

A public hearing will be held by the Office of Attorney General Mike DeWine on Thursday, July 14, 2016 at 9:00 a.m. in the large conference room at the Ohio Peace Officers Training Academy, located at 1650 State Route 56 S.W., London, Ohio 43140.

The purpose of the hearing is to solicit comment on the following rule to be rescinded:

**TO BE RESCINDED**

**109:2-9-12 Public notices of meetings of the Ohio peace officer training commission.**

(A) Any person may determine the time and place of all regularly scheduled meetings of the Ohio peace officer training commission and the time, place, and purpose of all special meetings of the Ohio peace officer training commission by writing to the "Executive Director, Ohio Peace Officer Training Commission, P.O. Box 309, London, Ohio 43140." Notices of meetings may be also obtained by calling (614) 466-7771 during the hours of eight a.m. to five p.m., Monday through Friday.

(B) Any representative of the news media may obtain notice of all special meetings by requesting, in writing, that such notice shall be provided. A request for such notification shall be addressed to: "Executive Director, Ohio Peace Officer Training Commission, P.O. Box 309, London, Ohio 43140." The request shall provide the name of the individual media representative to be contacted, the person's mailing address, and a maximum of two telephone numbers where the person can be reached. The executive director shall maintain a list of all representatives of the news media who have requested notice of special meetings pursuant to this rule.

(C) In the event of a special meeting, not of an emergency nature, the executive director shall notify all media representatives on the list of such meeting by doing one of the following:

- (1) Sending written notice, which must be mailed no later than four calendar days prior to the day of the special meeting;
- (2) Notifying such representatives by telephone no later than twenty-four hours prior to the special meeting. Such telephone notice shall be completed if a message has been left for the representative, or if, after reasonable effort, the executive director has been unable to provide such telephone notice.

(D) The executive director shall maintain a list of all persons who have requested, in writing, notice of all meetings of the Ohio peace officer training commission at which specific subject matters designed by such persons are scheduled to be discussed. Any person may, upon payment of an annual fee in the amount of two dollars and fifty cents, have their names placed on such list. The executive director shall, no later than five days prior to each meeting, send by first class mail an agenda of the meeting to such persons.

Promulgated Under: 119.03

Statutory Authority: R.C. 109.74

Rule Amplifies: R.C. 109.73, R.C. 109.75

Prior Effective Dates: 10/01/1993, 01/01/2001

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All interested parties are invited to attend the hearing and present oral and/or written testimony. Written comments may also be submitted prior to the hearing to the attention of Donna Long, Ohio Peace Officer Training Commission, P.O. Box 309, London, Ohio 43140 or [donna.long@ohioattorneygeneral.gov](mailto:donna.long@ohioattorneygeneral.gov) no later than Tuesday, July 12, 2016. A copy of the proposed rules may be obtained from the Attorney General's website ([OhioAttorneyGeneral.gov](http://OhioAttorneyGeneral.gov)) or by calling 614-728-7275 or 800-282-0515. TTY users, please call Relay Ohio at 800-325-2223.

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AMENDMENT

109:2-9-05 **Approval of instructors.**

Each instructor is required to have the approval of the executive director. All persons requesting approval as an instructor shall submit a ~~notarized~~ statement of qualifications for each subject or unit of subjects on a form required by the executive director.

(A) Minimum qualifications for approval as a unit instructor shall be as follows:

- (1) High school graduate or possession of a "General Education Development" certificate;
- (2) Three years of institutional corrections experience;
- (3) Completion of an instructor training program approved by the executive director which shall include instruction in the theories of learning and adult education, teaching techniques, lesson plan development and usage, behavioral objectives, student evaluation and measurement, role playing, the use of audio-visual aids, and an exercise in practice teaching. Instructor training programs taught by the Ohio peace officer training academy, the Ohio department of education, the Ohio state highway patrol, a college or educational institution, or other programs which in the opinion of the executive director are equivalent will be acceptable;
- (4) Completion of training that allows a person to gain specific knowledge and skills in a unit for which certification is requested;
- (5) Recommendation of a school commander who has been the commander of record of an approved school within the five-year period immediately preceding the date of the application;

(B) Minimum qualifications for approval as a special subject instructor shall be as follows:

- (1) A high school graduate or possession of a "General Development" certificate;
- (2) Three years of combined experience and training in the subject area to be taught; or
- (2) Recognition for occupational competency; and
- (4) Recommendation of a school commander who has been the commander of record of an approved school within the five-year period immediately preceding the date of the application;

(C) Persons approved as special subject instructors shall be limited to no more than five topics in the commission-approved corrections curriculum.

(D) Renewal of unit and special subject instructor certification.

(1) Persons certified as unit instructors shall renew their certificate every three years. At least sixty days and no more than ninety days prior to expiration of the certificate, the instructor shall file with the executive director an application for renewal on a form required by the executive director. The instructor shall also file:

(a) Written evidence from the educational or training facility where the instructor received the training documenting that the instructor has successfully completed within the past three years a minimum of twelve clock hours of training in topics related to the commission-approved corrections curriculum or to improve instructional abilities, and

(b) Written evidence from the school commander that the instructor has taught in two approved corrections training schools for a minimum total of twelve teaching hours within the past three years.

(2) Persons certified as special subject instructors shall renew their certificates every three years. At least sixty days and no more than ninety days prior to expiration of the certificate, the instructor shall file with the executive director an application for renewal on a form required by the executive director. The instructor shall also file:

(a) Written evidence from the educational or training facility where the instructor received the training documenting that the instructor has successfully completed within the past three years a minimum of eight clock hours of training in topics related to the commission-approved corrections curriculum, and

(b) Written evidence from the school commander or administrator that the instructor has taught in two approved corrections training schools for a minimum total of eight teaching hours within the past three years.

(E) Denial of certification, denial of or renewal of certification, or revocation of certification.

(1) Should the executive director refuse to issue or renew a certificate, or should the executive director suspend or revoke a certificate, that executive director shall notify the person in writing and, unless the decision is of a ministerial nature, shall advise the applicant that he or she may request a hearing before the commission as provided in sections 119.06 and 119.07 of the Revised Code.

(2) The commission shall conduct the hearing as required by sections 119.01 to 119.13 of the Revised Code.

(3) The executive director shall deny or revoke the certificate of any instructor for the following reasons:

(a) Failure to meet the minimum qualifications for instructor certification listed in paragraphs (A) and (B) of this rule;

(b) Failure to meet renewal criteria;

(c) Failure to meet renewal deadline;

(d) Submission of falsified records, application, or other documentation;

(e) Unacceptable performance evaluations;

(f) Conviction of a felony, crime of moral turpitude, offense of violence, sexually oriented or child-victim oriented offense, or any other peace officer disqualifying offense; or

(g) Any other good cause shown.

(4) The executive director may suspend the certification of any instructor that is charged with any felony, crime of moral turpitude, offense of violence, sexually oriented or child-victim oriented offense, or any other peace officer disqualifying offense.

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