Furthermore, eliminating provisional certifications streamlines board operations by preventing the dual administrative burden of processing temporary approvals and managing subsequent enforcement actions against non-compliant schools.

**Subpart 3.** This repeal is needed to facilitate a structural reorganization of part 6700.0400. The relevant content contained in subpart 3, which governed the board's duties regarding the certification process, is moved to subpart 4a. This repeal is also necessary to remove content regarding the provisional certification process, which was removed with the repeal of subpart 2. This repeal is reasonable because it eliminates redundant and outdated information, maintains a cohesive structure within the rule part, and promotes overall regulatory clarity for applicant institutions and the public.

**Subpart 3a.** This subpart is needed to establish the baseline operational and physical criteria a school must satisfy to achieve and maintain official certification. While subpart 1a outlines the initial application documentation, subpart 3a explicitly defines the ongoing minimum obligations of a certified school. This provision is necessary to guarantee that applicant schools possess the dedicated physical facilities, specialized equipment, and structural capacity to effectively deliver the board's program based on their certification type. This provision is reasonable because it provides a transparent, predictable checklist of expectations for institutions seeking certification. Requiring adequate physical learning environments directly ensures compliance with chapter 6700 as well as student safety. The requirements are listed in items A and B.

- **A.** Item A states schools are required to deliver the board approved learning objectives. This provision is needed to ensure schools remain compliant with part 6700.0300, subpart 1. To maintain a reliable and professional law enforcement workforce, every student in the state must receive the same educational baseline. This provision is necessary to guarantee that individual institutions do not omit critical subject matter, thereby ensuring all students possess the standardized knowledge base required as they transition to active public safety service. This provision is reasonable because it directly enforces the statutory oversight authority granted to the board by the legislature. Establishing a uniform curriculum requirement provides an applicant school with an explicit, unambiguous educational expectation.

- **B.** Item B lists the facilities and equipment a school must have to become certified as it pertains to the school's certification type. The facilities prescribed in this rule are classrooms, a firearms range, space suitable for defensive tactics, and an emergency vehicle operations track. The facilities required to teach the board's learning objectives need to be detailed in rule to ensure preservice participants receive the proper training for an entry-level peace officer position safely. This provision is reasonable because it guarantees that students have direct access to the spaces required to practically apply the board's mandated learning objectives in a controlled, safe environment. Furthermore, the rule remains flexible and fair to applicant schools by allowing them to either own the physical facilities or have verified usage agreements with regional public safety partners, which is described in subpart 3b. This approach prevents excessive facility costs for the schools while thoroughly protecting the educational integrity and physical safety of the students.

**Subpart 3b.** Subpart 3b discusses secondary training locations. The board understands that schools may need to use secondary training locations to deliver the board's learning objectives. This provision states that secondary training facilities may be used for firearms and emergency vehicle operations training by a certified school so long as the conditions in items A and B are met. Secondary locations are commonly used by certified schools for firearms and emergency vehicle operations training. As a result, the use of secondary training facilities needed to be detailed in rule to ensure preservice participants receive the proper training for an entry-level peace officer position. This provision is also necessary to ensure the quality of the secondary location as well as transparency between the certified school and board. Regulating the secondary site itself is reasonable because it guarantees that students have direct access to the spaces required to practically apply the board's mandated learning objectives in a controlled, safe environment. Furthermore, the rule remains flexible and fair to applicant schools by allowing them to either own the physical facilities or have verified usage agreements.

- **A.** Item A states that the use of a secondary training facility must be disclosed to and approved by the board during the school's initial application process or re-certification process. This item is needed to ensure the board maintains absolute regulatory awareness and oversight of all physical environments where state-mandated law enforcement instruction occurs. Because the board bears ultimate statutory responsibility for the safety and integrity of peace officer preservice training, it cannot permit high-risk psychomotor exercises—such as firearms or emergency vehicle operations—to occur at unvetted, offsite locations. Requiring disclosure and approval during formal application windows guarantees that the board can independently verify site safety and plan mandatory on-site compliance inspections before instruction begins. It is reasonable for a regulatory body to know the physical locations of its approved training programs, as this information is foundational to public accountability, student safety, and efficient agency field auditing. Furthermore, this requirement is reasonable because it aligns secondary location disclosures with existing application and re-certification cycles, avoiding mid-cycle administrative reporting mandates or undue administrative burdens on applicant schools.

- **B.** Item B states that the board and its staff must have access to the secondary training facility to conduct inspections as described in part 6700.0300. This item is needed to guarantee that the board possesses the explicit legal authority to physically enter and inspect offsite instructional facilities. The board must be able to conduct on-site physical visits to independently evaluate field safety conditions, verify equipment compliance, and ensure that the actual training environment mirrors the descriptions submitted in the school's application. This provision is reasonable because physical site inspections are a universally accepted baseline method to execute quality assurance and ensure public safety. Furthermore, this requirement does not subject institutions to arbitrary disruptions; instead, it explicitly restricts the board's entry protocols to the established inspection frameworks already defined in parts 6700.0300. This ensures a transparent, predictable compliance process that protects both the operational integrity of the secondary site and the safety of the student participants.

**Subpart 4.** This repeal is needed to facilitate a structural reorganization of part 6700.0400. The relevant information regarding certified school disciplinary action contained in this subpart has been moved to subpart 4c. This repeal was needed to make part 6700.0400 easier to navigate and to reduce redundancies. This change is reasonable because it does not substantially change the requirements of a certified school. This repeal is reasonable because it is purely administrative and structural in nature. It preserves the substantive standards, legal thresholds, and due process protections currently governing school disciplinary actions without introducing any new penalties, regulatory burdens, or compliance costs for certified institutions. Relocating these provisions simply improves the organization and readability of the chapter, making it significantly easier for schools, legal counsel, and the public to navigate the board's compliance and enforcement procedures.

**Subpart 4a.** Subpart 4a discusses the board's responsibilities in the application review and certification process. The board's process is now outlined in items A and B. This subpart is needed to clearly define the board's specific duties, timelines, and procedural obligations during the application review and certification process. Formalizing these steps in rule ensures that all certification reviews are executed uniformly, objectively, and in strict compliance with the statutory mandates governing peace officer education. The burdens described herein lie with the board, not any regulated entity. This provision is reasonable because it outlines standard internal agency workflows required to evaluate and approve institutional applications. Furthermore, this subpart is highly reasonable because the administrative compliance burdens described herein lie entirely with the board and its staff, rather than imposing any new operational, financial, or reporting mandates on the regulated schools.

- **A.** As the regulatory agency, it is the board's responsibility to review applications and all supporting documents to ensure the applicant meets the requirements for certification. Subitems 1 and 2 are directly linked to subitem 3a and specifically describe what the board must consider when reviewing a certification application. This provision is needed to ensure the minimum requirements in subitem 3a are met. This provision is reasonable because it ensures the board verifies compliance with a requirement for certification as opposed to creating an additional requirement for schools seeking certification.

  - **1)** Subitem 1 states the board will review an application to ensure the school has provided proof of compliance with part 6700.0300, subpart 1. This provision is needed to ensure the applicant will teach the board's learning objectives as described in part 6700.0300, subpart 1. This provision is reasonable because it ensures the board verifies compliance with a requirement for certification as opposed to creating an additional requirement for schools seeking certification.

  - **2)** Subitem 2 states the board will review application documents to ensure the school has the necessary equipment and facilities to offer the learning objective categories the school intends to deliver. This is needed to ensure the applicant can teach the board's learning objectives in a practical and safe environment. This provision is reasonable because it ensures the board verifies compliance with a requirement for certification as opposed to creating an additional requirement for schools seeking certification.

- **B.** Item B states the board must complete a full inspection of the school, including its facilities and equipment, to ensure it meets the requirements described in rule. According to the new framework, a school will not receive certification until a full inspection has been completed. This provision is needed to ensure the applicant is compliant with the rules and capable of delivering the learning objectives for which the school is seeking certification. This provision is reasonable because it ensures the board verifies compliance with a requirement for certification as opposed to creating an additional requirement for schools seeking certification.

**Subpart 4b.** Subpart 4b establishes the re-certification process for schools currently certified by the board to deliver the POPP. This provision is needed because the board must ensure that participating institutions maintain up-to-date curriculum standards and qualified staff over time, which cannot be guaranteed through a one-time initial certification. It is reasonable because it creates a predictable, transparent timeline for schools to maintain their status, utilizing a streamlined administrative process that minimizes the paperwork burden on educational staff.

**A.** This provision changes the school re-certification cycle from five years to three years, amending the previous framework under rule part 6700.0400, subp. 3, item C. This change is needed to ensure schools are compliant with rule parts 6700.0300 and 6700.0400 and that the board can identify and remedy curriculum shortcomings or rule violations in a timely manner. The 2020 IADLEST Audit Report revealed that a five-year cycle creates a delay in oversight, potentially allowing substandard training practices to persist unaddressed for too long. This requirement is reasonable because a three-year cycle provides a balanced regulatory timeframe. It allows certified schools to establish stable academic operations without facing constant administrative re-application burdens, while also giving the board a meaningful, regular window to safeguard public safety and protect the educational interests of POPP participants.

**B.** This provision grants the board authority to mandate accelerated recertification intervals if a school violates an applicable rule or statute. This provision is needed to establish a graduated, remedial enforcement framework. Currently, the board lacks an intermediate tool between passive oversight and formal certification revocation. By introducing an accelerated recertification cycle for non-compliant schools, the board can prompt a rigorous, structured program review to correct minor defects without triggering adversarial disciplinary proceedings. This approach is reasonable because it provides a flexible, collaborative pathway toward compliance. It avoids the harsh and disruptive impact of immediate certification revocation, thereby protecting the school's operations and ensuring that active POPP students do not face sudden program cancellations for curable administrative deficiencies.

**Subpart 4c.** Subpart 4c describes the duties and responsibilities of a certified school and its staff after receiving certification. Detailing the expectations of a school after becoming certified to deliver the board's learning objectives is needed to ensure schools comply with the rules prescribed in chapter 6700. It is necessary for the board to describe the consequences a certified school or program director may face if they are found to be in violation of rule or statute. Explicitly codifying these duties, along with the potential consequences of non-compliance, ensures program accountability and provides the board with a reliable mechanism to monitor training quality. This provision is reasonable because items A through G largely mirror the long-standing requirements of the repealed subpart 4. As a result, this subpart introduces no unexpected regulatory burdens.

**A.** Item A states that a certified school must comply with this part and that a failure to do so subjects to the school to disciplinary action according to subpart 5. The requirements are listed in items B-G. This provision is needed to establish a clear, unambiguous link between operational expectations and enforcement mechanisms. By cross-referencing subpart 5, the board ensures there is no regulatory gap or ambiguity regarding how compliance failures will be addressed. This requirement is reasonable because it provides fair notice to the regulated institutions. Rather than leaving potential penalties vague or unstated, it clearly signals the consequences of non-compliance upfront, allowing schools to proactively manage their operations to avoid disciplinary intervention.

**B.** This provision mandates that schools certified to deliver the POPP must execute and maintain the board's program and established learning objectives. Codifying this requirement in rule is needed to hold certified schools accountable and to ensure all POPP students receive the same baseline standardized training. This provision is a necessary enforcement mechanism to address instances where a certified school fails or refuses to deliver the board's learning objectives as prescribed pursuant to rule part 6700.0300, subpart 1. This provision is reasonable because a school's participation in the POPP program is entirely voluntary. Because institutions receive clear, explicit notice of these expectations during the initial certification process, they maintain autonomy to opt out or withdraw their application if they lack the capacity or willingness to comply with the board's standards.

**C.** This provision requires certified schools to provide the board with documentation or information verifying compliance with rule part 6700.0300 and 6700.0400. This provision is needed to ensure POST Board staff have explicit authority to review supporting institutional records during routine or targeted compliance audits. Without access to these verification documents, such as rosters, curricula, and instructor records, the board cannot objectively evaluate whether a school is meeting its certification mandates. This requirement is reasonable because the scope of the data request is narrowly tailored to records directly impacting program compliance, preventing arbitrary or overly intrusive information demands.

**D.** This provision requires certified schools to cooperate with any board review or investigation regarding the school's certification. This provision is needed to prevent schools from obstructing or delaying administrative oversight when compliance issues or complaints arise. Without an explicit mandate for cooperation, the board cannot conduct the thorough, complete, and timely investigations required to resolve allegations of rule or statute violations. This requirement is reasonable because cooperation is a standard, expected condition of maintaining board certification. The burden on the institution is narrowly restricted to matters directly concerning its POPP certification, protecting the school from overbroad inquiries while safeguarding public trust, ensuring public safety, and maintaining program quality assurance.

**E.** This provision requires certified schools and their staff to cooperate with board investigations into misconduct allegations raised by students, staff, or faculty. It establishes a mandatory duty for faculty and staff to report misconduct and provides a specific definition of what constitutes "misconduct." This provision is needed to ensure quick administrative intervention when behavior threatens student safety or compromises the integrity of the POPP and state licensing examination. Furthermore, explicitly defining "misconduct" is necessary to provide clear, actionable guidance to institutional personnel, eliminating ambiguity regarding what specific types of behavior trigger the mandatory reporting threshold. This requirement is reasonable because cooperating with misconduct investigations is a fundamental, standard expectation for any state licensing board. Additionally, the definition of "misconduct" is reasonable because it is narrowly tailored to align with the prohibited acts already codified throughout chapter 6700, ensuring regulatory consistency and preventing schools from being subjected to vague or arbitrary enforcement standards.

**F.** This provision requires certified schools and their staff to comply with parts 6700.0300 and 6700.0400. This provision is needed to allow the board to take enforcement action against a certified school when it is determined to be non-compliant. Without this provision, the board would lack a clear mechanism to take corrective action if a certified school was to fall out of compliance. This requirement is reasonable because it introduces no new, unexpected, or hidden regulatory burdens. It simply expects certified schools to uphold the compliance standards they reviewed, voluntarily accepted, and proved they could meet during the initial application process. Because participation remains fully optional, schools can choose to stop delivering the POPP at any time.

**G.** This provision requires certified schools and their staff to comply with orders issued by the board. This provision is needed to ensure certified schools and their staff comply with legal, official orders issued by the board. Without an explicit rule mandating compliance with board orders, the board would lack a direct administrative mechanism to enforce corrective action plans or disciplinary actions. This would allow non-compliant institutions to safely ignore board orders, rendering the board's regulatory authority toothless and compromising public safety. This requirement is reasonable because the board's authority to issue orders is strictly confined to lawful, official matters within its clear statutory jurisdiction. Furthermore, schools maintain full due process protections, including the right to contest arbitrary or unlawful directives through established administrative appeal channels, ensuring that this mandate operates as a fair and balanced tool for program compliance.

**Subpart 5.** Subpart 5 discusses the disciplinary actions and sanctions that may be taken if a certified school or program director fails to comply with the requirements described in part 6700.0400. The title amendment to this section was needed to better summarize what content is covered. This provision is reasonable because the substantive content remains largely unchanged from the previous framework, meaning it introduces no new or unexpected penalties. Furthermore, restructuring the disciplinary options from a dense paragraph into an organized list (items A-C) enhances readability. This structural clarity provides regulated parties with explicit, upfront notice of potential enforcement actions, ensuring transparency and due process.

**A.** Item A lists a letter of censure as a method of disciplinary action that may be taken by the board. The language in this provision was taken from the original paragraph of subpart 5 and modified for clarity and consistency. This provision is needed to provide the board with a formal, low-level enforcement tool to address minor or isolated rule infractions. This option is reasonable because it represents the least restrictive disciplinary measure available, allowing the board to formally reprimand an institution and demand correction without disrupting school operations or penalizing active students.

**B.** Item B lists formal or informal probation as a disciplinary action or sanction that may be taken by the board. The language in this provision was taken from the original paragraph of subpart 5. This provision is needed to address moderate or ongoing compliance violations that require structured oversight. Probation gives the board a critical intermediate mechanism to mandate formal corrective action plans and closely monitor an institution's remediation efforts, ensuring the school is actively brought back into alignment with state standards. This option is reasonable because it represents a proportionate, non-punitive approach to mid-level infractions. Rather than immediately suspending operations, probation allows the school to remain open and continue delivering the POPP, thereby protecting active students from sudden program disruption while the institution corrects its administrative deficiencies.

**C.** Item C lists suspension, revocation, or nonrenewal as disciplinary actions or sanctions that may be taken by the board. The language in this provision was taken from the original paragraph of subpart 5. This provision is needed to provide the board with a critical tool of last resort to address egregious, systemic, or incurable non-compliance. If an institution commits severe misconduct, refuses to cooperate with investigations, or fails to remediate defects under a probationary plan, the board must have the authority to revoke certification to safeguard the integrity of law enforcement education and protect the public. These severe sanctions are reasonable because they are narrowly reserved for the most serious infractions where lower-level remedies are insufficient or have been exhausted. Pursuit of these disciplinary actions would follow the guidelines prescribed by law.

**Subpart 6.** The amendments to this subpart consist of technical, stylistic, and grammatical updates. These changes are needed to improve readability, align the regulatory framework language, and modernize the text in accordance with current rule drafting standards. These updates are reasonable because they are strictly non-substantive. They do not alter the original intent, scope, or enforcement mechanisms of the subpart.

## 6700.0401 ~~Classroom~~ ~~Discrimination~~; Program Complaint Procedures

This provision updates the title of part 6700.0401 to clarify the scope of the board's complaint and anti-discrimination policies. This amendment is needed to correct a misleading restriction in the previous title, which incorrectly implied that actionable discrimination or misconduct must occur strictly within a physical classroom setting. Because POPP delivery includes hands-on skills training, field exercises, and administrative interactions outside the classroom, this change is necessary to ensure the title is aligned with the intent of the rule and that it does not inadvertently discourage participants from reporting valid complaints. This update is reasonable because it creates clarity and accurately mirrors the board's long-standing policy. It ensures that students, instructors, and program participants have clear, unhindered notice that protections against discrimination apply across all components of the board's program, thereby safeguarding the integrity of the training environment and upholding the public interest.

**Subpart 1.** This provision amends the text of Subpart 1 to align its terminology with the updated framework in part 6700.0300 and replaces the term "written procedures" with "and publish procedures." This update is needed to modernize the rule language for the digital age and ensure internal consistency across chapter 6700. Retaining the requirement for "written" procedures creates regulatory ambiguity, as it could be misinterpreted as requiring physical, paper-based documentation. Updating the term ensures that modern electronic formats and online publications are explicitly recognized. This change is reasonable because digital copies of formal documents are considered the norm in today's society. Furthermore, updating sections of this provision to reflect the changes made to part 6700.0300 is reasonable to ensure consistency and uniformity throughout chapter 6700, especially when considering these changes are non-substantive.

- **D.** This provision removes the restrictive term "offending party" from the appeals language, expanding the right of appeal to all involved parties. This amendment is needed to establish procedural equity within the program's discrimination grievance process. The previous language unfairly limited the right of appeal to the accused individual. This change is necessary to ensure that both the complainant (the individual reporting discrimination) and the respondent (the individual accused) possess an equal opportunity to appeal an institutional decision. This change is reasonable because it guarantees fundamental due process and equal protection to all active participants in the administrative process.

**Subpart 2.** This provision amends subpart 2 by removing outdated references to the specific "PPOE" system and replacing them with general, uniform terminology aligned with the broader POPP framework. This update is needed to modernize the rule and prevent technical discrepancies. This change is reasonable because it is non-substantive and introduces no new or unexpected operational compliance burdens. It simply clarifies the text by utilizing the standard, universally understood language of the POPP program, thereby enhancing readability and eliminating technical jargon that could confuse the regulated community.

**Subpart 3.** The text in subpart 3 was updated to reflect the changes made subpart 1 and part 6700.0300. These changes were needed to promote clarity and consistency across chapter 6700. This change is reasonable because the changes are non-substantive and do not create an additional burden for any entity subject to the board's authority.

## ~~6700.0500 Peace Officer Licensing Examination~~

Subparts 1, 2, and 4 were previously repealed from part 6700.0500. In the proposed rules, subparts 3 and 5 are repealed and the relevant information regarding licensing examinations has been consolidated with part 6700.0600. This repeal was needed to improve the organizational structure of chapter 6700 and remove information that is no longer pertinent under the POPP framework. Maintaining two separate, independent rule parts to govern peace officer licensing examinations creates confusion and reduces readability. It is reasonable to repeal this rule part because doing so will help individuals find the information regarding the peace officer licensing examinations in one location. This consolidation is reasonable because it reorganizes existing standards into a logical, centralized framework. Centralizing all exam-related information into a single location significantly improves clarity, transparency, and public accessibility, allowing students, institutions, and applicants to find licensing examination information in one place.

## 6700.0501 Reciprocity Licensing Examination; Definitions

This amendment divides the reciprocity framework into two distinct parts: part 6700.0501 establishes definitions, while part 6700.0502 codifies the substantive reciprocity requirements. This organizational separation is needed to resolve the confusing layout of the previous rules, which blended definitions and mandates into dense, single paragraphs. Separating these elements prevents regulatory confusion, ensures that critical terms are understood before requirements are applied, and prevents applicants from overlooking pertinent information. Creating a standalone definitions section is a reasonable standard drafting practice that vastly improves readability

**Subpart 1.** The changes made to subpart 1 are technical and grammatical in nature. These changes are needed to align the subpart with the newly restructured reciprocity framework (parts 6700.0501 and 6700.0502). These technical changes are reasonable because they are strictly non-substantive, altering no underlying policies, entry barriers, or compliance costs.

**Subpart 2.** This provision substitutes the phrase "basic police education" with the statutory term "basic peace officer education." This update is needed to align the rule's terminology with the uniform language established throughout Minnesota Statutes and Rules. Using the broader term "peace officer" is necessary to ensure the rule accurately encompasses the full scope of law enforcement education and duties. This amendment is reasonable because it promotes consistency among rule and statute.

- **B.** The text in item B was updated to reflect the current names of the basic peace officer education programs offered by the Federal Law Enforcement Training Center (FLETC). The basic peace officer education programs are listed by name because only two out of the three basic programs offered by FLETC fulfill the basic peace officer education requirement. The third program, Land Management Police Training, is specific to protecting natural resources and public lands and does not cover the basic duties, responsibilities, and tasks an entry level officers should understand and be able to perform. This update is needed to ensure individuals only qualify for reciprocity if they have taken a FLETC training course that covers basic peace officer education. This amendment is reasonable because it preserves the original regulatory intent of this provision while introducing no new administrative hurdles. Furthermore, it imposes no new compliance requirements or financial costs on applicants, serving simply as a transparent, clear guide to federal training equivalency.

**Subpart 2a.** This provision introduces and defines the term "full-time" employment as a minimum of 35 hours per week, aligning with the standard established by the federal Bureau of Labor Statistics (BLS). This definition is needed to clarify the threshold for out-of-state service experience required under part 6700.0502. Throughout the State of Minnesota, various law enforcement agencies recognize a 40-hour work week, or 2,080 hours a year, as full-time.

However, within the State of Minnesota and across the globe, there are many companies and organizations transitioning out of the 40-hour work week for various health and wellness reasons. Without a clear, federally aligned definition, the board would lack a uniform standard, risking the inadvertent and unfair disqualification of experienced out-of-state applicants based purely on localized scheduling variances. As a result, the POST Board chose to adopt the definition of full-time described by the BLS. The BLS definition is reasonable and was chosen over other "full-time" definitions because it provided reciprocity seekers the most flexibility while maintaining the necessary experience level desired by the board and members of the public. Adopting the BLS definition ensures the rule remains objective and non-arbitrary.

**Subpart 3.** This provision restructures Subpart 3 by isolating the two distinct definitions of "law enforcement officer" from a single paragraph into two separate items (Items A and B). This amendment is needed to eliminate the structural ambiguity caused by the previous layout. Combining two separate definitions into a single block of text obscures the fact that the rule establishes alternative, independent pathways to eligibility. This structural update is reasonable because it is non-substantive, leaving the core definitions unchanged. It introduces zero new compliance costs or unexpected regulatory burdens.

- **A.** This provision expands the general definition of a "law enforcement officer" from subpart 3 to explicitly include individuals appointed or employed as federal Tribal law enforcement officers. This amendment is needed to rectify an under-inclusive gap in the previous rule that inadvertently disqualified highly trained Tribal law enforcement professionals from the reciprocity process. Historically, the board has treated variance requests on this matter as "mandatory" pursuant to MN Statutes, section 14.055, subdivision 3 because the application of the rule, as applied to the circumstances of petitioners, did not serve the intended purpose of the rule. This inclusion is reasonable because it ensures regulatory equity and honors equivalent, high-quality law enforcement experience without lowering the standard reciprocity requirements. Furthermore, it promotes significant administrative efficiency and the conservation of public resources; by eliminating the need for qualified tribal officers to undergo a lengthy variance petition process, the board streamlines recruitment for applicants and reduces the use of public resources.

- **B.** This provision relocates the pre-existing definition of a "federal law enforcement officer" into a standalone Item B. This structural relocation is needed to maintain a clean, parallel organizational architecture within subpart 3. This change is reasonable because it is strictly non-substantive. The text governing federal law enforcement officer definitions remains completely unchanged, ensuring absolute regulatory continuity.

**Subpart 5.** In February of 2020, the United States Department of Education released a memo in which the department stated it holds all accrediting agencies to the same set of standards. This means the United States Department of Education does not differentiate between national or regional accreditation. As a result, the regional accreditation requirement for postsecondary institutions was removed. The amended rule now states the postsecondary institutions must be accredited by a federally recognized accrediting agency. This new language is inclusive of institutions that have national, regional, or programmatic accreditation and is consistent with the position held by the United States Department of Education. Additionally, the word “title” was stricken and replaced with the word “degree” as schools award degrees to students, not titles.

Postsecondary institutions outside of the United States are not accredited by federally recognized accrediting agencies, therefore, by rule, the degrees awarded by those institutions are not valid; even if the degree is equivalent to one awarded in the United States. As a result, a provision was added to the definition of “postsecondary degree” that allows foreign degrees to be recognized by the POST Board so long as the degree is audited by a member of the National Association of Credential Evaluation Services (NACES). The audit must state the degree is equivalent to a degree issued in the United States by an accredited institution to meet the requirements in rule. This provision will reduce the number of variance requests heard by the board on the definition of “school” pursuant to MN Statutes, section 14.055, subdivision 3 and streamline the process for foreign degree holders. The list of possible degrees that may be awarded to a student was removed from the definition because the list was not exhaustive or exclusionary; therefore, it was not necessary to include the list in the definition.

This update is needed to correct a linguistic inaccuracy, as academic institutions confer degrees rather than titles. Furthermore, removing the illustrative list of specific degree types is necessary to eliminate a frequent regulatory trap; non-exhaustive lists create an unintended implication that unlisted or modern specialized degree titles are barred from recognition. Furthermore, the amendment is needed to align MN rules with a critical federal policy shift by the Department of Education and reduce the unnecessary regulatory exclusion of foreign degrees. The clean-up edits are reasonable because they are strictly non-substantive while the other edits are reasonable because they are inclusive and non-restrictive. Using NACES as a verification mechanism is highly reasonable because it balances education benchmarks with administrative efficiency. Utilizing NACES ensures that foreign degrees undergo an objective, independent, and professional review to guarantee U.S. equivalency before any reciprocity is considered. Furthermore, because the applicant coordinates the credential review, this streamlined pathway achieves regulatory equity without expending public administrative resources or adding processing backlogs to board staff.

**Subpart 6.** This amendment repeals subpart 6 in its entirety, removing an unused definition from the rule. This repeal is needed to remove an obsolete definition from the rule, ensuring only relevant and pertinent content is included. This repeal is reasonable because the term was never used in any subsequent rule parts.

**Subpart 7.** The repeal of subpart 7 is needed to successfully execute the board's new bifurcated reciprocity framework. Because part 6700.0501 is now strictly dedicated to definitions, leaving substantive compliance mandates in this section would contradict the new framework thereby creating confusion and reducing the overall readability of this part. The pertinent information from this section was moved to part 6700.0502. This change is reasonable because it organizes reciprocity in a way that is easy to navigate for stakeholders, thereby making the definitions and mandates clearer to read and interpret.

**Subpart 8.** The repeal of subpart 8 is needed to successfully execute the board’s new bifurcated reciprocity framework. Leaving substantive compliance mandates in this section would contradict the new framework and confuse stakeholders. The pertinent information was moved to part

6700.0502. This change is reasonable because it organizes reciprocity in a way that is easy to navigate for stakeholders, thereby making the definitions and mandates clearer to read and interpret.

**Subpart 9.** The repeal of subpart 9 is needed to successfully execute the board's new bifurcated reciprocity framework. Leaving substantive compliance mandates in this section would contradict the new framework and confuse stakeholders. The pertinent information was moved to part 6700.0502. This change is reasonable because it organizes reciprocity in a way that is easy to navigate for stakeholders, thereby making the definitions and mandates clearer to read and interpret.

**Subpart 10.** The repeal of subpart 10 is needed to successfully execute the board's new bifurcated reciprocity framework. Leaving substantive compliance mandates in this section would contradict the new framework and confuse stakeholders. The pertinent information was moved to part 6700.0502. This change is reasonable because it organizes reciprocity in a way that is easy to navigate for stakeholders, thereby making the definitions and mandates clearer to read and interpret.

## 6700.0502 Reciprocity Licensing Examination

**Subpart 1.** Subpart 1 discusses peace officer reciprocity. The information in this subpart is discussed in current rule under 6700.0501, subpart 7. In current rule, reciprocity requirements allow a part-time peace officer who has only worked 8 hours a month for the past 3 or 5 years, depending on their education level, to apply for and take the reciprocity examination. This is a defect in the rule and not the intended purpose of reciprocity. As a result, the term "full-time" (proposed rule 6700.0401, subpart 2a) was added to describe the years of experience needed to qualify for the reciprocity examination. This provision is needed to codify the pathways by which an individual may qualify to take the reciprocity examination and to close a regulatory defect in the previous framework. This framework is reasonable because it balances public safety standards with achievable recruitment benchmarks. While it successfully eliminates the part-time loophole, it avoids becoming overly restrictive by utilizing the flexible 35-hour BLS definition of full-time service. The proposed rule lists the qualifying requirements in subitems A and B instead of one paragraph as in the previous framework to increase clarity and readability.

- **A.** Item A outlines one pathway for out-of-state peace officers seeking reciprocity. It lowers the required service benchmark from three years to two years of full-time employment with a degree, requiring recent experience within the past four years, and introducing a strict disqualification for applicants with a history of license revocation, rescission, or suspension. This amendment is needed to resolve a structural inconsistency between reciprocity pathways and to shorten the experience recency window. Pursuant to MN Statutes, section 626.8517, military applicants with specialized law enforcement experience are eligible for reciprocity after two years if they have a postsecondary degree. Aligning the civilian out-of-state benchmark to this identical two-year threshold standardizes the board's criteria, expands the applicant pool, and lowers artificial barriers to entry, directly helping MN law enforcement agencies address severe staffing shortages. These updates are reasonable because they successfully widen the applicant pool for understaffed law enforcement agencies without compromising the integrity of MN’s licensing standards.

**B.** Item B outlines another pathway for out-of-state officers seeking reciprocity. It lowers the required service benchmark from five years to four years of full-time employment, requiring recent experience within the past four years, and introducing a strict disqualification for applicants with a history of license revocation, rescission, or suspension. This requirement previously stated five years of law enforcement experience was needed for an individual to qualify to take the reciprocity examination. This amendment is needed to resolve a structural inconsistency between reciprocity pathways and to shorten the experience recency window. Pursuant to MN Statutes, section 626.8517, military applicants with specialized law enforcement experience are eligible for reciprocity after four years if they do not have a postsecondary degree. Aligning the civilian out-of-state benchmark to this identical four-year threshold standardizes the board's criteria, expands the applicant pool, and lowers artificial barriers to entry, directly helping MN law enforcement agencies address severe staffing shortages. These updates are reasonable because they successfully widen the applicant pool for understaffed law enforcement agencies without compromising the integrity of MN’s licensing standards.

Items A and B reduce the required recency-of-experience window for reciprocity applicants from six years to four years. This amendment is needed to protect public safety and preserve program integrity by ensuring incoming officers possess fresh, current operational experience. The board determined that a six-year absence from active duty is too long because the field of law enforcement is evolving at an accelerated pace. Over a six-year span, critical best practices—including statutory use-of-force standards, de-escalation tactics, mental health crisis response protocols, and body-worn camera technologies—undergo critical updates. Shortening the window to four years is necessary to ensure that out-of-state applicants do not bring obsolete or outdated practices to MN. The board also considered shortening the window to five years, however, the board determined that time span was still too broad considering how rapidly law enforcement practices evolve. This requirement is reasonable because it establishes a balanced, non-punitive timeframe that protects the public interest while remaining achievable for applicants. Compressing the window to four years allows candidates a sufficient, flexible buffer to accommodate a transition while also preserving their tactical skills or legal knowledge.

Lastly, items A and B explicitly bar any reciprocity applicant who has had a peace officer license, certificate, or the federal equivalent revoked, rescinded, or currently or permanently suspended from qualifying for the reciprocity examination. This provision is needed to establish an ethical boundary that safeguards public safety and preserves the integrity of MN law enforcement. Without explicit authority to disqualify applicants with a history of severe disciplinary sanctions in other states, the board would lack a screening mechanism to prevent officers who have had a sustained disciplinary action taken against their license from utilizing the reciprocity framework to bypass accountability. This restriction is highly reasonable because it protects the public interest without imposing any new or unexpected administrative burdens on qualified, ethical candidates.

**Subpart 2.** Subpart 2 directs readers to MN Statutes, section 626.8517 to see the criteria for military reciprocity. This addition is needed to establish a clear cross-reference that makes it easier for military service members seeking reciprocity to find the information they need to determine their eligibility for reciprocity. This provision is reasonable because it is strictly non-substantive and alters no underlying eligibility pathways, timelines, or compliance burdens. Instead, it serves as a transparent organizational tool that centralizes notice of all available peace officer reciprocity pathways in a single location.

**Subpart 3.** Subpart 3 contains the information relocated from part 6700.0501, subpart 8, which is repealed under this proposed framework. It outlines application validity, specifying that an approved reciprocity application remains valid for one year. This provision is needed to ensure individuals take the examination after their application has been approved within a reasonable period of time, which is one year. Furthermore, this provision is necessary to codify the reapplication process in the event an individual fails the examination or misses the one-year deadline. This provision is reasonable because it is strictly non-substantive and does not alter any existing requirements or timelines. The one-year deadline itself is reasonable because it allows an applicant more than enough time to study for the examination or to navigate unexpected events.

**Subpart 4.** Subpart 4 contains information relocated from part 6700.0501, subpart 9, which is repealed under this proposed framework. This provision establishes that a reciprocity applicant remains eligible for licensure for three years after passing the examination. If the applicant is not licensed during that time, they may reinstate eligibility by retaking the examination after demonstrating compliance with subpart 1 or 2 and 6700.0600. This provision is needed to ensure individuals do not remain eligible for licensure indefinitely without redemonstrating competency. This provision is necessary to ensure reciprocity applicants are up to date on current law enforcement practices and accounts for version changes in the board's examination as a result of changes to rules and statute. This requirement is reasonable because a three-year window provides candidates with more than enough time to secure a law enforcement position and facilitate a physical relocation to MN. Furthermore, it represents a balanced regulatory compromise—protecting the public's interest in recently trained police officers with the flexibility needs of out-of-state applicants.

**Subpart 5.** Subpart 5 contains information relocated from part 6700.0501, subpart 10, which is repealed under this proposed framework. Subpart 5 states that individuals are ineligible for reciprocity if they have had a peace officer license or certificate revoked, rescinded, or currently or permanently suspended. This provision is needed to establish an absolute ethical barrier that protects public safety and preserves public trust in MN law enforcement. Including the specific term "certificate" is necessary to close a potential regulatory loophole, as many out-of-state POST boards issue official certifications rather than licenses. Explicitly codifying this restriction ensures the board has clear authority to disqualify individuals with sustained disciplinary records in other jurisdictions. Furthermore, this update is necessary to maintain regulatory consistency with the standards already established under part 6700.0700, subpart 1, item E. This restriction is reasonable because it protects the public interest without imposing any new or unexpected administrative burdens on qualified candidates.

## 6700.0600 Licensing Examinations

**Subpart 1.** This amendment repeals subpart 1 from this rule part in its entirety. Retaining subpart 1 would create structural confusion and conflicting requirements, as its legacy contents have been completely modernized and reorganized in part 6700.0600. Removing this text is necessary to maintain a streamlined, internally consistent rule chapter. This repeal is reasonable to ensure the eligibility requirement for the licensing examination reflects the updated framework for peace officer preservice training and peace officer reciprocity.

**Subpart 3.** Subpart 3 is repealed for organizational purposes. This repeal and relocation are needed to establish a logical, chronological sequence within part 6700.0600. Leaving this information in subpart 3 would have disrupted the flow and readability of this part. This is reasonable because it promotes clarity and readability. Furthermore, this change is reasonable because the essential and pertinent content of this section was relocated to subpart 7.

**Subpart 4.** Subpart 4 is repealed for organizational purposes. This repeal and relocation are needed to establish a logical, chronological sequence within part 6700.0600. Leaving this information in subpart 4 would have disrupted the flow and readability of this part. This is reasonable because it promotes clarity and readability. Furthermore, this change is reasonable because the essential and pertinent content of this section was relocated to subpart 8.

**Subpart 5.** Subpart 5 is repealed for organizational purposes. This repeal and relocation are needed to establish a logical, chronological sequence within part 6700.0600. Leaving this information in subpart 3 would have disrupted the flow and readability of this part. This is reasonable because it promotes clarity and readability. Furthermore, this change is reasonable because the essential and pertinent content of this section was relocated to subpart 10.

**Subpart 6.** Subpart 6 outlines the consolidated eligibility pathways an applicant must satisfy to take the board's peace officer licensing examination. This provision is needed to establish a clear and unambiguous mechanism for the state licensing exam. Centralizing these pathways in a single subpart is necessary to ensure that only candidates who have met the requirements either described in rule or state statute qualify to take the examination. This provision is reasonable because it improves the transparency and readability of this part. Furthermore, this section is reasonable because it does not create any additional regulatory requirements, it simply states how an individual may become eligible to take the examination based on rule and statute.

- **A.** Item A states that an applicant is eligible to take a licensing examination if they meet the requirements described in subitem 1, 2, or 3. This provision is needed to set up the organizational structure for the rest of this subpart. Organizing this subpart in this way is reasonable because it increases the readability and organizational structure of the rule.

    - **1)** Subitem 1 states an individual qualifies to take the licensing examination if they have completed a post-secondary degree and one of the requirements described in unit a or b. This provision is needed to establish a necessary transitional framework as the board transitions from the PPOE training model to the updated POPP system. Without this dual-track pathway, a severe regulatory gap would occur. This provision is reasonable because it does not change the underlying examination requirement, which is to complete a postsecondary degree and the board's preservice program, or learning objectives.

**a)** Unit a states the applicant is eligible to apply to take the examination application if they have completed PPOE prior to August 1, 2033. This provision is needed to establish a firm, clear sunset date for the PPOE training framework. Without an explicit expiration deadline, the board would be legally obligated to maintain dual-track testing standards indefinitely. This deadline is reasonable because it provides a generous, multi-year transitional buffer for both educational institutions and students.

**b)** Unit b states the applicant is eligible to apply to take the examination if they have completed POPP after August 1, 2029. This provision is needed to establish a definitive start date for the new POPP framework. Codifying a firm, future implementation date prevents a regulatory gap and ensures a clean, orderly transition, giving the board a precise legal boundary to determine when candidates must be evaluated under the POPP training system. This implementation timeline is reasonable because it gives postsecondary institutions lead time to phase in the new curriculum. Providing an advanced notice window out to 2029 ensures certified schools and students have enough time to plan accordingly.

**2)** Subitem 2 states an individual is eligible to take the licensing examination if they have met the requirements described in MN Statutes, section 626.8515. This provision is needed to ensure the rule is in alignment with state statute and to centralize all pathways of eligibility for taking the licensing examination. This provision is reasonable because it introduces no new regulatory barriers or compliance regulations. Instead, it serves as a non-substantive, informational cross-reference that honors existing legislative directives for baccalaureate degree holders, thereby enhancing the overall transparency and predictability of the examination process.

**3)** Subitem 3 states an individual is eligible to take the licensing examination if they have met the requirements described in MN Statutes, section 626.8517. This provision is needed to ensure the rule is in alignment with state statute and to centralize all pathways of eligibility for taking the licensing examination. This provision is reasonable because it functions as a non-substantive, informational cross-reference that introduces no new regulatory barriers or compliance regulations. Instead, it directly honors the legislature's intent to protect the rights of military veterans, enhancing public transparency and helping transitioning service members efficiently navigate their path to examination eligibility.

**B.** Item B details the mandatory verification documentation—including official academic transcripts and proof of preservice training program completion—that an applicant must submit alongside their examination application, and notes that a nonrefundable processing fee is required. This provision is needed to give the board the explicit authority to verify an applicant's credentials before allowing them to sit for the licensing examination. Without this provision, the board would not be able to verify whether candidates qualify for the examination. This requirement is reasonable because submitting academic transcripts and training certificates represents a standard, expected compliance cost for any state-regulated professional license. The fees prescribed by the rules have not changed.

**Subpart 7.** Subpart 7 discusses examination retakes. This section is needed to codify the examination retake process. Without explicit rules governing retakes, candidates could demand immediate, infinite testing attempts without pursuing any remedial training. This provision is reasonable because it balances applicant flexibility with public safety and test integrity. Rather than permanently disqualifying an applicant for a single failing score, it offers a fair pathway for re-testing. Restricting unlimited testing attempts is reasonable because it prevents the memorization or exhaustion of the board's secure question pools, ensuring that passing scores reflect genuine professional knowledge rather than test familiarity.

**A.** Item A establishes that an applicant may take the peace officer licensing examination no more than four times total, and introduces a mandatory requirement to complete a structured remedial training plan under Subpart 8 prior to making a third or fourth attempt.

This provision is needed to close a historical regulatory gap, as no maximum cap currently exists on the number of times a candidate may attempt the licensing examination. Section 2 of the IADLEST Sourcebook (IADLEST, 2024) discusses selection standards gathered from law enforcement licensing boards across the country. In this section, 49 law enforcement licensing boards answered questions regarding licensing examinations. Of the 49 states that responded, 32 (65%) indicated their state has a licensure/certification examination requirement (Q58). Of the states that indicated they have a licensure/certification examination requirement, 94% reported they allow individuals who fail the examination to retest. Most of those states, 81% to be exact, stated they do not allow more than 2 examination retakes (or 3 attempts overall). MN and Texas are the only states that allow an individual to retake the examination more than three times (IADLEST, 2024). This makes MN an outlier.

The urgent need for an attempt limit is heavily affirmed by Minnesota's own five-year empirical testing data (2020–2024), which demonstrates a stark, systemic decline in passing rates across sequential retakes:

- 83.9% passed the examination on the first attempt
- 53.09% passed the examination on the second attempt,
- 39.3% passed the examination on the third attempt,
- 37.03% passed the examination on the fourth attempt (one remedial plan),
- 34.62% passed the examination on the fifth attempt (two remedial plans),
- 50% passed the examination on the sixth attempt (three remedial plans),
- 16.67% passed the examination on the seventh attempt (four remedial plans),

- 0% passed the examination on the eighth attempt (five remedial plans), and
- 0% passed the examination on the ninth attempt (six remedial plans)

This data shows that past a certain threshold, re-testing does not result in an increased passing rate. More examination attempts are not an effective way to measure genuine professional competency or foundational law enforcement knowledge. Instead, it creates an unsafe environment where a passing score can eventually be achieved purely through question memorization or random chance, undermining the integrity of the state credential.

This provision is reasonable because it balances strict public safety standards with applicant flexibility. In establishing a cap of four total attempts, the board deliberately rejected a more restrictive standard, selecting a threshold more generous than the national average of three attempts reported by 81% of testing states. Furthermore, mandating a formal remedial training plan before the third and fourth attempts ensures that the rule operates correctively rather than punitively—actively partnering with struggling candidates to remediate their knowledge gaps.

**B.** Item B establishes a limited, transitional grace period for candidates who submitted a fifth or subsequent examination application and processing fee prior to the implementation of the new cap, setting a hard deadline of July 1, 2027, after which no further high-sequence retakes will be authorized. This provision is needed to act as a temporary "exemption clause" to provide guidance to applicants caught between the no testing limit and the new four-attempt limit frameworks. Without an explicit transitional window, the board would create administrative confusion and potential due process liabilities regarding how to legally handle candidates who already had their applications approved and fees processed under the old rules. Establishing a definitive sunset date of July 1, 2027, is necessary to give the board clear legal authority to permanently enforce the examination attempt cap. This transition is highly reasonable because it balances rule enforcement with administrative flexibility. Rather than canceling active, pre-paid testing appointments overnight, the board permits these candidates a final, single opportunity to demonstrate competency. Selecting July 1, 2027, as the absolute cutoff is reasonable because it provides a sufficient period of time for applicants to study and take the examination.

**Subpart 8.** Remedial plan procedures are described in current rule part 6700.0600, subpart 4 which was repealed. The relevant content was moved to this subpart. Under current rule, a remedial plan must be completed before a third or subsequent examination attempt. Remedial plans are developed, in collaboration with board staff, to target the areas of the examination in which the applicant was deficient. The board wants examination applicants to be successful and pass the examination; the remedial plan allows board staff to become an active participant in that process-ensuring the applicant gets help and additional training where applicable. This provision is needed to codify a structured intervention process for applicants who have failed the licensing examination twice. Without explicit administrative rules detailing how remedial plans are generated, the board would lack a clear mechanism to identify and correct an applicant's specific testing deficiencies. Mandating a formal, targeted review process ensures that subsequent examination attempts are backed by verified skill remediation, preserving the predictive validity of the licensing test and protecting public safety. This framework is reasonable because it functions correctively rather than punitively, serving as a customized support system to actively assist struggling candidates. Rather than requiring applicants to repeat an entire degree or preservice training program, the board collaborates directly with the candidate to design a plan narrowly tailored to their documented testing deficiencies.

**A.** The proposed language states that, before taking the examination a third or fourth time, an applicant, in collaboration with board staff, must submit to the board and complete a remedial training plan. The proposed rule also states that the plan must be directed at the deficiencies indicated in the applicant's previous examination attempts. The use of remedial plans, or additional training, is a common practice for law enforcement licensing boards across the nation. According to data from the IADLEST Sourcebook (2024), of the states that allow individuals to retake the licensing examination, 91% indicated applicants are required to receive additional training before retaking the examination (Q64). Of the states that require additional training, 65% require additional training after a first (and subsequent) failed examination attempt, 19% require additional training after a second (and subsequent) failed examination attempt, and 16% require additional training after a third (and subsequent) failed attempt (IADLEST, 2024). This provision is needed to codify a structured intervention process for applicants who have failed the licensing examination twice. This provision is reasonable because the remedial plan is narrowly tailored to the applicant's specific testing deficiencies rather than imposing a one-size-fits-all educational penalty.

**B.** Item B states that an applicant must submit documentation to the executive director to verify that their mandated remedial plan was successfully completed, after which the executive director will authorize the applicant to retake the licensing examination. This provision is needed to ensure applicant accountability and to establish a clear, transparent approval pipeline. Without an explicit verification checkpoint, the board would lack a functional mechanism to confirm that an applicant completed the required remedial training before re-testing. This provision is reasonable because it imposes zero unnecessary administrative hurdles. The burden on the candidate is strictly limited to providing straightforward, primary source proof of the training they have completed.

**C.** Item C prescribes the specific types of documentation an applicant must submit to verify the successful completion of their remedial training plan. This provision is needed to establish uniform standards for verifying compliance. Without an explicit list of acceptable documentation, applicants would lack clear guidance on how to prove their remediation, leading to inconsistent submissions. Prescribing these requirements ensures that the executive director receives objective, reliable primary source proof—such as official certificates of completion or course transcripts—to verify that a remedial training plan was completed. This requirement is reasonable because it utilizes pre-existing documentation and imposes a minimal administrative burden on the applicant. The board is not mandating the creation of complex paperwork; rather, it simply requires applicants to submit the standard credentials naturally issued by institutions upon the conclusion of a training activity or course.

1) Subitem 1 states that an applicant's remedial plan documentation may include the training activities and/or courses completed. This provision is needed to ensure applicants clearly report or describe the training activities and/or courses they completed. Establishing this reporting requirement is necessary to promote absolute transparency, verify compliance, and guarantee clear communication regarding how the applicant successfully satisfied their customized remedial training plan. This provision is reasonable because it preserves maximum educational flexibility, allowing applicants to participate in any accessible course or training activity that directly targets their specific testing deficiencies. Furthermore, this requirement creates no new or unexpected administrative burdens on the candidate; it simply asks them to relay standard information from a completed training program that they had already voluntarily agreed to pursue.

2) Subitem 2 states that remedial training plan documentation may include a certificate of completion from the instructor or organization delivering the training activity or course, including documentation of the date the training or activity course was completed. This provision is needed to establish an objective, third-party verification standard for rule compliance. Relying purely on an applicant's self-reporting is insufficient; requiring an official certificate from the delivery instructor or organization provides the board with authentic, reliable proof that the training was completed on a specific date. This provision is reasonable because it does not create any additional or unexpected regulatory requirements for the applicant. It merely requires the candidate to supply a standard certificate of completion that is universally issued at the conclusion of professional educational courses.

**Subpart 9.** Subpart 9 states that a reciprocity applicant may take the reciprocity examination no more than 4 times. Currently, there is not a limit on the number of times a reciprocity applicant may take the examination. Subpart 9 also requires applicants to complete remedial training pursuant to subpart 8 before taking the examination a third or fourth time. This provision is needed to close an active regulatory gap, as no maximum cap currently exists on the number of times out-of-state reciprocity seekers may attempt the licensing examination. Leaving reciprocity testing unrestricted creates an identical public safety risk to that identified under subpart 7. Applying a uniform four-attempt limit and triggering the remedial training process after a second failed attempt is necessary to ensure all out-of-state candidates master MN-specific statutes and standards before gaining licensure. This provision is needed because it would be unreasonable to allow reciprocity seekers, who have law enforcement experience, more examination attempts than those who have recently completed preservice training. This provision is reasonable because it establishes a consistent and fair requirement across all entry pathways into MN law enforcement. The board determined that it would be fundamentally unreasonable to grant out-of-state reciprocity seekers more examination attempts than local preservice candidates who graduated from MN preservice training program. Furthermore, explicitly clarifying that this attempt limit does not apply to military reciprocity seekers is reasonable because doing so would contradict state statute.

**Subpart 10.** Subpart 10 applies to all examinations. The provision states that after an examination application has been approved, the applicant has one year to take the examination. If, after one year, the applicant has not taken the examination, they must reapply and comply with subparts 2 and 6. This provision is needed to establish a definitive, standard expiration date on all examination applications. Without a hard deadline, approved applications would remain open indefinitely, creating a significant administrative backlog for board staff. Setting a one-year limit is necessary to maintain accurate tracking and ensure candidates sit for the exam while their prerequisite qualifications and background verifications are still fresh. This requirement is reasonable because a one-year window provides applicants with ample time to study for the examination or navigate unexpected personal events without facing unreasonable pressure. Furthermore, establishing a one-year expiration mirrors the timeline codified for reciprocity examinations under part 6700.0502, subpart 3, ensuring administrative consistency, predictability, and fairness across all testing tracks.

**Subpart 11.** Subpart 11 discusses how long an individual is eligible for licensure after taking the examination. Some of the information in this section was taken from part 6700.0500, subpart 5, which is repealed. This section is needed to codify regulations regarding licensure eligibility. Allowing a candidate to remain eligible for licensure indefinitely without active practice or re-testing creates a severe regulatory risk. Over time, an applicant's comprehension of rapidly evolving legislative statutes, use-of-force standards, and emergency crisis protocols naturally decays. Setting a definitive expiration window is necessary to ensure that all newly hired law enforcement officers possess accurate and up-to-date knowledge before operating in the field. This section is reasonable because it balances the public’s interests with flexible time constraints for applicants. It provides candidates with a reasonable amount of time to navigate multi-stage agency application processes, undergo extensive background verifications, and secure a law enforcement position without facing unnecessary administrative pressure.

- **A.** Item A states an individual is eligible to be licensed for three years after passing an examination. If an individual is not licensed during that time, they may reinstate their eligibility by retaking the examination. This provision is needed because it ensures individuals are not perpetually eligible for licensure. By retaking the examination after three years, the applicant is affirming they have the basic knowledge needed to work as a peace officer. The three-year eligibility period is reasonable because it allows individuals time to work through the interview process with an agency as well as any unexpected life events. The three year eligibly period is currently in rule in part 6700.0500, subpart 5.

- **B.** Item B establishes that an individual must become licensed within five years of completing their preservice education. If an individual fails to secure licensure within this five-year window, they must re-enroll in and successfully complete the entire Peace Officer Preservice Program (POPP) to restore eligibility. This provision is designed to strictly supersede the three-year examination eligibility timeline detailed in item A. This provision is critically needed to close a critical regulatory gap. Current rules place no time limit on the validity of an individual's preservice education. Consequently, a candidate who completed their training 20 years ago remains legally eligible to sit for the examination, apply to an agency, and enter active duty without completing a single hour of remedial or updated training. The board determined that this framework creates an unacceptable risk to public safety and other officers. Codifying a firm five-year expiration on preservice education is necessary to guarantee that all incoming peace officers are proficient in state statutes, use-of-force standards, de-escalation mandates, and modern policing practices. This five-year limitation is reasonable because it strikes a fair balance between applicant career flexibility and uncompromising public safety standards. Selecting a five-year window provides candidates with enough time to accommodate major life events, pursue alternative degrees, fulfill military deployments, or navigate extended hiring cycles before their educational credentials expire. Furthermore, designing this rule so that it deliberately supersedes item A is highly reasonable because it eliminates administrative ambiguity.

**C.** Item C implements a temporary, transitional grace period for individuals who completed their PPOE training five or more years ago and are not currently licensed, giving them a until January 1, 2028, to secure active licensure. This provision is needed to establish a fair and orderly transitional mechanism as the board institutes the new five-year educational validity requirement under item B and the new POPP training framework. Implementing a strict cutoff overnight without a clear pathway to compliance would create significant administrative and personal disruptions for those subject to the board's authority. This transitional window is reasonable because it balances the enforcement of modern public safety standards with fundamental administrative equity. Selecting a one-year deadline provides candidates time to submit applications, navigate interviews, undergo mandatory background investigations, and secure an active position.

## ~~6700.601~~ Prohibited Examination ~~Standards~~ Conduct and Sanctions

Part 6700.0601 prescribes the conduct that is explicitly prohibited when taking the peace officer licensing examination or any other examination offered by the board (i.e. reciprocity and reinstatement examinations). The title of this part was amended to better reflect what the rule addresses. This part is needed to establish clear, comprehensive rules governing testing integrity and to codify the exact administrative sanctions that will be imposed for violations. Without this part, the board would lack enforcement authority to investigate, penalize, or summarily disqualify candidates who attempt to compromise the testing environment. This part is reasonable because it protects the public interest, ensures a fair and equitable environment for all honest applicants, and preserves the validity of the board's licensing examination. Implementing strict ethical standards and clear disciplinary consequences imposes zero regulatory burden on honest, compliant candidates. Furthermore, amending the title of this part is reasonable because it enhances transparency, providing applicants with immediate, clear notice regarding the strict behavioral expectations and legal accountabilities associated with the examination process.

**Subpart 1.** Subpart 1, which covered grounds for denying an applicant's examination application, is repealed and the relevant content was moved to subpart 4. The repeal of subpart 1 is needed to organize and expand upon the conduct that may result in a sanction.  Having this information listed in one subpart enhances the readability of the rule and avoids the unnecessary duplication of information. This amendment is reasonable because it does not adversely affect honest applicants from taking the board's examination. It implements a strict ethical standard to preserve the integrity of the board's examination.

**Subpart 4.** Subpart 4 states that the conduct described in items A-J is prohibited and subject to sanctions by the board. This provision is needed to set the standards of conduct for examination applicants. The conduct listed in items A-J are reasonable because they relate to examination etiquette and the qualities the public expects a law enforcement officer to display, such as honesty and integrity. The prohibited conduct also relates to other parts within rule, such as part 6700.0700 regarding the minimum selection standards. The conduct listed herein does not prohibit accommodations made for applicants under the Americans with Disabilities Act.

**A.** Item A prohibits making false material statements to the board. This requirement is currently in part 6700.0601, subpart 1, item A which the proposed rule repeals. This item is needed to ensure individuals do not make false material statements to the regulatory agency in charge of peace officer licensing examinations. Such an action is cause for concern because it calls into question the applicant's honesty and integrity, which are hallmark expectations of the public of law enforcement. This provision is reasonable because it does not create a new standard and it upholds the public's expectations.

**B.** Item B prohibits individuals from obstructing a board investigation. This requirement is currently in part 6700.0601, subpart 1, item D which the proposed rule repeals. This item is needed to prohibit applicants from actively obstructing a board investigation into prohibited examination conduct. This provision is necessary to allow the board to carry out its regulatory function without obstruction. This provision is reasonable because it does not create a new standard and ensures the board is able to complete a comprehensive investigation according to the Administrative Procedure Act (APA) and MN Statutes, section 214.10.

**C.** Item C prohibits communicating with another person during the examination without express permission from the proctor. This requirement is currently in part 6700.0601, subpart 1, item B which the proposed rule repeals. This provision is needed to ensure applicants are able to take the examination in a distraction-free environment and to prevent cheating. This provision is reasonable because it does not create a new standard and ensures the integrity of the testing environment and examination.

**D.** Item D prohibits using or referring to outside materials during the examination. This requirement is currently in part 6700.0601, subpart 1, item C which the proposed rule repeals. This provision is needed to prevent individuals from cheating on the examination by using or referring to outside resource material during the examination. This is necessary to preserve the integrity of the examination and to prevent someone from gaining an unfair advantage over another. This provision is reasonable because it does not create a new standard and ensures the integrity of the testing environment and examination. Furthermore, this provision is reasonable because it ensures the applicant has actually learned and internalized the legal and tactical knowledge required to pass the examination, as opposed to merely referencing materials in real time.

**E.** Item E prohibits cheating or attempting to subvert the examination or licensing process. This provision is needed to prevent cheating on the examination, to the extent the board is able to, and to provide a sanction mechanism if someone does cheat. Cheating is neither honorable nor honest, therefore, cheating on the examination is contradictory to the public's expectation of peace officers. If an applicant cheats on the examination, which is written at a 10th grade reading level, there is a chance that applicant has not acquired the basic knowledge required for an entry level peace officer position, which is not in the public's best interest. This provision is reasonable because it protects the public's interest in having knowledgeable and honorable peace officers working in their communities. Lastly, this provision is reasonable because aligns with part 6700.1600, subpart 1, item D which lists cheating or attempting to subvert the examination or licensing process as a standard of conduct violation.

**F.** Item F prohibits possessing or attempting to possess or manufacture a copy of the board's examination without the board's permission. This provision is needed to safeguard the board's examination materials from theft, leakage, or unauthorized replication. Protecting the secure parameters of test content is absolutely necessary to preserve the statistical validity and integrity of the licensing exam. Furthermore, attempting to manufacture or illicitly obtain copies of a secure state test contradicts standard examination etiquette and serves as a direct indicator of deceptive behavior, which is entirely incompatible with the core tenets of honesty and integrity expected of law enforcement candidates. This provision is reasonable because it protects the public interest by ensuring that all incoming peace officers secure licensure through genuine professional knowledge rather than illicit test exposure. Furthermore, this provision is reasonable because it is similar to the requirement currently in part 6700.0601, subpart 1, item E which the proposed rule repeals. This means the requirement is not new or unexpected.

**G.** Item G prohibits sitting for an examination when banned from the testing center location. This provision is needed to ensure peace officer examination applicants conduct themselves in a respectable and professional manner when attempting to secure licensure, and to account for the real-world constraints of the board's testing infrastructure. The board utilizes a third-party vendor, Talogy, to administer computer-based licensing examinations across various locations. If a candidate participates in severe misconduct that violates vendor rule resulting in a lawful trespass order the board lacks the physical authority to force that private vendor to admit the candidate. Codifying this restriction is necessary to align board rules with active legal orders and to prevent administrative disruption when a candidate is contractually or legally barred from entering a testing center. This provision is reasonable because it respects the legal rights of private and public facilities, their testing staff, and the general public. To be banned or trespassed from a testing location, an applicant must have engaged in severe or disruptive behavior that violates established vendor policies. It is fundamentally fair to bar these individuals from testing until their legal and behavioral liabilities are resolved.

**H.** Item H prohibits individuals from assisting another in attempting or executing an act of prohibited conduct under items A-J. his provision is needed to establish clear accomplice accountability, ensuring that any individual who knowingly assists another person to commit an act of prohibited testing conduct is held responsible for their role in subverting the examination environment. Without this explicit restriction, a candidate could actively facilitate cheating, share secure questions, or obstruct inquiries on behalf of a peer while remaining immune from administrative discipline. Closing this gap is necessary to ensure the board possesses the explicit authority to penalize all active participants. This provision is reasonable because it extends accountability to those who knowingly facilitate prohibited conduct. Furthermore, this provision is reasonable because it operates with strict procedural protections; any disciplinary action taken by the board must occur following a thorough investigation and in full compliance with the formal notice, hearing, and due process mandates.

**I.** Item I prohibits individuals from falsely claiming to meet the minimum selection standards and enables the board to act if an individual falsely claims to meet those standards. This provision is needed to ensure absolute accountability and integrity during the initial screening process. Pursuant to both the old and updated framework in part 6700.0300, preservice training participants must sign a formal attestation affirming they meet the state's minimum selection standards under part 6700.0700 (excluding subpart 1, items C, J, and K). This item is necessary to give the board explicit administrative authority to act if an individual falsifies this document. This restriction is reasonable because it aligns testing eligibility directly with the baseline qualifications required to actually hold a peace officer license in MN. It introduces zero new or unexpected regulatory burdens on honest, compliant applicants, who are simply expected to tell the truth regarding their background.

**J.** Item J prohibits any individual from taking the licensing examination if they fail to objectively meet the minimum selection standards for peace officer licensure under part 6700.0700 (excluding subpart 1, items C, J, and K). This provision is needed to provide the board with explicit administrative authority to act when an applicant fails to meet the foundational qualifications for licensure, even in cases where the board cannot prove the applicant knowingly or intentionally falsified their attestation. This provision is reasonable because it promotes absolute structural consistency across Chapter 6700. Because the minimum selection standards are mandatory legislative and administrative prerequisites to obtaining a peace officer license, it is fundamentally reasonable to bar individuals from testing who cannot legally hold a license.

**Subpart 5.** Subpart 5 describes the sanctions the board may impose against an applicant for participating in prohibited conduct. The disciplinary process would follow the guidelines described in the APA. In addition to the actions provided in part 6700.1710, a violation of subpart 4 may result in the sanctions listed in items A and B. This section is needed to detail the explicit penalties that may be imposed for violating rules specific to prohibited examination conduct. Prohibiting misconduct is ineffective without an accompanying, legally binding enforcement mechanism. Codifying these distinct sanctions is necessary to provide clear, upfront notice to all applicants regarding the gravity of testing misconduct, while giving the board the precise administrative tools required to penalize bad actors and defend the validity of the licensing process. This provision is reasonable because it promotes absolute administrative transparency and implements logical, proportional consequences for examination misconduct.

**A.** Item A states that the board may deny or revoke an individual's application to take one of the licensing examinations. This provision is needed to give the board the explicit, legally binding authority to strip a violating applicant of their ability to take the examination. Without the clear power to deny or revoke an application, the board would lack a functional mechanism of ensuring the integrity of the examination. This provision is reasonable because it establishes a logical, common-sense consequence that directly matches the gravity of the infraction.

**B.** Item B states that the board may deny or revoke an individual's license eligibility. This provision is needed to close a regulatory gap regarding the delayed discovery of examination misconduct. If an allegation of misconduct is not brought before the board and sustained prior to an individual being deemed license eligible, a reasonable result would be that the board would deny or revoke the applicant's eligibility status. It is necessary to codify this sanction in rule and to prevent individuals from entering into law enforcement when they haven't earned it. This provision is reasonable because it establishes a logical, proportional consequence that directly targets credentials secured through subversion or misconduct. Denying or revoking eligibility status once misconduct is verified represents a fair and balanced protective measure that safeguards community trust and ensures all active candidates are evaluated on an identical, level playing field, while imposing zero regulatory burden on honest, compliant applicants.

**Subpart 6.** Subpart 6 states that disciplinary proceedings under this part will be conducted pursuant to MN Statute, section 214.10 subdivision 11-12. This section is needed to inform applicants which administrative process the board follows if disciplinary proceedings are initiated. The APA allows individuals to challenge the board's decisions via a contested case hearing with the Court of Administrative Hearings (CAH). This provision is reasonable because it is in direct alignment with state statue.

## 6700.0800 Licensing of Peace Officers

**Subpart 5.** Subpart 5 was repealed in the proposed rule because the provision is obsolete. This change is needed to remove an obsolete rule. The board does not issue paper licenses or certificates to licensees as license data is maintained electronically. An officer's license does not need to be surrendered or returned to the board after a suspension or revocation because the license is maintained electronically. This subpart was identified as an obsolete rule by the board in its obsolete rules report to the legislature on October 10, 2025. The change is reasonable because it eliminates administrative bloat, prevents stakeholder confusion, and introduces zero regulatory burdens.

## ~~6700.2100 Scope~~

This part is repealed in the proposed rules. This repeal is needed because this part does not need to be a stand-alone section. Combining the pertinent information from this part with part 6700.2200 will consolidate relevant information and improve the organizational structure of chapter 6700. This change is reasonable because it prevents stakeholder confusion and introduces zero regulatory burdens.

## 6700.2200 Development of Written Procedures

**Subpart 1.** Subpart 1 deletes an outdated historical date baseline, integrates a relocated foundational purpose statement from part 6700.2100, and updates organizational terminology to clarify the universal compliance scope of the rule. This provision is needed to modernize the rule chapter by permanently purging an obsolete date reference ("On or before October 1, 1984") that has been completely irrelevant to active stakeholders for decades. Incorporating the core purpose statement directly from part 6700.2100 into the opening of this part is necessary to establish an immediate, user-friendly framework for readers. These updates are reasonable because they maximize the structural clarity, internal alignment, and readability of Chapter 6700 without introducing novel compliance burdens.

**A.** A technical grammatical change is made to item A. This change is needed to correct a minor mechanical error and ensure that the provision remains grammatically accurate and professional. The change is reasonable because it is strictly editorial and does not change, alter, or expand any underlying administrative burdens, timelines, or regulatory requirements for stakeholders.

**C.** A technical grammatical change is made to item C. This change is needed to correct a minor mechanical error and ensure that the provision remains grammatically accurate and professional. The change is reasonable because it is strictly editorial and does not change, alter, or expand any underlying administrative burdens, timelines, or regulatory requirements for stakeholders.

**E.** A technical grammatical change is made to item E. This change is needed to correct a minor mechanical error and ensure that the provision remains grammatically accurate and professional. The change is reasonable because it is strictly editorial and does not change, alter, or expand any underlying administrative burdens, timelines, or regulatory requirements for stakeholders.

**Subpart 2.** Subpart 2 states that the procedures established under subpart 1 must comply with the board's model policies which were established pursuant to Minnesota Statutes, sections 626.84 to 626.892. This provision is needed to provide CLEOs with clear instruction on what information needs to be included in their agency's policies.  This provision also makes it clear to CLEOs that there are other rules and statutes that their procedures must follow. This provision is reasonable because it relies on pre-existing, heavily vetted state standards and eliminates the need for local departments to build complex disciplinary workflows from scratch.

**Subpart 3.** Subpart 3 includes the relevant information from part 6700.2400 which the proposed rule repeals. Subpart 3 states that copies of the current procedures governing allegations of misconduct must be available to the public on request and distributed to all licensees. This provision is needed to promote transparency within the agency and with the public. The change is reasonable because it is strictly editorial and does not change, alter, or expand any underlying administrative burdens, timelines, or regulatory requirements for stakeholders.

## ~~6700.2300 Affirmation of Compliance~~

This part was repealed because it's not needed. This rule was needed when it was originally written to help agencies transition into compliance with a new requirement. All agencies are now compliant and are required to maintain compliance. A law enforcement agency's compliance with part 6700.2100-2500 is monitored by the POST Board through compliance reviews. This repeal is reasonable because it streamlines the administrative rules without creating any gaps in oversight or removing any active compliance burdens.

## ~~6700.2400 Copies of Procedures~~

This part was repealed to consolidate the information contained in parts 6700.2100 to 6700.2500. The relevant information in this part was moved to 6700.2200. This change was needed to consolidate the rules and make requirements clearer. This repeal is reasonable because it streamlines the administrative rules without creating any gaps in oversight or removing any active compliance burdens.

## 6700.2500 Documentation of Complaints

The word "alleged" was added in front of the term "misconduct" to make it uniform with other rule parts. CLEOs must retain records on sustained and alleged reports of misconduct per MN Statutes, section 626.8457. The reference to Minnesota Statutes, section 15.171 was removed as that statute was repealed and no longer exists. The phrase "an affidavit of compliance with part 6700.2200, item B" was removed because it is not a standard practice or operating procedure utilized by the board. The CLEO does not have to provide an affidavit stating they will comply with the rule because law enforcement agencies are required to be compliant with this rule part. An agency's compliance with the rules is monitored via compliance reviews. Lastly, it is common for the POST Board to give CLEOs longer than 5 days to submit misconduct data after a formal request has been made. Language was added that states misconduct data needs to be supplied to the board within 5 days or by the date specified in the formal request. This provision gives CLEOs time to comply with a misconduct data request from the board. This provision is needed to resolve multiple structural and operational inefficiencies within the rule chapter. These updates are reasonable because they maximize the clarity, legal precision, and operational efficiency of the rules.

# Regulatory Analysis

According to Minnesota Statutes, section 14.131, agencies engaged in rulemaking must prepare, review, and make available for public inspection a Statement of Need and Reasonableness (SONAR). In its SONAR, the agency must attempt to ascertain and include the following information:

1. a description of the classes of people who will be affected by the proposed rule, including those responsible for the costs and who will benefit;
2. the probable cost to the agency and to any other agency resulting from the implementation or enforcement of the proposed rules;
3. a determination of whether there are less costly or intrusive methods of achieving the purpose of the proposed rule;

4. a description of any alternative methods for achieving the purpose of the proposed rule that were seriously considered by the agency and the reason(s) why they were rejected in favor of the proposed rule;

5. the probable costs of complying with the proposed rule, including the portion of the costs that will be borne by identifiable categories of affected parties;

6. the probable costs or consequences of not adopting the proposed rule;

7. an assessment of any differences between the proposed rule and existing federal regulations; and

8. an assessment of the cumulative effect of the rule with other federal and state regulations related to the specific purpose of the rule.

The POST Board's responses to the SONAR criteria listed above are discussed in this section. The board's responses are organized by topic area and numbered to match the ordered list above. For instance, criteria 1 listed above corresponds with paragraph 1 in each section.

## Peace Officer Preservice Training

1. The classes of individuals who are most likely to be affected by the proposed rules regarding peace officer preservice training are law enforcement students, schools offering or intending to offer preservice training, PPOE coordinators, law enforcement agencies, and the general public. Everyone affected will benefit from the proposed rule in some way. Program standardization alone will be a benefit to all of the parties mentioned; law enforcement agencies will know what is taught when and students from different schools will leave their training program with the same foundational knowledge. The classes that will bear the costs of the proposed rules are certified schools and students – to the degree certified schools pass on any incurred costs.

2. The proposed rules regarding peace officer preservice training do require the POST Board to incur an initial cost to implement a standardized skills component. To accomplish this task, the board has commissioned Kansas University (KU) to evaluate the current learning objectives and create a standardized skills program. The projected cost for KU to complete the project is between $150,000 and $170,000. The POST Board has enough operating budget savings to pay KU for their services without an additional appropriation from the legislature. The Joint Powers Agreement (JPA) states that KU will not be compensated more than $200,000 for the project. The board has the staff and resources to enforce the proposed rules without additional monetary resources.

   Although the work being done by KU is pertinent to the proposed rules, the JPA with KU relates to current rule as well and would be taking place regardless. During its evaluation of the PPOE system, the board concluded the learning objectives were duplicative and overly broad. Therefore, KU's work is needed, regardless of whether the proposed rules are adopted, to refine, condense, and better integrate the board's learning objectives.

3. The board considered three options for peace officer preservice education reform. The first option was to completely reform and standardize the preservice training program by adopting and implementing an academy model. The academy system would have fully integrated and standardized the learning objectives, categories 1 through 4. This method of reform was determined to be the most expensive and intrusive because it would have completely changed how preservice training is delivered in MN. The changes would have ultimately reduced the number of schools able to deliver preservice training as it would have required schools to teach all of the learning objectives in an integrated format created by the board. With this option, the bifurcated system would no longer exist and schools that deliver the academic component would have had to either dissolve their program or spend a significant amount of money to achieve compliance (equipment and facilities).

   The second option was to standardize the psychomotor skills component (learning categories 3 and 4) of the board's preservice training program. This option allowed the board to address deficiencies within its preservice training program while maintaining the bifurcated system. This means that the certified schools that only teach the academic component of the board's program could continue to do so. Schools that deliver the psychomotor skills component already have a majority of the facilities and equipment necessary to deliver a standardized skills program. This option would achieve the board's goal of standardization with fewer intrusions. There are operational costs associated with option 2, but the costs were determined to be significantly less than option 1.

   The third option was to not reform the PPOE system. This option had the lowest cost and intrusion; however, it was rejected by the board. This option was rejected because there are deficiencies within the preservice training program that were identified by the board, its staff, IADLEST, and stakeholders that need to be addressed. Although this option did not have a monetary cost associated with it, it was determined that doing nothing will cost stakeholder money in the long run. Option 3 would have been costly to law enforcement agencies because they would have been forced to continue to re-train new hires. Option 3 would have also been costly to the public. The public deserves to have well-trained officers in their communities who understand the law and basic functions of a peace officer. As more testimonials were heard from stakeholders, it became clear there was work to be done to ensure officers are ready for entry level positions.

   The POST Board carefully considered the costs and intrusions generated by each of the 3 options described above. During its deliberation, the board sought input from stakeholders via the Advisory Rules Committee and focus group sessions. During its meeting on July 24, 2025, the POST Board unanimously voted to move forward with option 2 – the standardization of skills. Option 2 was selected over options 1 and 3 because it balanced the costs and intrusions of the proposed rules with the needs of the profession and general public.

4. The purpose of the proposed rules is to standardize preservice training and update rule segments that are not aligned with evidence-based law enforcement practices. The reform options for PPOE are described in part (3) above. Options one and three were rejected because the costs and intrusions were not balanced with the needs of the profession or the general public. The POST Board did not want to achieve standardization at the expense of

school programs (like option one did). Therefore, as previously stated, the board voted to move forward with the standardization of skills.

5. Complying with the proposed rules will require some individuals and entities subject to the board's authority to incur a cost.

    a. **Other Units of Government:** Other units of government will not incur any additional costs as a result of the proposed rules.

    b. **Colleges/Universities:** The majority of the changes described in the proposed rules will affect the colleges and universities that deliver the psychomotor skills component of the board's preservice program. To determine the cost, the board reached out to a representative sample of the colleges that provide the psychomotor skills component. The sample consisted of 1 northern school, one southern school, one metro school, and one private school. The schools were asked to consider the requirements described in the proposed rules and to comment on their fiscal impact. In their responses, the colleges indicated the proposed rules will increase their operating costs. Some schools estimated a greater fiscal impact than others. The average (mean) estimated monetary increase was $410,631. This estimate accounts for equipment, salaries, instructor training, and more. Each college stated that the fiscal impact was dependent upon how many hours are required for the psychomotor skills component – that information will not be known until the program is fully developed. The colleges stated that the increased operating costs will most likely be shifted to their students/program participants. The colleges did not know what the increase in cost would be for students.

    c. **College/University Students:** The fiscal impact on students/program participants is unknown. Due to the increase in operating costs documented by the colleges/universities, the proposed rules will likely cause a tuition increase.

    d. **Law Enforcement Agencies:** Law enforcement agencies (LEAs) will not incur any additional costs as a result of the proposed rules. In some instances, agencies may see a decrease in their initial training costs provided they no longer have to provide supplementary basic training to recruits beyond the scope of a standard field training program.

6. There are several likely consequences if the proposed rules are not adopted.

    a. Peace officer preservice training will continue to be less effective and efficient than it should or could be.

    b. Colleges/universities will continue teaching the learning objectives inconsistently.

    c. CLEOs and LEAs will have to continue compensating for preservice training deficiencies by putting new hires through remedial training beyond the scope of what is typically covered during field training. This type of remedial training requires LEAs to spend additional money, time, and resources to properly train peace officers.

d. The training deficiencies identified in the 2020 IADLEST Audit Report will not be rectified.

e. Siloed training methodologies will persist contrary to evidenced-based law enforcement training practices.

f. The entry requirements for the psychomotor skills component will remain lax and the schools' responsibilities unclear.

g. The requirements for program directors will remain lax while the requirements for instructors continue to be nonexistent.

h. The bifurcated training system will not be codified or explained in rule.

i. The certification and recertification procedures for colleges and universities will continue to be unclear and lack specific requirements.

7. The proposed rules are not contrary to any existing federal regulations.

8. The proposed rules do not have a cumulative effect with other federal or state regulations.

## Licensing Examinations

1. The classes that are most likely to be affected by the proposed rule changes regarding licensing examinations are preservice program students/participants and reciprocity seekers. All examination applicants will benefit from the clarity offered by the proposed rules. Examination applicants will not experience an increase in cost to take the exam.

2. The POST Board will not incur additional costs as a result of the implementation or enforcement of the proposed rules. The proposed rules will not have an effect on state revenues.

3. The proposed rule changes regarding licensing examinations are not intrusive or costly. However, the proposed rules do implement a limit on the number of times an individual may attempt the licensing examination. The proposed examination limit may save individuals money as each examination attempt costs an applicant, minimally, \$105.00. The proposed rules strengthen the remedial plan process, which was developed to help applicants improve.

4. The proposed rules regarding licensing examinations implement limitations on 1) the number times an individual is allowed to take the licensing examination and 2) the number of years an individual may be considered "license eligible" after passing the examination. The board decided to implement a limit of four examination attempts (three retakes) because it more closely resembles practices across the country. The board considered implementing a three-examination attempt limit (two retakes), which would be more consistent with other states. However, the board felt the data supported one more retake.

The proposed rule states that individuals have five years after completing POPP to pass the examination and be hired. Previously, a limit did not exist on the number of years an individual may be "license eligible." A person could take the licensing examination every three years and be eligible for a license indefinitely without ever working as a peace officer. The board considered other limits, specifically three and nine years, but settled on five. The board believes the five-year deadline provides individuals the most flexibility for life events while still ensuring "license eligible" individuals remain up to date on law enforcement standards and practices.

5. Complying with the proposed rules will not require individuals, government agencies, or small businesses to incur additional monetary costs.

6. There are several likely consequences if the proposed rules are not adopted. First, individuals will continue to be able to take the licensing examination as many times as they want. This is not in line with peace officer licensing examination practices nationwide nor is it in the best interest of the public. Second, the proposed rules expand upon the remedial training process to ensure students are prepared to retake the licensing examination. If this rule is not adopted, the POST Board will not be able to intervene and assist an applicant earlier in the process with their remedial training. The POST Board wants applicants to be successful and the board believes the proposed rules will help the POST Board better assist examination applicants while maintaining the public interest.

7. The proposed rules are not contrary to any existing federal regulations.

8. The proposed rules do not have a cumulative effect with other federal or state regulations.

## Reciprocity

1. The classes that are most likely to be affected by and benefit from the proposed rule changes regarding reciprocity are reciprocity seekers and LEAs.

2. The POST Board will not incur additional costs as a result of the implementation or enforcement of the proposed rules. There will not be an effect on state revenues.

3. The proposed rules regarding reciprocity are less intrusive and cost no more or less than the previous rules. The POST Board and its stakeholders want to make it easier for individuals to qualify for reciprocity while preserving the purpose of the rule, which is to allow experienced peace officers an avenue to gain employment in MN. The proposed rule changes the definition of "postsecondary degree" to include degrees issued by colleges that do not have regional accreditation. The proposed rule also reduced the number of years of experience required as a peace officer to qualify to take the reciprocity examination – the requirement was made the same as military reciprocity in MN Statute 626.8517. A definition of "full-time" was added to the proposed rule to prevent part-time officers from qualifying for the reciprocity examination as this was not the intent of the rule.

4. The definition of "full-time" is in alignment with the definition held by the Bureau of Labor Statistics (BLS). Rulemaking contributors felt the BLS definition provided the most

flexibility while maintaining the necessary experience level desired of reciprocity seekers by the public, other law enforcement officers, and the board. The board strongly considered the Internal Revenue Service's definition of full-time (30 average service hours per week), but decided it was too far from the standard 40 service hours per week most law enforcement officers in Minnesota work.

The years of service required to qualify for the reciprocity examination dropped from three years with a degree and five years without a degree to two years with a degree and four years without a degree. This change aligns law enforcement reciprocity requirements with military reciprocity requirements, which are prescribed in statute. The board considered making a postsecondary degree or some college experience a requirement for all non-military reciprocity seekers, but this was determined to be contradictory to the board's primary goal for amending the reciprocity rule – the primary goal was to increase the number of reciprocity applicants and reduce the number of variance requests received by the board. The changes proposed by the board were chosen because they are in alignment with the board's original goals and are aimed at reducing the peace officer shortage in MN.

5. Complying with the proposed rules does not require individuals, government agencies, or small businesses to incur additional monetary costs.

6. If the proposed rules are not adopted, there will likely be several consequences. First, the POST Board's definition for "postsecondary degree" will be contradictory to the U.S. Department of Education's 2020 memo regarding university accreditation. The memo, which is attached as exhibit 16, states that the U.S. Department of Education holds all accrediting agencies to the same standard, therefore, the distinction between national and regional accreditation is unfounded. The current rules differentiate between national and regional accreditation; making those who have attended a nationally accredited college/university ineligible for licensure in MN. If the proposed rules are not adopted, MN will not be in alignment with the standards set by the U.S. Department of Education. Furthermore, if the proposed rule is not adopted, foreign degree holders will continue to be ineligible for licensure despite having a degree equivalent to one issued in the United States.

   The second consequence relates to the shortage of peace officers in MN. The proposed rules offer a more realistic approach to increasing the number of individuals who qualify for reciprocity by reducing the years of service requirement. By reducing the years of service required to qualify for reciprocity, the board will increase the number of individuals who qualify for the examination. The proposed rules align the law enforcement reciprocity requirements for military service members described in statute. The proposed rule changes are one avenue of providing relief to law enforcement agencies and communities across the state who find themselves impacted by the peace officer shortage. If the proposed rules are not adopted, the peace officer shortage will be perpetuated as it relates to reciprocity.

   Finally, if the proposed rules are not adopted, a problematic service gap will continue to exist. The current years of service requirement requires an individual to be employed for 3 or 5 years, but the rule does not list any employment conditions (i.e. part-time or full-time). As a result, an individual may qualify for reciprocity if the individual worked 8 hours a month for the last 3 years. This was not the intent of the rule. The "full-time" definition that was included in the proposed rules closes this service gap. If the proposed rule is not adopted, this issue will continue to exist and the rule will not satisfy its intended purpose, which is to allow only qualified, experienced individuals to take the reciprocity examination.

7. The proposed rules are not contrary to any existing federal regulations.

8. The proposed rules do not have a cumulative effect with other federal or state regulations.

## Investigation and Resolution of Misconduct Allegations

1. The classes that are most likely to be affected by and benefit from the proposed rule changes regarding the investigation and resolution of misconduct allegations are LEAs, CLEOs, and licensees. There is not an additional cost associated with the proposed changes.

2. The POST Board will not incur additional costs as a result of the implementation or enforcement of the proposed rules. There will not be an effect on state revenues.

3. The proposed rule changes related to the investigation and resolution of misconduct allegations do not have a cost associated with them. The changes are technical and either clarify current business practices or are the result of statutory changes made by the legislature. Therefore, there is no less intrusive or costly method of achieving the purpose of the proposed rule.

4. The proposed rule changes related to the investigation and resolution of misconduct allegations are technical and either clarify current business practices or are the result of statutory changes made by the legislature. Therefore, there were not any alternative methods for achieving the purpose of the proposed rule nor were there other rule options for the board to consider or reject in favor of the proposed rule.

5. Complying with the proposed rules does not require individuals, government agencies, or small businesses to incur additional monetary costs.

6. If the proposed rules are not adopted, the consequence is that the text of the rule will continue to be convoluted and contain an inaccurate statutory reference.

7. The proposed rules are not contrary to any existing federal regulation.

8. The proposed rules do not have a cumulative effect with other federal or state regulations.

# Conclusion

In this SONAR the POST Board established the need and reasonableness of the proposed rule amendments to Minnesota Rules, chapter 6700. The board has provided appropriate notice to stakeholders and has documented its compliance with all the applicable administrative rulemaking requirements prescribed in statute and rule. Based on the information articulated herein, the proposed rules are both needed and reasonable.

## List of Witnesses

If a public hearing is required, the following individuals will be available to testify in support of the rules and answer any questions regarding their reasonableness:

- Luke Hennen, POST Board Chair
- Jim Yang, POST Board Rules Committee Chair
- Erik Misselt, POST Board Executive Director
- Alicia Popowski, Rules and Legislative Coordinator with the POST Board
- Robert Skoro, Peace Officer Education Coordinator with the POST Board
- Katie Cederstrom, Licensing and Testing Coordinator with the POST Board

## References


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## Exhibits

The following exhibits were submitted to CAH for review:

1. the first Request for Comment (RFC) published in the State Register;
2. the second Request for Comment (RFC) published in the State Register;

3. the certificate of mailing notice of the first RFC to those on the agency's rulemaking notification list/additional notice plan;

4. the certificate of emailing notice of the first RFC to those on the agency's rulemaking notification list/additional notice plan;

5. the certificate of mailing notice of the second RFC to those on the agency's rulemaking notification list/additional notice plan;

6. the certificate of emailing notice of the second RFC to those on the agency's rulemaking notification list/additional notice plan;

7. a certificate of accuracy for the agency's rulemaking notification list;

8. the proposed rules and the Revisor's certificate to form;

9. the SONAR;

10. the letter to MMB requesting a fiscal analysis;

11. a certificate of mailing stating that the agency sent a copy of the SONAR to the Legislative Reference Library;

12. the Dual Notice of Intent to Adopt as published in the State Register;

13. a certificate of mailing the Dual Notice to those on the Additional Notice Plan and the agency's rulemaking notification list;

14. all written comments on the proposed rules received by the agency during the 30-day Dual Notice comment period;

15. the 2020 audit report completed by the International Association of Directors of Law Enforcement Standards and Training (IADLEST); and

16. a United States Department of Education memo from 2020 regarding Final Accreditation and State Authorization Regulations.